

# 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

### 25 MARCH 2025

PAUL BENNETT  
GENERAL MANAGER

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## 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
8	INFRASTRUCTURE AND SERVICES .....	5
8.1	NAMING OF THE BATTING TUNNELS AT THE TAMWORTH BASEBALL FIELDS THE .....	5
8.2	2025 JUNE LONG WEEKEND BASEBALL CARNIVAL FEE WAIVER REQUEST - TAMWORTH BASEBALL INCORPORATED.....	7
8.3	WATER NSW'S CUSTOMER ADVISORY GROUP NOMINATIONS 2025-2030.....	8
	<b>1 ANNEXURES ATTACHED</b>	
9	GOVERNANCE, STRATEGY AND FINANCE.....	9
9.1	2025 ANZAC DAY MEMORIAL SERVICES WITHIN THE TAMWORTH REGIONAL COUNCIL AREA.....	9
9.2	2025 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - MOTIONS FOR SUBMISSION.....	12
9.3	SISTER CITY PROTOCOL VISIT TO GORE, NEW ZEALAND.....	13
9.4	INTEGRATED PLANNING & REPORTING JULY TO DECEMBER 2024 PROGRESS REPORT	15
	<b>1 ANNEXURES ATTACHED</b>	
9.5	REVIEW OF FINANCE GENERAL POLICIES .....	16
	<b>4 ANNEXURES ATTACHED</b>	
9.6	ANNUAL OPERATIONAL PLAN 2024/2025 BUDGET VARIATION REPORT - FEBRUARY 2025 .....	18
	<b>1 ANNEXURES ATTACHED</b>	
9.7	COUNCIL INVESTMENTS FEBRUARY 2025.....	20
	<b>1 ANNEXURES ATTACHED</b>	
9.8	COMMUNITY STRATEGIC PLAN.....	21
	<b>1 ANNEXURES ATTACHED</b>	
9.9	TAMWORTH REGIONAL COUNCIL - PROPOSED 2025/2026 AIRPORT FEES AND CHARGES.....	23
	<b>1 ANNEXURES ATTACHED</b>	
10	COMMUNITY SERVICES.....	25

10.1	RSL NSW REQUEST FOR SPONSORSHIP .....	25
10.2	PROPOSED LICENCE AGREEMENT FOR USE OF SHIPPING CONTAINER - ANIMAL WELFARE LEAGUE .....	27
10.3	REVIEW OF THE TERMS OF REFERENCE FOR COUNCIL COMMUNITY COMMITTEES AND WORKING GROUPS.....	29
	<b>1 ANNEXURES ATTACHED</b>	
<b>11</b>	<b>REPORTS TO BE CONSIDERED IN CLOSED COUNCIL.....</b>	<b>31</b>
	EXPRESSION OF INTEREST - E055-2025 - PROPOSED LEASE OR AGISTMENT AGREEMENT OF RURAL LAND AT 226 OXLEY LANE, WESTDALE .....	31

## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

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

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

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

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

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

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

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

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

## AGENDA

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

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 11 March 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**

Nil

### **8 INFRASTRUCTURE AND SERVICES**

#### **8.1 NAMING OF THE BATTING TUNNELS AT THE TAMWORTH BASEBALL FIELDS THE "DAVID McMURRAY BASEBALL BATTING TUNNELS"**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** Paul Kelly, Manager - Sports and Recreation  
Richard Willis, Sport and Recreation Development Officer

### **RECOMMENDATION**

*That in relation to the report "Naming of the Batting Tunnels at the Tamworth Baseball Fields the "David McMurray Baseball Batting Tunnels", Council:*

- (i) place on public exhibition the proposal to name the batting tunnels at the Tamworth baseball fields after David McMurray for a period of 28 days;*
- (ii) in the absence of any formal objection to the proposed naming, agree to adopt*

- the name “David McMurray Batting Tunnels” for the structure; and*  
*(iii) permit Tamworth Baseball to erect appropriate signage.*

## **SUMMARY**

The purpose of this report is to seek Council’s consideration of naming the batting tunnels at the Tamworth baseball fields the “David McMurray Batting Tunnels”.

## **COMMENTARY**

Tamworth Baseball Incorporated has requested Tamworth Regional Council consider naming the batting tunnels at the Tamworth Baseball Fields the “David McMurray Batting Tunnels”.

Mr McMurray lived in Tamworth from the age of 13 and was involved with Tamworth Baseball for the majority of his life. He played an influential role in securing financial grants and overseeing refurbishment projects at the fields, and had a longstanding commitment as a player, official, board member, mentor, and president from 2018 until his passing in 2024. His efforts have not only advanced the sport but also brought significant economic benefits to the region through events such as the June Long Weekend Baseball Carnival. Naming the batting tunnels in his honour is a fitting tribute to someone who has dedicated over 40 years to the sport and positively impacted so many lives.

Council is the asset owner of the Tamworth baseball complex, including the batting tunnels. The Sports and Recreation division support this request from Tamworth Baseball and put forward this recommendation to Council.

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

Nil

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

The naming of the batting tunnels will have no financial implications for Council. Tamworth Baseball will cover all costs associated with the installation of signage.

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

Nil

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

The proposed batting tunnel naming will be exhibited for public comment in accordance with the Naming of Council Facility policy. Should no submissions be lodged in objection to the proposed name, Council will proceed to adopt the name for the facility and erect signage. In the instance that one or more valid objections are received in respect of the proposed naming, the matter will be reported to a subsequent Council meeting for Council’s consideration.

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

Focus Area 2 – A liveable built environment

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## **8.2 2025 JUNE LONG WEEKEND BASEBALL CARNIVAL FEE WAIVER REQUEST - TAMWORTH BASEBALL INCORPORATED**

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

### **RECOMMENDATION**

*That in relation to the report “2025 June Long Weekend Baseball Carnival Fee Waiver Request - Tamworth Baseball Incorporated”, Council approve a complete fee waiver for all fees associated with the event.*

### **SUMMARY**

Tamworth Baseball Incorporated (Tamworth Baseball) will be hosting the June Long Weekend Baseball Carnival, attracting more than 975 players from all over Australia.

Given the substantial economic benefit to the community, the opportunity to showcase Tamworth’s sporting facilities, and Tamworth’s ability to host large sporting events, Tamworth Regional Council is asked to consider waiving the fees associated with this event.

### **COMMENTARY**

Tamworth Baseball has selected the Riverside Sporting Complex as the location for the 2025 June long weekend baseball carnival. This carnival has taken place in Tamworth for over 50 years and is the largest baseball carnival in the southern hemisphere. It continues to provide the community with the opportunity to participate in baseball at a competitive level and showcase Tamworth’s ability to host large scale sporting events.

Tamworth Baseball has advised that the carnival will attract 63 teams with approximately 975 participants from across New South Wales, Victoria, and Queensland. As a result, this event is estimated to have a total impact of \$973,445 on the Tamworth economy.

On receipt of a complete fee waiver request, Council’s technical staff first apply Council’s adopted Sport Event Subsidisation Policy (SESP). The SESP ensures Council applies a consistent and transparent framework to requests for Council fee subsidy/waivers when a major event is hosted in the region. Importantly, the SESP allows Council to manage the finite resources specifically allocated to support hosting sporting events in the region in an equitable manner.

This event will take place at the Riverside Sporting Complex in Tamworth. The hire fees for this event have been calculated using Council’s adopted 2024/2025 fees and charges totalling \$11,487.

Tamworth Baseball has requested Council consider waiving the fees associated with the event. This will minimise the costs incurred by Tamworth Baseball to host the event and the associated cost to players to participate.

As a result of the significant economic injection into the local economy, it is recommended that Council support the fee waiver request for all costs associated with the event.

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

Nil



**(b) Financial Implications**

The Sports and Recreation division has an annual budget allocation for events subsidised under the SESP. The fees associated with this event will be covered by this budget allocation. The total remaining in this budget is detailed in Table 1.

*Table 1. SESP budget*

2024/25 budget	\$50,829
Budget as of time of this report	\$35,343
Budget remaining if this fee waiver for baseball is applied	\$23,856

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 2 – A liveable and built environment

**8.3 WATER NSW's CUSTOMER ADVISORY GROUP NOMINATIONS 2025-2030**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Samantha Ward, Executive Assistant Water and Waste  
Bruce Logan, Director - Water and Waste

**Reference:** Item 8.3 to Ordinary Council 22 March 2022 - Minute No 82/22  
Item 8.3 to Ordinary Council 26 February 2019 - Minute No 36/19

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Water NSW's Customer Advisory Group Nominations 2025-2030", Council:*

- (i) nominate the Director Water and Waste as Council's representative on the Namoi/Peel Customer Advisory Group for the period 1 July 2025 to 30 June 2030; and*
- (ii) not nominate an alternative representative.*

**SUMMARY**

The term of office for Water NSW's Customer Advisory Groups expires on 30 June 2025. Council is presently represented by the Director Water and Waste on the Namoi/Peel Customer Advisory Group. This report seeks direction from Council on whether Council wishes to be represented on a future committee, and if so, who will represent Council.

**COMMENTARY**

Customer Advisory Groups are an important forum for communication and consultation between WaterNSW and its customers.

The Customer Advisory Group Fact Sheet is **ATTACHED**, refer **ANNEXURE 1**.

Water NSW is now calling for nominations for representatives to serve on the Customer Advisory Groups across NSW for a five-year term – concluding 30 June 2030. As a Local Water Utility sourcing water from both the Peel and Namoi Valleys, Council is invited to nominate a representative to the Namoi/Peel Customer Advisory Group. Nominations close 17 April 2025.

Council is able to nominate a representative and an alternate (optional). Previously Council's representative has been the Director Water and Waste. Council has not nominated an alternate because the frequency of meetings makes it possible for the Director to attend the majority of meetings. It is recommended Council continue with this practise and not nominate an alternate.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

For private individuals, and/or private individuals representing a group, expenses incurred in attending meetings are claimable from WaterNSW. Council's representative, should one be nominated and accepted, will attend during office hours and to date expenses (such as salary and travel) have not been claimed.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 6 – Working with and protecting our environment

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

### **9.1 2025 ANZAC DAY MEMORIAL SERVICES WITHIN THE TAMWORTH REGIONAL COUNCIL AREA**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Lisa May, Coordinator Governance and Executive Services

#### **RECOMMENDATION**

*That in relation to the report "2025 ANZAC Day Memorial Services Within the Tamworth Regional Council Area ", nominate Councillor Representation at the following locations:*

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*Attunga*

*Barraba*

*Bendemeer*

*Duri*

*Kootingal*

*Moonbi Masonic Village RFBI*

*Manilla*

*Manilla Central School*

*Moonbi*

*Nundle*

*Somerton*

*Tamworth Dawn Service*

*Tamworth Service*

*Gipps Street Memorial*

*Cr Steve Mears*

*Cr Jeff Budd*

*Mayor Russell Webb, Cr Sharpham*

*Cr Marc Sutherland*

*Mayor Russell Webb/Cr Ryan Brooke*

*Mayor Russell Webb*

*Cr Charles Impey/Cr Mark Rodda*

## **SUMMARY**

The purpose of this report is to allocate individual Councillor's attending the 2025 Anzac Day Memorial Services.

## **COMMENTARY**

Listed below is an itinerary for the locations in the region where Council is aware that Anzac Services are held. As further information is received it will be brought to the attention of the nominated Councillor for that location.

### **Tamworth**

A formal invitation to Council has been received from the Tamworth RSL Sub-Branch. The events Anzac Day 2025 will be as follows:

5:30am	ANZAC Day Dawn Commemoration Service	ANZAC Memorial Gates	ANZAC Park
10:45am	Main Commemorative Service	Tamworth Memorial Town Hall	Fitzroy Street
12:00pm	Tamworth RSL Sub-branch ANZAC Day Luncheon	All attendees (except official guests) are required to have a paid ticket.	West's League Club

### *Gipps Street Memorial*

A formal has been received from the Rotary Club of Tamworth West; with the ANZAC Day Memorial Service at the Gipps Street Memorial commencing at 7:00am.

### **Moonbi**

A formal invitation to Council has been received, the Moonbi Masonic Village RFBI will host a Service on Wednesday 23 April, at the Moonbi Masonic Village RFBI starting at 10:00am with light refreshments served from 11am.

#### **Bendemeer**

A formal invitation to Council has been received from the Bendemeer Returned Services Association for Councilors to attend the Dawn Service which will commence at 5:30am at the ANZAC Memorial Gates in Memorial Park, Memorial Drive to lay a wreath on behalf of Council. There will be a breakfast at 6am, followed by the March which commences at 10.45am at the corner of Havannah Street and Memorial Drive.

#### **Duri**

A formal invitation to Council has been received from the Duri Progress Association for Councilors to attend the Duri ANZAC Service which will commence at 7.30am at the Duri War Memorial, Duri Sportsground, Duri-Dungowan Road, to lay a wreath on behalf of Council. There will be a morning tea commencing after the conclusion of the service.

#### **Moonbi**

No formal invitation to Council has been received, however, the Moonbi Public School normally host an Anzac Day Service on a school day which commences at 10:30am at the school. With morning tea held following the Service.

#### **Nundle**

A formal invitation has been received from the Tamworth RSL Sub-branch to attend the Nundle Anzac Day Commemoration Service. The Service will commence at 11:00am at the Nundle Memorial Hall, followed by a March to the Cenotaph at the Nundle Council Office.

#### **Somerton**

No formal invitation to Council has been received, however, the March normally commences from the school at 7:45am, the Commemorative Service is normally held at the Somerton War Memorial Hall at 8:00am.

#### **Kootingal**

No formal invitation to Council has been received, however, the March from Kootingal School normally commences at 8am (assembly at 7:45am) with the Service at approximately 8:30am at the Memorial in Memory Park, Denman Avenue. With Morning Tea held following the Service.

#### **Manilla**

##### *Manilla Anzac Day Service*

No formal invitation to Council has been received, however, the March normally commences at 10:45am from the RSL Club with the Service to follow adjacent to the Large Town Hall. Lunch is then held after the Service.

##### *Manilla Central School*

No formal invitation to Council has been received from Manilla Central School, however, the Manilla Central School normally conduct a Service commencing at 10:30am at the Primary Department. A morning tea will follow the Service in the Primary Library.

#### **Attunga**

A formal invitation to Council has been received from the Attunga ANZAC Day Committee for the Anzac Day March and Memorial Service commencing in front of the Attunga Primary School at 3:00pm, and the Service at the Memorial Gates in Attunga Street. Following the Service refreshments will be served at the Attunga Hall.

#### **Barraba**

No formal invitation to Council has been received however, the Dawn Service normally commences at 6am at the Memorial Clock. The March commences at 10:50am from the corner of Queen and Alice Streets and arrives at the Memorial Clock at 11:00am for the commencement of the Service. Lunch will be held after the Service.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Funding for attendance at the above Anzac Day Memorial Services including travel and wreaths is included in the Executive Services budget.

**(c) Legal Implications**

Council's formal approval for the attendance of any Councillor at these Anzac Day Memorial Day Services is required for insurance purposes whilst these Representatives of Council are performing bona fide duties.

**(d) Community Consultation**

Nil

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

Focus area 9 – Open and collaborative leadership

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## **9.2 2025 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - MOTIONS FOR SUBMISSION**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Lisa May, Coordinator Governance and Executive Services  
**Reference:** Item 9.1 to Ordinary Council 11 February 2025 - Minute No 7/25

### **RECOMMENDATION**

*That in relation to the report “2025 National General Assembly of Local Government - Motions for Submission”, Council authorise the motion; that the National General Assembly calls on the Australian Government to immediately apply resources to investigate and thwart the increases in cigarette and vape stores establishing in the regions around Australia selling illegal foreign products harmful to the health of Australians and detrimental to the Commonwealth's taxation revenues and established businesses that currently sell legal products.*

### **SUMMARY**

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The purpose of this report is to present to Council the motions to be submitted on behalf of Tamworth Regional Council to the 2025 National General Assembly for Local Government.

## **COMMENTARY**

Council, at its Ordinary Meeting held on 11 February 2025, authorised the Mayor, Deputy Mayor, Cr Ryan Brooke and Cr Brendon North to attend the 2025 National General Assembly of Local Government (NGA) to be held over 24-27 June 2025.

Following this Meeting, Motions were suggested as follows:

### Motion Submitted by Councillors

That the National General Assembly calls on the Australian Government to immediately apply resources to investigate and thwart the increases in cigarette and vape stores establishing in the regions around Australia selling illegal foreign products harmful to the health of Australians and detrimental to the Commonwealth's taxation revenues and established businesses that currently sell legal products

### **National Objective**

Australia is being inundated with cigarette and vape stores peddling illegal products. In its Main Street and CBD the city of Tamworth boasts 9 similar stores selling cheap tobacco and vape products. This is having a detrimental impact on the health of our residents, impacts the revenues of other businesses that sell legal tobacco products and would also impact the taxation revenues of government. This problem is Australia wide with some enterprises operated by criminal gangs.

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

Nil

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

Nil

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

Nil

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

Nil

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

Focus Area 9 – Open and Collaborative Leadership.

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## **9.3 SISTER CITY PROTOCOL VISIT TO GORE, NEW ZEALAND**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Lisa May, Coordinator Governance and Executive Services

### **RECOMMENDATION**

*That in relation to the report "Sister City Protocol Visit to Gore, New Zealand", Council authorise the Mayor, General Manager and Councillor Matt Sharpham to visit Gore for the 50<sup>th</sup> Country Music Festival from 28 May to 1 June.*

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## **SUMMARY**

The purpose of this report is to advise Council of the Protocol arrangements following receipt of an invitation from the Mayor of Gore District Council for representatives of Tamworth Regional Council to attend their 50<sup>th</sup> Country Music Festival in May/June and to authorise the Mayor, General Manager and Councillor Matt Sharpham to attend.

## **COMMENTARY**

Under the current Sister City Protocol between Tamworth and Gore, New Zealand, Tamworth is scheduled to make a Protocol visit to Gore in 2025. The Protocol allows for reciprocal visits every second year. The Mayor of Gore District Council, Ben Bell, has issued an invitation. The Protocol provides that Council's delegates will be the Mayor or his nominee, the General Manager or his nominee and the Manager or representative of the Gore Sister City Advisory Group, as Council no longer has Sister City Advisory Groups, another Councillor is permitted to go. The Mayor and General Manager have indicated they are available to attend. As part of the invitation, Gore District Council are excited to introduce Council representatives to the Directors of Resolution Farming Application for possible expansion into Tamworth. Due to the agricultural/farming/IT aspect of this proposal, Cr Matt Sharpham was approached if he was interested in attending due to his skillset.

This year will be 50<sup>th</sup> Anniversary of the Gore Country Music Festival, and Gore are wanting Council to attend as part of their official celebrations. The Gore District Council would like the Mayor and General Manager to address the Gore Business Lunch during their 50<sup>th</sup> Country Music Festival and attend the NZ Gold Guitar Awards 50th Anniversary Concert.

The cost of the visit will include airfares and car hire, as Gore is located several hours' drive from Queenstown. Accommodation in Gore will be covered by Gore District Council.

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

Overseas Travel is in accordance with the Travel – Overseas Visits Policy.

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

Funding will be provided from within the existing 2024-2025 Sister City Budget.

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

The current directive from the Office of Local Government provides that any Council decision for delegates to undertake overseas travel must be determined at an Ordinary meeting of Council in Open Session. Details of overseas travel by official Council representatives is also to be recorded in Council's Annual Report for the respective financial year. The Independent Commission Against Corruption has issued guidance for Councillors on corruption risks associated with overseas travel. This guidance has been adopted as a guideline under section 23A of the Local Government Act 1993 and has been considered as part of this report.

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

Nil



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

Focus Area 9 – Open and Collaborative Leadership

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**9.4 INTEGRATED PLANNING & REPORTING JULY TO DECEMBER 2024 PROGRESS REPORT**

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

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Integrated Planning & Reporting July to December 2024 Progress Report”, Council receive and adopt the report.*

**SUMMARY**

The purpose of this report is to present to Council Our Progress Report, July-December 2024. This report demonstrates progress against actions identified in Our Delivery Plan 2023-2025 and Our Annual Plan and Budget 2024/2025.

**COMMENTARY**

As legislated by the Local Government Act 1993, all Councils in NSW are required to prepare a comprehensive suite of planning and reporting documentation in accordance with the Integrated Planning and Reporting (IP&R) framework.

The aim of this framework is to support Councils in developing short, medium and long term strategies that address and support the priorities and aspirations of the community, whilst giving due consideration to the broader contexts of Regional and NSW State Government planning priorities.

At the top of the IP&R suite, Council leads the development and implementation of a Community Strategic Plan that provides strategic direction for the community for a minimum of 10 years. The IP&R suite’s medium and short term plans are known as the Delivery Program (four years) and Operational Plan (annual).

The IP&R framework also includes a mechanism for reporting back to the community on the outcomes for each strategic plan within the suite.

In accordance with Section 404 of the Local Government Act 1993, Council must ensure that progress reports are provided to Council with respect to the principal activities detailed in the Delivery Program at least every six months.

**Our Progress Report**

Our Progress Report, July-December 2024, details progress against the 240 actions identified in the Delivery Program, Our Delivery Plan 2023-2025 and the Operational Plan, Our Annual Plan and Budget 2024/2025. These combined plans were adopted by Council at its Ordinary Meeting held 25 June 2024.

Each action in Our Annual Plan and Budget 2024/2025 appears in the Progress Report, **ATTACHED**, refer **ANNEXURE 1**, with an overall indicator on action performance during the reporting period.

The status determination is based on Key Performance Indicators. The status is recorded as either *Complete*, *On Track*, *Needs Attention*, or *Not Started*.



At the conclusion of the reporting period, 82% of the recorded actions were reported as *Complete* or *On Track* and 18% were identified as *Needs Attention* or *Not Started*. Actions that have been identified as *Needs Attention* are accompanied by remedial actions throughout the report.

Our Progress Report, July-December 2024, should be read in conjunction with the IP&R suite of documents including Our Community Plan 2023-2033, Our Delivery Plan 2023-2025 and Our Annual Plan and Budget 2024/2025.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

The Integrated Planning and Reporting Framework is legislated under the Local Government Act 1993.

**(d) Community Consultation**

Nil

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

Focus Area 9 – Open and Collaborative Leadership

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## **9.5 REVIEW OF FINANCE GENERAL POLICIES**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Hannah Allwood, Accountant

**4 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Review of Finance General Policies”, Council note that the following finance policies have been reviewed by Financial Services and endorse the minor recommended amendments. The amendments are insignificant in nature and do not warrant a public exhibition period. The policies reviewed are the:*

- (i) Investment Policy;*
- (ii) Debt Recovery for Property-Related Debts (including rates and water) Policy;*
- (iii) Ratepayers Hardship Policy; and*
- (iv) Pensioner Policy*

### **SUMMARY**

The purpose of this report is to advise Council that the finance policies contained within the Council's General Policy Register have been reviewed as per policy requirements by the Finance Division. The table below notes the minor revisions that are recommended. New policies or those that have had significant amendments are required to go out on public exhibition for a period of 28 days, however, the amendments are minor in nature and no exhibition period warranted.

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## COMMENTARY

All of the Finance Policies contained in the General Policy Register are required to be reviewed annually to ensure they are compliant with legislative requirements, and their content is relevant and appropriate. This review has been undertaken by Financial Services. The table below outlines the recommended changes which are able to be reviewed in the **ATTACHED**, refer **ANNEXURE 1, 2, 3 and 4**.

<b>Investment Policy</b> <b>ANNEXURE 1</b>	<ul style="list-style-type: none"> <li>• minor formatting and grammatical errors have been corrected;</li> <li>• reference to Council's Risk Management Guidelines has been added;</li> <li>• approved Investments section has been updated to note the legislative context; and</li> <li>• in the Risk Management Guidelines section, the term 'counterparty' has been included (referenced in the Table under section (a) Overall Portfolio Limits).</li> </ul>
<b>Debt Recovery Policy for Property-Related Debts (including rates and water)</b> <b>ANNEXURE 2</b>	<ul style="list-style-type: none"> <li>• addition of the word 'Policy' in the title;</li> <li>• amendment of word 'Garnishee's' to 'Garnishee orders';</li> <li>• amendment of word 'will' to 'may' under the Debt Recovery Processes section reading as: "The debt recovery process <i>may</i> commence once the overdue amount on a property reaches \$1,000," which is in line with the Local Government Act terminology; and</li> <li>• Policy Review section has also been added to ensure consistency with other Finance policies</li> </ul>
<b>Ratepayers Hardship Policy</b> <b>ANNEXURE 3</b>	<ul style="list-style-type: none"> <li>• minor grammatical amendment to name of the policy to <i>Ratepayers</i> Hardship Policy (instead of <i>Rate Payers</i> Hardship Policy); and</li> <li>• removal of a copy of the Hardship Rate Relief Application Form from the Policy. The Form is operational matter and is not referred to as an attachment in the Policy.</li> </ul>
<b>Pensioner Policy</b> <b>ANNEXURE 4</b>	<ul style="list-style-type: none"> <li>• minor formatting updates relating to the table of definitions in the way of addition of, bullet points and line breaks.</li> </ul>

### (a) Policy Implications

Review of these policies is required to conform with the policy requirements.

### (b) Financial Implications

Due to the minor grammatical and formatting corrections there are no financial implications resulting from the review of these policies.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 9 – Open and Collaborative Leadership.

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**9.6 ANNUAL OPERATIONAL PLAN 2024/2025 BUDGET VARIATION REPORT - FEBRUARY 2025**

**DIRECTORATE: CORPORATE AND GOVERNANCE**

**AUTHOR: Laura Mills, Corporate Accountant**

**Reference: Item to Ordinary Council 25 June 2024 - Minute No 148/24**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Annual Operational Plan 2024/2025 Budget Variation Report - February 2025”, Council note and approve the variations to the existing budget as listed in ATTACHED refer ANNEXURE 1 to the report.*

**SUMMARY**

This report seeks Council approval for budget variations identified during February 2025, for which there has been no previous specific report or approval.

**COMMENTARY**

Council adopted the original budget included in the Annual Operational Plan for 2024/2025 at the Ordinary Meeting of Council held 25 June 2024. Any changes to the budget must be approved by Council at a later Ordinary Meeting. The budget forms the basis for future forecasts and the legal authority for staff to commit expenditures. Constant monitoring and updating of the budget is important for sound financial management.

Readers of this report are reminded that its contents should not be viewed in isolation. Quarterly Budget Review Statements provide additional revised information for budget forecasts and actual year-to-date results.

During the month of February, Council received two new grants, the first for \$210,500 from the Regional Airport Program (RAP) Round 4 to be used for the Overlay of Taxiways at Tamworth Regional Airport. The second significant grant was for \$150,000 from the NSW Premiers Department under the Local Small Commitments Allocation Program for the upgrade of the Free Flight Bird Aviary at the Tamworth Marsupial Park.

Additional funding was required to undertake fire compliance work at TRECC. AELEC also required additional funding from their reserve for two projects in relation to the upgrade and compliance works associated with the Fire Exit Doors, as well as an increase to their asset maintenance budget for additional works during the year.

As activity at the Pilot Training Facility increases, work has been undertaken with renovations to the F Block of the residential accommodation facility, as well as works to the existing house on the premises. A project for works to retrofit and prepare the technical centre have commenced at the behest of the tenant under a private works arrangement.

Additional funds were required to continue work on power upgrades at the Tamworth Global Gateway Park, as well as further funds required as work on the final design of the Aquatic Centre progresses.

## February 2025 Budget Variations

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
Entertainment Venues	28,000	0	0	0	28,000
AELEC Precinct	146,650	0	0	0	146,650
Financial Services	50,880	0	50,880	0	0
Learning Communities	-6,892	-6,892	0	0	0
Directorate Mgt – Liveable Communities	-1,006	-1,006	0	0	0
Airport & Aviation	-209,500	0	0	-210,500	1,000
Pilot Training Facility	301,388	0	0	-42,000	343,388
Sports & Recreation Services	0	0	0	-150,000	150,000
Project Costing	283,000	0	0	0	283,000
<b>TOTAL</b>	<b>592,520</b>	<b>-7,898</b>	<b>50,880</b>	<b>-402,500</b>	<b>952,038</b>

Black budget variation will *reduce* Council's forecast operating result and/or bank account

Green budget variation will **increase** Councils forecast operating result and/or bank account

### (a) Policy Implications

Nil

### (b) Financial Implications

The variations included in the report have the following impact on forecast results for 2024/2025 by fund of:

Fund	Operating Income	Operating Expenses	Capital Income	Capital Expenses
------	------------------	--------------------	----------------	------------------

General	-7,898	50,880	-402,500	952,038
Water	0	0	0	0
Sewer	0	0	0	0
<b>Total</b>	<b>-7,898</b>	<b>50,880</b>	<b>-402,500</b>	<b>952,038</b>

**(c) Legal Implications**

This report is in compliance with the following sections of the *Local Government (General) Regulation 2021*:

- 211 authorisation of expenditure; and
- 202 Responsible Accounting Officer to maintain system for budgetary control.

**(d) Community Consultation**

Nil

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

Focus Area 9 – Open and Collaborative Leadership

## 9.7 COUNCIL INVESTMENTS FEBRUARY 2025

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Manager - Financial Services  
 Robyn Barnes, Accountant

**1 ANNEXURES ATTACHED**

### RECOMMENDATION

*That in relation to the report “Council Investments February 2025”, Council receive and note the report.*

### SUMMARY

In accordance with *Local Government (General) Regulation 2021*, Clause 212, the purpose of this report is to provide Council with a register of investments held as at 28 February 2025, and provide Responsible Accounting Officer certification that investments comply with the *Local Government Act 1993*, *Local Government (General) Regulation 2021* and Council's Investment Policy. The register and accompanying certification can be found **ATTACHED**, refer **ANNEXURE 1**.

### COMMENTARY

The register **ATTACHED**, refer **ANNEXURE 1** shows Council's cash and investment holdings as at 28 February 2025.

Despite previous Media Releases by The Reserve Bank (RBA) indicating that interest rates weren't predicted to drop until 2026 at its February meeting RBA felt that inflation is moderating and lowered the cash rate. This has resulted in an immediate drop in rates

available on Council's term deposits. Reference to the attachment shows term deposits taken out in December 2024 earning 5.05% whilst a recent February term deposit is only returning 4.78%. A quarter of a percent drop in interest rates costs Council \$2,500.00 on a \$1,000,000.00 twelve month term deposit which when you have total investments of over \$200 million adds up.

During the month, Council's portfolio performed above the industry average, returning 5.03% against the three-month Bank Bill Swap rate (3mBBSW) of 4.12%.

**(a) Policy Implications**

All of Council's investments are held in accordance with the Tamworth Regional Council Investment Policy.

**(b) Financial Implications**

Nil

**(c) Legal Implications**

All of Council's investments are held in accordance with the Tamworth Regional Council Investment Policy, which accords with the requirements of:

- *Local Government Act 1993* – Section 625;
- *Local Government Act 1993* – Order (of Minister) dated 16 November 2000; The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A (2), 14C (1) and 2;
- *Local Government (General) Regulation 2021* – Clauses 212; and
- *Local Government Code of Accounting Practice & Financial Reporting* – Update No 15 dated June 2007.

**(d) Community Consultation**

Nil

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

Focus Area 9 – Open and Collaborative Leadership

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## **9.8 COMMUNITY STRATEGIC PLAN**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Karen Litchfield, Internal Auditor

**1 ANNEXURES ATTACHED**

### **RECOMMENDATION**

*That in relation to the report “Community Strategic Plan”, Council:*

- place the proposed Draft Community Strategic Plan on public exhibition for a period of 28 days in accordance with section 402 of the Local Government Act 1993; and*
  - require a further report to be submitted at the completion of the formal exhibition period detailing any submissions received during exhibition for Council's consideration and final adoption of the Community Strategic Plan.*
-

## SUMMARY

The purpose of this report is to present the draft Community Strategic Plan for approval to place on public exhibition for a period of 28 days.

## COMMENTARY

Under the Integrated Planning and Reporting (IP&R) Framework, Council is required to prepare a number of documents to facilitate integration of long-term planning and implementation of Council activities.

After each ordinary Council election, Council must review all IP&R documents to realign Council's goals with community expectations.

These documents are described in the table below.

Plan	Purpose	Timeframe/ horizon	Reviewed
Community Strategic Plan 2025-2035	Identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals	10 years	After every ordinary council election
Delivery Program 2025-2029 and Our Annual Operational Plan and Budget 2025-2026	A statement of commitment to the community from the newly elected Council, that translates the community's strategic goals in to actions  An action plan for achieving the community's priorities, including operational and capital works budgets	4 year  1 year	Annually  Annually
Our Resourcing Plan	Demonstrates how work identified in the Delivery Program and Annual Operational Plan will be resourced.  Consisting of three components:		
	1. Long Term Financial Plan- A rolling plan that informs decision making and demonstrates how commitments will be funded	10 years	Annually
	2. Workforce Management Plan- A proactive plan that shapes the capacity and capability of the workforce to achieve council's strategic goals	4 years	Annually
	3. Asset Management Plan- A plan to ensure council's assets are managed and accounted for in an	4 years	Annually

	efficient and sustainable way		
Revenue Policy 2025-2026	The proposed Revenue Policy which includes the schedule of rates	1 year	Annually
Fees and Charges 2025-2026	Contains the proposed Schedule of Fees and Charges for council services for the period	1 year	Annually

The Community Strategic Plan is Council's strategy document for the next 10 years and is the first document to be placed on public exhibition. The Community Strategic Plan is **ATTACHED**, refer **ANNEXURE 1**. The remaining IP&R documents will be completed and placed on public exhibition prior to 30 June 2025.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

Council is required to have a Community Strategic Plan and that the Plan be placed on public exhibition under sections 402 of the *Local Government Act 1993*.

**(d) Community Consultation**

The Community Strategic Plan has been reviewed with community consultation through surveys and community workshops.

The Act requires Council, to place the draft plan on public exhibition for a period of at least 28 days.

Council has prepared a Communication Plan for the exhibition period for documents in this report.

The Plan includes all media including radio, digital and print, as well as pop-up information kiosks across the region where our community can engage with staff and councillors to provide feedback on the goals and actions set out in the documents.

Copies of the draft documents will be made available for download from Council's website: [www.tamworth.nsw.gov.au](http://www.tamworth.nsw.gov.au).

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

Focus Area 9 – Open and Collaborative Leadership

## 9.9 TAMWORTH REGIONAL COUNCIL - PROPOSED 2025/2026 AIRPORT FEES AND CHARGES

DIRECTORATE:

REGIONAL SERVICES

AUTHOR:

Billy Gleeson-Barker, Manager Aviation Precinct

**1 ANNEXURES ATTACHED**

### RECOMMENDATION



***That in relation to the report “Tamworth Regional Council - Proposed 2025/2026 Airport Fees and Charges”, Council approves in principle the fees and charges proposed for the 2025/2026 financial year as per the attached document for inclusion in the draft 2025/2026 Annual Operational Plan.***

## **SUMMARY**

The purpose of this report is to present to Council the proposed 2025/2026 Airport Fees and Charges, and to obtain approval in principle in advance of preparing the draft 2025/2026 Annual Operational Plan (AOP). The proposed 2025/2026 document is **ATTACHED**, refer **ANNEXURE 1**, Tamworth Regional Council – Draft Airport Fees and Charges 2025/2026

## **COMMENTARY**

Under the Integrated Planning and Reporting (IP&R) Framework, Council is required to prepare a number of documents to facilitate integration of long-term planning and implementation of Council activities. An Annual Operational Plan (AOP) must be developed each year for adoption of the actions, budget and revenue policy proposed for the next financial year. This requires several months of preparation, at least 28 days of public exhibition, and further time to consider public submissions before final adoption. Accordingly, it is usually late April/early May before the draft AOP is ready and late June before the final plan is adopted.

Council has some contractual obligations that require any fee or charge changes to be provided 90 days in advance in order to be effective. While the IP&R framework requires that all sections of the AOP must be adopted as part of the one process, an advance approval in principle allows for the contractual obligations to be met for 1 July implementations.

It is planned to have the draft 2025/2026 AOP ready for adoption by Council for public exhibition at a meeting to be held in May 2025. The draft Statement of Revenue Policy will be included at that time, which will detail the proposed rates, annual charges and water and sewerage usage charges.

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

Nil

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

Nil

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

Section 610F(2) of the *Local Government Act 1993*, requires that public notice of proposed fees must be given in accordance with Section 405 in the draft Annual Operational Plan for the forthcoming financial year.

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

Community consultation and feedback will be undertaken in May 2025 with the 2025/2026 Annual Operational Plan.

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

Focus Area 9 – Open and Collaborative Leadership

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## 10 COMMUNITY SERVICES

### 10.1 RSL NSW REQUEST FOR SPONSORSHIP

**DIRECTORATE:** CREATIVE COMMUNITIES AND EXPERIENCES  
**AUTHOR:** Linda Bridges, Coordinator Visitor Economy

#### **RECOMMENDATION**

*That in relation to the report “RSL NSW Request for Sponsorship”, Council approves the three-year support request of \$20,000 per year as noted in the body of this report.*

#### **SUMMARY**

RSL NSW has requested a three-year sponsorship from Tamworth Regional Council to support the hosting of its **Annual State Congress** in Tamworth in **2025, 2026, and 2027**.

#### **COMMENTARY**

The RSL NSW Annual State Congress is a key event that brings together over 400 delegates from across the State for four days of discussions, decision-making, and networking. The congress plays a vital role in shaping the direction of RSL NSW, fostering collaboration, and reinforcing its mission of supporting veterans and their families.

Over the past three years, the event has been hosted in a large regional centre where it received \$20,000 per annum in sponsorship from the local council. This sponsorship package included:

- display of promotional banners at the event;
- use of the Council’s logo on event collateral (delegate booklet, website, EDMs);
- promotion of tourism opportunities to delegates, encouraging extended stays; and
- an opportunity for the Mayor to attend and address delegates at the Official Opening Ceremony

Additionally, in some cities, Councils have provided in-kind support, such as complimentary venue hire at council-owned facilities.

#### **ECONOMIC IMPACT**

As indicated below, the estimated economic return for each event is \$531,476 as noted in the economic summary table:

Event Impact Summary - RSL NSW Annual State Congress			
	Output (\$)	Value-added (\$)	Local Jobs
Direct impact	296,960	127,950	2
Industrial impact	142,729	58,109	0.5
Consumption impact	91,788	44,133	0.5
<b>Total impact on Tamworth Regional Council economy</b>	<b>531,476</b>	<b>230,192</b>	<b>3</b>
The above has been calculated using economy.id's Event Impact Calculator - which uses data inputs from the National Institute of			
<b>Assumptions</b>			
1. The event falls under the category of 'business' in terms of type of event and is a 'state' event in terms of 'event range' (in economy.id's categorisation)			
2. All 400 attendees including delegates and other visitors visitors will be overnight visitors			
3. Spending per overnight visitor will be \$232 per night - the value of spending per night by visitors staying in commercial accommodation during an overnight trip for the year ended June 2024 for New England North West as per Tourism Research Australia (TRA) data.			
The 'commercial accommodation' rate was used as this is categorised as a business event - indicating that most visitors are likely to stay in commercial accommodation. In contrast, many visiting family and relatives (VFR) segment stays with family and as a result the overall/general overnight average expenditure per visitor is lower.			

Similar to other business events that have been established in Tamworth, the RSL NSW Annual State Congress presents an opportunity for Council to:

- further diversify the range of events hosted in the region;
- enhance Tamworth's profile as a destination for conferences and gatherings, aligning with the Visitor Economy Plan by attracting new visitors and providing a unique experience; and
- showcase Tamworth as a premier location for business events; and

Given the economic benefits generated by the event—such as a minimum four-night stay per delegate, increased local hospitality spending, and tourism exposure—there is a strong case to consider supporting the congress, whether through financial sponsorship or in-kind contributions.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The cost to fund RSL NSW per year is \$20,000. Funding for each state congress over the proposed three-year period:

- in 2025, funding will be allocated via the Event Reserve; and
- in 2026 and 2027, revenue funding for the event will be from the General Fund via the establishment of a budget line item within Creative Communities and Experiences Division.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 2 – A liveable built environment

Focus Area 3 – Prosperity and innovation

Focus Area 8 – A strong and vibrant identity

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**10.2 PROPOSED LICENCE AGREEMENT FOR USE OF SHIPPING CONTAINER - ANIMAL WELFARE LEAGUE**

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

**RECOMMENDATION**

*That in relation to the report “Proposed Licence Agreement for Use of Shipping Container - Animal Welfare League”, Council:*

- (i) authorise the Mayor and General Manager to negotiate and enter into a licence agreement with the Animal Welfare League on the terms set out in the body of this report; and*
- (ii) authorise the affixing of the Seal of Council to the licence agreement and any other associated documentation in order to give effect to Council’s Resolution.*

**SUMMARY**

The purpose of this report is to seek Council’s authorisation to grant a licence agreement to the Animal Welfare League to utilise a shipping container situated on Council owned land.

**COMMENTARY**

The Animal Welfare League NSW (“AWL”) approached Council in 2024, to seek assistance to find a suitable premises for its ongoing storage and distribution of cat and dog food.

The AWL is a not-for-profit organisation that aims to provide a safe and loving environment for abandoned, neglected and surrendered animals, with the goal of finding them permanent, happy homes. As such the AWL works to rehome animals, placing them in foster homes before they are adopted, as well as delivering community welfare and education programs. The work of the AWL includes assisting Council in the rehoming of animals brought to Council’s Companion Animals Centre (pound) as well as donating to Council excess supplies of pet food, flea treatment, etc.

The Council owned land at 17 Byrnes Avenue, Tamworth, being Lot 111 DP 746502, was identified as a possible location for a shipping container that could be utilised by the AWL. There is an existing building located on the site which is currently used for storage by Council. The shipping container is 6 x 2.4 metres and is proposed to be located behind the building at the rear of the property. See Figure 1 below for a plan of the land where the shipping container is proposed to be located.

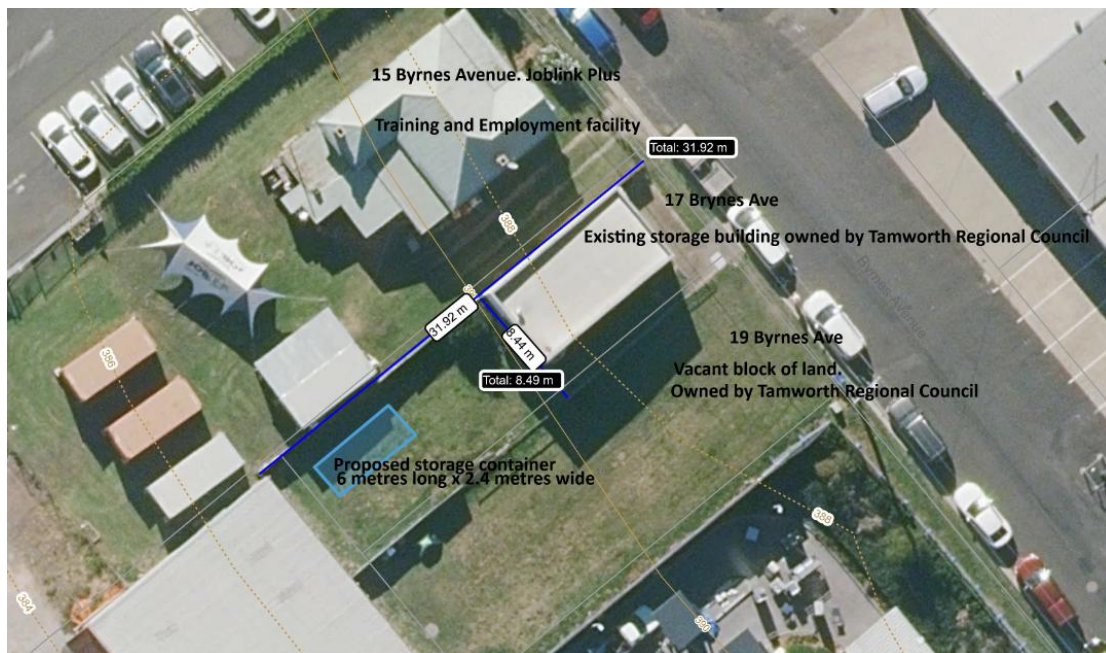


Figure 1: 17 Byrnes Avenue, Tamworth – proposed location for shipping container

Council received development consent to locate the shipping container on the property in February 2025. The AWL must only use the shipping container as a distribution centre and in accordance with the terms of the development consent. The shipping container is required as a temporary storage location for pet food before it is distributed by the AWL. The food (dry food) donated by members of the public and local businesses requires a single central location to enable distribution to volunteer foster carers. It cannot be used by the AWL for any other purpose.

Council has now entered an agreement to purchase the shipping container and have it delivered to the site by LC Container.

It is recommended that Council grant the AWL a licence agreement to clarify the terms on which the shipping container can be utilised and set out the rights and responsibilities of both parties. It is recommended that the licence agreement be granted on the following conditions:

Table 1: Recommended Conditions of Licence Agreement:

<b>Term</b>	10 years
<b>Licence Fee</b>	\$1.00
<b>Permitted Use</b>	Distribution centre for pet food.
<b>Termination</b>	Either party can terminate the licence agreement by providing 30 days' notice. Upon termination of the licence agreement, the AWL must remove any items, equipment and fixtures from the shipping container and repair any damage caused by the removal.
<b>Pest Control</b>	The AWL will be responsible for all pest and vermin control in

	relation to shipping container.
<b>Cleaning</b>	The AWL will be required to keep the shipping container and the immediately surrounding area in a clean and tidy condition and will be responsible for the disposal of any rubbish.
<b>Liability</b>	<p>Council will not be responsible for any damage, theft, loss or destruction in relation to the AWL's items stored in the shipping container.</p> <p>The AWL will indemnify Council for any claim made in relation to damage or injury that occurs in relation to the AWL's use of the shipping container.</p>

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The proposed licence fee is \$1.00.

The purchase of the shipping container and related Development Application fees were funded from the Liveable Communities operational budget.

**(c) Legal Implications**

If a licence agreement is entered into, the Seal of Council must be affixed.

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

**(d) Community Consultation**

As the subject land is owned by Tamworth Regional Council, the Development Application for the shipping container was notified for 28 days with no submissions being received.

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

Focus Area 3 – Prosperity and Innovation.

### 10.3 REVIEW OF THE TERMS OF REFERENCE FOR COUNCIL COMMUNITY COMMITTEES AND WORKING GROUPS

**DIRECTORATE:** LIVEABLE COMMUNITIES

**AUTHOR:** Gina Vereker, Director Liveable Communities

**1 ANNEXURES ATTACHED**

#### RECOMMENDATION

*That in relation to the report "Review of the Terms of Reference for Council*



***Community Committees and Working Groups”, Council:***

- (i) adopts the revised Terms of Reference for the following Committees and Working Groups:***

***Tamworth Region Inclusive Culture Advisory Committee;***

***Tamworth Regional Community Safety Working Group;***

***Tamworth Regional Heritage Working Group;***

***Disability Access Working Group;***

***Tamworth City Centre Working Group; and***

***Tamworth Region Arts Advisory Committee; and***

- (ii) delegate under Section 377 of Local Government Act 1993 the financial delegation of \$20,000 to the Tamworth Region Arts Advisory Committee for the purpose of Public Artwork.***

**SUMMARY**

The purpose of this report is to present to Council revised versions of the Terms of Reference of a number of Council’s community committees and working groups prior to the initial meetings being held. Each Terms of Reference has been reviewed to include a range of consistent governance requirements, an outline of the purpose of each group, selection criteria for community members and clarification of the maximum number of community members following Council’s resolution at its meeting of 25 February 2025.

**COMMENTARY**

At its Meeting held on 12 November 2024, Council resolved as follows:

*That in relation to the report “Council Register of Special Purpose Committees, Working Groups, External Boards and Organisations”, Council:*

*(iii) request a review of the Terms of Reference for all Committees where the Councillor membership has changed and refer the Terms of Reference to Council for approval”*

In response to Council’s resolution, each of the following Committee and Working Group Terms of Reference have been reviewed to include a consistent range of:

- governance requirements;
- operational matters relating to meetings, venue business support; and
- updated maximum representation for both Councillors and community members.

The updated Terms of Reference relate to the following Committees and Working Groups:

- (i) Tamworth Region Inclusive Culture Advisory Committee;
- (ii) Tamworth Regional Community Safety Working Group;
- (iii) Tamworth Regional Heritage Working Group;
- (iv) Disability Access Working Group;
- (v) Tamworth City Centre Working Group; and
- (vi) Tamworth Region Arts Advisory Committee.

The revised Terms of Reference are outlined in the **ATTACHED**, refer **ANNEXURE 1**.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The cost of managing and supporting Council's community committees and working groups is covered within operational budgets.

**(c) Legal Implications**

There are no legal implications on all the Committee's with the exception of the Tamworth Region Arts Advisory Committee. Council's community committees and working groups have no delegated authority to make decisions on behalf of Council, rather these groups make recommendations to Council, with these being reported to Council as part of the adoption of meeting minutes. The Tamworth Region Arts Advisory Committee has delegated authority to approve up to \$20,000 for Public Artwork, with these decisions to be always clearly included in the minutes that are reported to Council for adoption. The Committee has no delegated authority in relation to decisions involving expenditure in excess of \$20,000. Recommendations of the Committee will be reported to a subsequent Council Meeting for determination under the Management Accountability of the Executive Manager - Creative Communities and Experiences.

**(d) Community Consultation**

The invitation to members of the community to lodge an Expression of Interest (EOI) to participate in one of Council's Committees or Working Groups was well communicated to the general public and a significant number of responses were received. Council's Community Committees and Working Groups are a valuable means of connection with the Tamworth Regional Community and provide significant and meaningful input into a range of topics relevant to Blueprint 100.

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

Focus Area 4 – Resilient and Diverse Communities

Focus Area 7 – Celebrate our Cultures and Heritage

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

### **RECOMMENDATION**

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

### **12.1 EXPRESSION OF INTEREST - E055-2025 - PROPOSED LEASE OR AGISTMENT AGREEMENT OF RURAL LAND AT 226 OXLEY LANE, WESTDALE**

**DIRECTORATE:**

**OFFICE OF THE GENERAL MANAGER**

**AUTHOR:**

**Nicholas Hawkins, Commercial Property Officer**

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

**Reference: Item 8.1 to Ordinary Council 10 December 2024 - Minute No. 355/24**

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 note the outcome of Expression of Interest E055-2025 and seek Council's authorisation to enter into a licence agreement for 226 Oxley Lane, Westdale with the party identified in the body of this report.