



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, 25-27 Fitzroy Street, Tamworth**, commencing at **6.30pm**.

ORDINARY COUNCIL AGENDA

23 SEPTEMBER 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, 9 September 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**

5.1 RAY WALSH HOUSE, OFFICE ACCOMMODATION, AND VISITOR EXPERIENCE CENTRE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Russell Webb, Mayor

RECOMMENDATION

That in relation to the report “Ray Walsh House, Office Accommodation, and Visitor Experience Centre”, Council confirm the instructions to the General Manager as contained within the body of the Minute.

SUMMARY

This Mayoral Minute provides instructions to the General Manager regarding the initial actions that Councillors expect to be taken with regard to determining the future of Ray Walsh House, including options for the future accommodation of our office-based staff in Tamworth, and the provision of a new Visitor Experience Centre (VEC).

COMMENTARY

RAY WALSH HOUSE

1. The General Manager is to undertake the necessary actions to determine whether there is a financial benefit for Council to undertake the removal of the asbestos contamination and reinsulate the building. To be clear, this will include obtaining an up-to-date valuation of the building in its current state, an estimated value of the building if it was rehabilitated to a safe standard, and an estimate of the cost to undertake the necessary works. The valuations are to include the potential sale of the two car parks adjoining the building.

2. Once the actions in (1) have been completed, the General Manager is to arrange a public meeting in the Town Hall for Councillors to undertake community consultation, as per Council's previous resolution, regarding the future of Ray Walsh House. An options paper, endorsed by Councillors, is to be made publicly available at least fourteen days before the public meeting.
3. The General Manager will receive further formal instructions regarding the future of Ray Walsh House following the outcome of the community consultation and a formal decision being made by Council at an Ordinary Meeting.

OFFICE ACCOMMODATION and VISITOR EXPERIENCE CENTRE

1. The General Manager is to investigate the potential to build a new Civic Administration Building and Visitor Experience Centre on the site currently occupied by Hungry Jacks and the Australian Country Music Foundation (ACMF) in Peel Street Tamworth. This investigation will include site suitability, planning considerations, and the development of a concept design and conceptual estimate.
2. The new building concept is to be large enough to accommodate all the staff previously located in Ray Walsh House, provide for future growth, and include a minimum of 2,000sqm of floor space for a new VEC.
3. The concept design and estimate is to be presented to Council for approval.
4. If approved by Council, the General Manager will be instructed to engage a suitably qualified professional to provide a more detailed cost estimate to deliver the concept design.
5. Estimated construction costs and the corresponding financial implications for Council are to be formally presented to Council.
6. Current investigations to remodel the Hungry Jacks building for use as a Visitor Information Centre only are to cease and alternatives considered for the short to medium term relocation of these services.

Council acknowledges that the above actions will come at a financial cost to obtain the valuations, develop a concept design and conceptual estimate for the office accommodation and VEC, and then have a professional quantity surveyor provide a detailed estimate of construction costs once the concept is approved. The General Manager is to formally present an estimate of the cost to undertake the above actions to an Ordinary Meeting of Council at the earliest opportunity.

(a) Policy Implications

Nil

(b) Financial Implications

The General Manager will provide a separate report to advise Council of the estimated cost to undertake the agreed actions.

(c) Legal Implications

Nil

(d) Community Consultation

Council has previously resolved to undertake additional consultation regarding the future of Ray Walsh House once a range of viable options have been identified and explored. The actions in this Mayoral Minute will provide additional information, to be

added to that obtained through the Expression of Interest process and previous investigations, so that Council and the community are fully informed of the available options and likely cost.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

6 NOTICE OF MOTION

6.1 NOTICE OF MOTION – CR RYAN BROOKE - QUESTIONS WITH NOTICE - COUNCIL'S PREVENTION AND CONTAINMENT PROCESSES FOR INVASIVE ANIMAL AND WEED SPECIES

2 ANNEXURES ATTACHED

MOTION

That the Questions with Notice be received and noted.

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 23 September 2025.

SUPPORTING INFORMATION

As stated on Council's own "Weeds Management" page on Council's website: "As a land manager, Tamworth Regional Council must prevent, eliminate or minimise the risk posed by weeds found on land under our control."

As well as being responsible for administering and enforcing the Biosecurity Act 2015, as the Local Control Authority for our local government area (LGA), the NSW Government's Local Land Services North West Regional Strategic Weed Management Plan 2023-2027 states that the role of Local Government in implementation of the plan is "engaging local communities, managing public lands and assisting with emergency management" as well as making "a significant investment in local and regional weed management".

Likewise, Council also has obligations under the Local Land Services Act 2013, to manage and reduce biosecurity risks of pest animals on land owned or managed by Council. This is for both rural and urban lands within our LGA.

All of this is before considering the immense agricultural, cultural, economic, environmental, and social impacts of invasive animal and weed species on local lands and communities. With all of this considered, it's been surprising to see a non-existence of formalised plans and policies relating to biosecurity within Council.

Council's Our Environmental Sustainability Strategy & Action Plan 2022-2026 contains various actions to measure, preserve and enhance biodiversity within our LGA, but doesn't contain a single mention of biosecurity. It does, however, contain an action item to "Review current practice, and where appropriate develop and implement a strategic works program for the management of Council owned natural areas of Tamworth LGA (including biodiversity, bushfire hazard reduction and pest plant management)".

Council's draft Rural Lands Strategy has the goal "to set the strategic vision for the future of rural lands within the Tamworth Regional LGA". Although biosecurity is undoubtedly an incredibly important factor in rural land management, the strategy largely focuses on preserving and enhancing the economic potential and character of rural lands within our LGA. Biosecurity is only briefly mentioned in Focus Area 2: Reduce and Manage Land Use Conflicts. And the strategy contains no action items relating to biosecurity.

With that in mind, we would like to submit the following questions with notice to both help inform Councillors and the community of what prevention and containment processes for invasive animal and weed species exist within Council, and to help Councillors to consider if this is an area where Council has policy gaps to potentially be addressed.

Questions

1. What plans, strategies or policies does Council have internally that relate to the management of invasive animal and weed species across the organisation? And are any plans, strategies or policies in relation to this currently under development internally?

Council's management of invasive animal and weed species is governed by the North West Regional Strategic Weed Management Plan 2023-2027 for weeds and Council's Biosecurity unit (Community Safety & Wellbeing Division) is currently reviewing its' strategic direction to ensure that Council has a robust Biosecurity program.

Presently there are no plans or policies that directly relate to the Biosecurity unit. The control of invasive pest animals and weeds depends on their priority status

Should the Biosecurity unit be adequately staffed with a Specialist/Supervisory position, the priority for this role would be to research and develop plans, strategies and policies to ensure there is a coordinated approach to Biosecurity activities conducted by Council and the NSW Government Invasive Species Plan 2023-2028.

2. What is the current capacity of workforce personnel that manage invasive animal and weed species, such as Weed Officers? How well is this area of Council resourced? And has Council encountered any issues in relation to these roles?

Currently there is one Biosecurity Officer (previously known as Weeds Officer) with limited training.

Council no longer has 'Weeds Officers' the PDs were updated to reflect the current Biosecurity Act, we are employing Biosecurity Officers.

The Biosecurity unit is not well resourced – we would require the unit to have a minimum of 3 Staff to be effective, ideally with a 4th Aboriginal identified role to capitalize on funding sources as well as local Aboriginal knowledge of the land.

There are a number of issues with these roles, mainly being able to recruit suitably qualified Staff and the tendency of many current 'weeds officers' have not moved past the outdated 'Noxious Weeds Act' approach – reflected by the number of inspections and directions/orders issued throughout the region.

3. What internal processes and/or practices does Council employ to identify, contain the spread of and reduce/eliminate weeds on public road easements?

Council currently follows the Northwest Regional Strategic Weed Management Plan – Council has to report on yearly results under the Weeds Action Plan (WAP), advising of annual targets met regarding activities including property inspections, known priority weeds sites and roadside spraying to name a few.

Roadside spraying has been conducted by both Regional Services and the previous Biosecurity/Weeds Staff.

The Biosecurity unit is working on establishing smarter and more effective processes and practices in the management of weeds – resourcing and staffing within the Biosecurity unit is the first issue that needs to be addressed, once staffed and adequately resourced the biosecurity program could address this issue more effectively

4. What are Council's responsibilities and potential liabilities for the management of invasive animal and weed species on Crown lands?

Council has a General Biosecurity Duty under the Biosecurity Act where Council manages Crown Land. Crown Land that isn't managed by Council would be the responsibility of the Department of Planning, Housing and Infrastructure (Crown Lands branch).

Failure to manage invasive species on Council managed land could result in a biosecurity direction being issued to Council and on the spot and court ordered fines may apply – these can range up to \$440,000.00 for corporations.

5. What internal processes and/or practices does Council employ to manage invasive animal and weed species on other Council owned or managed lands?

At present each Directorate looks after its' own assets and a standard practice of how to manage this needs to be established, it is recommended that the Biosecurity unit have overall responsibility for managing invasive pest and weed species as they have the overarching responsibility as Authorised Officers.

6. What internal processes and/or practices does Council have in place for emergency management situations, or to assist other Government departments with emergency management situations, that may arise from invasive animal and weed species? As an example (but not limited to), the spread of red imported fire ants across the Queensland border is currently a heightened threat to LGAs across northern NSW. Or H7 high pathogenicity avian influenza which recently had outbreaks throughout Australia and would be especially impactful to our LGA given our significant poultry industries.

Emergency Outbreaks as such are controlled by the DPI. The DPI would be the lead agency on any biosecurity emergency. Recent Avian Influenza has seen the establishment of Biosecurity Zones which DPI have carriage over.

As explained during the workshop by Deputy Mayor Budd Tamworth Local Emergency Management Committee deals with all emergency situations throughout the region – presently there is no representation from the Biosecurity unit or Community Safety & Wellbeing Division on the LMEC

To deal with situations outlined in the above question Council would require a number of highly trained experienced staff that we currently do not have and would be an expensive exercise retain such a cohort of staff (a cost effective option could be to have a cross trained team across all Directorates that currently have weed control and invasive species knowledge to respond to biosecurity emergencies)

7. What training is in place to help relevant field staff to identify invasive animal and weed species?

The Biosecurity Officer is undertaking field training at present with qualified contractors to assist in weed identification, also utilising the Weeds Wise App and we are sourcing other invasive species training in the near future.

All Authorised Officers must attend the Biosecurity Officer Course and undertake the Cert IV for Authorised Officers. The Biosecurity Officer is currently training in the field with Weed Spraying Contractors to assist in weed identification.

8. What forms of collaboration and/or community engagement does Council participate in, in regard to invasive animal and weed species? For instance, recent examples of collaboration efforts with Tamworth Birdwatchers in regard to controlling the population of Indian Myna birds. And the recent Council resolution to develop an action plan to implement the environmental recommendations of the Yarrin Culture Fish and Flows Galala Case Study.

Council participates in regular meetings with LLS and DPI and we are reviewing the Good Neighbours Program which will have a substantial community engagement piece.

The Biosecurity unit has not been advised of any requirement to be involved in the implementation of an action plan relating to the Yarrin Culture Fish and Flows Galala Case study

Community engagement needs to be at the forefront of all Community Safety and Wellbeing operations including Biosecurity and this is something we are working on but we need the personnel and resources to be able to hold community engagement activities.

9. What forms of education and/or knowledge building for residents, land owners and other stakeholders, does Council participate in, in regard to invasive animal and weed species?

This is an area which needs to be worked on, previous staff had good rapport within their local communities (Nundle & Barraba).

Under the restructure of the biosecurity program, the Biosecurity team will be based at the Community Safety and Wellbeing offices in the CBD and conducting field operations as required – this will ensure that all inspections, reports, operational activities and community education events are coordinated through a central point and follow a chain of command to ensure regular frequency of all biosecurity related actions

Our plan once established will be to operate out of our central office location which will increase education and information sharing with the community with regular community engagement events.

Property inspections are followed up with notification to the landowner by a letter detailing any findings plus an information sheet on any priority weeds found on the property.

As part of the Weeds Action Plan Council is required to hold field days with landowners and attend local shows and events such as Agquip. Due to a lack of staff and resource this has not been met in the current WAP.

10. How does Council measure, monitor and evaluate progress or improvement in regard to biosecurity outcomes? Council reports on targets under the WAP funding agreement.

Progress is measured by whether or not new weeds sites have been identified and the effectiveness of treatment of known sites. Other than the WAP report, data is entered into the BIS (Biosecurity Information System) reporting system and field applications using GPS tracking to map known weeds sites.

As previously outlined, the fragmented approach of various Directorates managing biosecurity in isolation is not conducive to accurate monitoring and evaluation biosecurity outcomes.

Should Council resolve to better resource the biosecurity program, measuring, monitoring and evaluation of biosecurity outcomes would be a priority project which could be achieved within a short timeframe through the upgrade of technology and increased staffing and resources.

Cr Ryan Brooke and Cr Brendon North

17 September 2025

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 PROPOSED CHANGES TO WATER ACCESS RULES - COCKBURN AND NAMOI/MACDONALD RIVERS

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director - Water and Waste

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Proposed Changes to Water Access Rules - Cockburn and Namoi/Macdonald Rivers”, Council agree to prepare and submit a submission on the proposed changes to the access rules in the Cockburn River and Namoi/MacDonald unregulated river objecting to the changes, including points generally as detailed within the Council report.

SUMMARY

The NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) has released the draft Water Sharing Plan for the Namoi and Peel Unregulated River Sources 2025.

Included in the draft are proposed changes to water access rules in two unregulated rivers in the Tamworth Regional Council area – the Cockburn and the Namoi/Macdonald Rivers. The proposed changes will have an adverse impact on general security license holders in those streams.

DCCEEW has called for public comments on the proposed changes, with submissions

closing 8 October 2025. The purpose of this report is to seek direction from Council as to whether Council would like to prepare a submission and, if so, the contents of any submission.

COMMENTARY

Councillors would be aware that the rules for sharing water in all water sources, including rivers and streams, regulated (downstream of the Water NSW owned dam) and unregulated (no dam) and groundwater (alluvial and fractured rock) are broadly detailed in Water Sharing Plans. Water Sharing Plans are “made” or adopted by the NSW Minister for Water Government for a period of 10 years but can be extended subject to conditions.

The Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012, lapsed on 1 July 2025. Prior to lapsing, the draft replacement Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2025, was publicly exhibited from 4 November 2024 to 10 January 2025. The consultation period was then extended until 2 February to continue consultation with stakeholders. However, the new Plan was not finalised/adopted before 1 July 2025.

DCCEEW has now released a new draft Plan which contains changes to what was in the previous draft that went on public consultation. The changes include access rules for two unregulated water sources in Council’s area – Cockburn River and the Namoi/MacDonald River. Fact sheets which set out the proposed changes and the reasons for the changes are **ATTACHED**, refer **ANNEXURE 1** and **2**. A summary of the changes to each water source is presented below.

Cockburn River

The existing access rule in the Cockburn River Management Zone prevents water being taken when there is 2.5 ML/day or less on a rising river and 0.3 ML/day or less on a falling river at the Kootingal Bridge Weir gauge (419114):

- a) between 7:00am and 7:00pm from 1 September to 31 May; and
- b) between 7:00pm and 7:00am from 1 June to 31 August.

DCCEEW propose to revise the access rule to prevent water being taken when flow is 36 ML/day or less at the Kootingal Bridge Weir gauge (419114) at all times. This rule is proposed to apply to all access licences in the management zone.

This will have a significant impact on license holders as shown below.

Table 2. Statistics for the Kootingal Bridge Weir gauge (419114)

Time period	Average days/year that take is not permitted at 2.5 ML/day (existing rule ³⁾)	Average days/year that take is not permitted at 36 ML/day (proposed rule)	Change in access between existing and proposed rule*
Full gauge record (2020–2023 ⁴)	2	100	On average, there will be 98 additional days per year where affected licence holders cannot take water under applicable licences.

The proposed change does NOT impact any Local Water Utility Licenses Council has in the Cockburn water source.

Staff have been in contact with representatives of the Cockburn Valley Water Users and Land Care Incorporated Group and members are very concerned about this proposed change. Briefly:

- there are approximately 30 active general security license holders (irrigators) on the Cockburn River out of approximately 49 general security surface water entitlements;
- the change will have a significant impact on irrigators – to the point where some have indicated they will have to close their business;
- anecdotal evidence suggests fish population and platypus numbers have rebounded well from the most recent drought of 2019 -2020, suggesting there is no need for additional reduction in water access rules;
- the latest proposal comes after previous changes which saw access to water in the Cockburn reduced;
- concerns expressed that even if irrigation is totally banned from the Cockburn, it will always be a pool and riffle river during droughts, therefore droughts will always have an adverse impact on fish and other aquatic life;
- the information about the impact of irrigation on the Cockburn and the need to further reduce access does not appear to be based on specific studies or investigation of the Cockburn River itself;
- as recently as the close of public submissions on 2 February 2025, there was no changes proposed to access rules. Yet as little as six months later, and with no further investigation or studies undertaken, it is now determined significant change which will have huge impact on irrigators is now required. How are irrigators and others supposed to consider long term plans when significant change can be introduced in the space of six months. Certainty is everything when making investment decisions and this sudden change does not promote certainty;
- the period used to estimate the impact, if the 36 ML/day rule is applied, is from 2020 to 2023, which is considered relatively wet in terms of rainfall. If a longer period of time was used, then the average number of days per year that is not permitted could be considerably larger; and
- very few, if any, surface water irrigators along the Cockburn Valley have on farm storages. On farm storages allow irrigators to pump additional water into the storage when flows allow. The absence of on farm storages means irrigators only irrigate when stream flow condition allows, meaning the Cockburn irrigators who don't have on farm storage will be further affected.

Namoi and MacDonald River unregulated

The existing access rule in the Macdonald and Namoi Rivers Management Zone prevents water being taken when there is no visible flow over the weir crest at Manilla Weir. The proposed access rule taken to public exhibition in November 2024, would prevent water being taken when there is 1 ML/day or less at the Namoi River at North Cuerindi gauge (419005) and no visible flow over the weir crest at Manilla Weir.

DCCEEW propose to revise the access rule to prevent water being taken when flow is 16 ML/day or less at the Namoi River at North Cuerindi gauge (419005).

This will have a considerable impact on license holders as shown below.

Table 2. Statistics for the Namoi River at North Cuerindi gauge (419005)

Time period	Average days/year that take is not permitted when no visible flow at weir (existing rule ⁵)	Average days/year that take is not permitted at 1 ML/day (pub ex rule)	Average days/year that take is not permitted at 16 ML/day (proposed rule)	Change in access between existing and proposed rule
Full gauge record (1915–2023 ⁶)	4.5	9	36	On average, based on historic data there were a minimum of 31.5 additional days per year where affected licence holders could not take water under applicable licences
Life of the water sharing plan (2012–2023 ²)	33	63	91	On average, there would have been 58 additional days per year where licence holders could not take water under applicable licences if the proposed rule had been in place during the previous plan

It should be noted that Council has a Local Water Utility license for water from the Namoi Unregulated River. Council takes water under this license from the Manilla Weir on the Namoi River to supply the town of Manilla. The proposed change does NOT impact Local Water Utility licenses.

Unlike the Cockburn Valley there does not appear to be a user group for license holders on the unregulated Namoi/MacDonald River. In the absence of first-hand information, the following is provided:

- the North Cuerindi gauge is approximately 14.5 Kilometres upstream of the Manilla Weir;
- there is only a small number of large irrigators in the unregulated Namoi/MacDonald River source, and all of those have on farm storages which suggest the impact of the proposed change may be mitigated by pumping more to storages when flows allow;
- Council does have a surface water license to irrigate Chaffey Park in Manilla. The proposed changes mean that in the future, should the draft WSP be adopted without change, on average 91 days per year, Council will not be able to irrigate the park. The park has a connection to town water so Council could use that supply, but the cost of potable water is significantly higher than accessing raw water from the river. It seems ridiculous to be pumping from the river for town use, treating the water and then using the treated water to irrigate parks, rather than just pumping straight from the river onto the park.

- the period used to estimate the impact of the 16 ML/day rule applied is from 2012 to 2023, which is considered a more representative period of time to establish the impact of the proposed change.

Notwithstanding that local water supplies are not impacted by either of the proposed changes to access rules, Council has the opportunity to prepare a submission on this matter. Given the impact of the proposed changes on irrigators in the Cockburn River source, in particular it is considered Council should prepare and lodge a submission on this occasion.

(a) Policy Implications

Nil

(b) Financial Implications

There will be financial implications for Council if Chaffey Park Manilla needs to be irrigated with treated water rather than raw water because of the flow conditions in the Namoi River

(c) Legal Implications

Nil

(d) Community Consultation

DCCEEW has undertaken community consultation with irrigators in the affected rivers.

(e) Delivery Program Objective/Strategy

Focus Area 1 – Our water security

Focus Area 6 – Working with and protecting our environment

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 RETURNING OFFICER

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive Services

RECOMMENDATION

That the advice in relation to the role of the Returning Officer for any election required for the position of Mayor and Deputy Mayor be received and noted and the General Manager act as the Returning Officer for the election of the Deputy Mayor.

SUMMARY

The purpose of this report is to advise Council that the General Manager will be the Returning Officer for the election of the Deputy Mayor.

COMMENTARY

Schedule 7 of the Local Government (General) Regulation 2021, states that the General Manager (or a person appointed by the General Manager) will act as the Returning Officer for any election required to elect the Mayor and Deputy Mayor

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Schedule 7 of the Local Government (General) Regulation 2021, provides that the General Manager (or a person appointed by the General Manager) is the Returning Officer. Consequently, the General Manager will conduct any election required for the position of Mayor and Deputy Mayor.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.2 DETERMINATION OF METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive Services

RECOMMENDATION

That in relation to the report “Determination of Method of Voting for Election of Deputy Mayor”, Council elect the Deputy Mayor for the ensuing term by Ordinary Ballot.

SUMMARY

The purpose of this report is for Council to determine the voting method to be used in electing the Deputy Mayor for the ensuing term.

COMMENTARY

Schedule 7 of the Local Government (General) Regulation 2021, provides that if only one Councillor is nominated for the position of Deputy Mayor, that Councillor is elected.

If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

Ballot has its normal meaning of secret ballot and **open voting** means voting by a show of hands or similar means.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Council's past practice has been to conduct the Election for the position of Deputy Mayor by ordinary ballot.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.3 NOMINATIONS FOR THE POSITION OF DEPUTY MAYOR

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive Services

RECOMMENDATION

That in relation to the report “Nominations For The Position of Deputy Mayor”, the Returning Officer calls for nominations for the position of Deputy Mayor for the ensuing term and if two or more nominations are received, an election be conducted.

SUMMARY

The purpose of this report is to call for and announce nominations received for the position of Deputy Mayor for the ensuing 12-month period.

COMMENTARY

Nomination Forms for the position of Deputy Mayor have been distributed and will also be available at the Ordinary Meeting.

The Returning Officer will call for final lodgement of nominations at the Meeting.

After the final call for nominations, the Returning Officer will announce the names of the nominee(s). If necessary, an election will then be conducted.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Section 231 of the Local Government Act 1993, in relation to the Deputy Mayor:

- (1) *The councillors may elect a person from among their number to be the deputy mayor.*
-

- (2) *The person may be elected for the mayoral term or a shorter term.*
- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.4 CHANGE OF COUNCIL MEETING TIME

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

RECOMMENDATION

That in relation to the report “Change of Council Meeting Time”, Council change the Council Meeting commencement time to 6:00pm.

SUMMARY

The purpose of this report is for Council to determine to change the commencement time of Council Meetings to 6.00pm.

COMMENTARY

Ordinary Meetings of the Council are currently held on the 2nd and 4th Tuesday of each month commencing at 6:30pm with a target completion time of not later than 9:30pm.

It is recommended to Council that Council Meetings start at 6.00pm from October 2025, due to the removal of public forum under the proposed new Code of Meeting Practice and the currently wait times between the end for workshops and the start of the Council Meeting.

Matters determined by Ordinary Meetings will include all those non-delegable functions identified in Section 377 of the Local Government Act 1993, 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 to provide services currently provided by members of staff of 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;
- a decision under section 234 to grant leave of absence to the holder of a civic office;
- the making of an application, or the giving of a notice, to the Governor or Minister;
- this power of delegation; and
- 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:

- Mayor and Councillors Annual Fees;
- Payment of Expenses and Provision of Facilities to Mayor and Councillors;
- Delegation of Functions to General Manager and Principal Committees;
- Code of Conduct;
- Code of Meeting Practice;
- Annual Financial Reports, Auditors Reports, Annual Reports and Statement of the Environment Reports;
- Performance of the General Manager;
- Acceptance of Council Tenders; and
- Controversial development applications.

(a) Policy Implications

It is a matter of Council policy to assess and determine whether the existing Council Meeting structure:

- (i) continues to be relevant;
- (ii) is an effective local governance decision making structure;
- (i) is focussed on the community; and
- (ii) the most appropriate citizen participation and community engagement local governance structure available to Council given local circumstances and dictates.

Now is the opportunity to review the existing structure and consider alternatives for an effective, efficient, environmentally responsible, sustainable and open system of local government within the Tamworth Regional Council local government area.

(b) Financial Implications

Nil

(c) Legal Implications

The current Council structure satisfies all of the legal requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2021.

(d) Community Consultation

Business Papers for Council Meetings are available by 12:00pm on the Friday prior to the Council Meeting. Public Forum will no longer be held from October 2025. The new Meeting time will be widely advertised to the Community.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

9.5 REVIEW OF GENERAL POLICY REGISTER

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

RECOMMENDATION

That in relation to the report “Review of General Policy Register”, Council:

- (i) endorse the proposed revocation or amendment of the General Policies identified in the Annexures and advertise the proposed changes for a period of 28 days for public comments prior to formal revocation or amendment by Council; and*
- (ii) request a further report to Council following the review period to consider any public comments received and adopt the General Policy Register.*

SUMMARY

The purpose of this report is to present the General Policy Register to Council for endorsement to be placed on public exhibition for 28 days prior to adoption at a subsequent Ordinary Council Meeting.

COMMENTARY

A review of the General Policy Register has been undertaken to ensure that the policies are relevant and appropriate for Tamworth Regional Council.

All policies have been reviewed and these policies need to be adopted by Council before they can be implemented.

The changes to each policy are highlighted in the **ATTACHED**, refer **ANNEXURE 1**, and a summary is listed in the table below.

Policy	Amendments
Sport Event Subsidisation Policy	<ul style="list-style-type: none"> • minor change to wording of the objective • change to Table 1 – Player/Participants/Officials and economic benefit • change to Table 2 – Subsidisation percentage • removal of Table 3 • amendment to conditions • amendment to definition
Airport Advertising Policy	<ul style="list-style-type: none"> • minor change to title to ‘Aviation Precinct – Airport Advertising Policy’ • Addition of ‘Vaping’ will be added
Airports and Landing Strips – Landing Fees Credit Limit on Payment	<ul style="list-style-type: none"> • minor change to title to ‘Aviation Precinct – Landing and Parking Fees Credit Limit on Payment’
Airports and Landing Strips – Leases Policy	<ul style="list-style-type: none"> • minor change to title ‘Aviation Precinct – Leases Policy’ • minor change to Policy Statement to change reference to BAEFTA Leases to Internation Flight Training Tamworth
Tamworth Regional Museums Collection policy	<ul style="list-style-type: none"> • Minor change – remove reference to Moonbi Museum Collection • Removed related documents section due to the date being out of date
Procurement Policy	<ul style="list-style-type: none"> • addition of reference to relevant guidelines in relation to Modern Slavery • reference to TRC Modern Slavery Prevention Policy
Debt Recovery Property Related Debts (including rates and Water)	<ul style="list-style-type: none"> • increase the amount for debt recovery from \$1,000 to \$1,500
Acceptance of Waste Generated Outside	<ul style="list-style-type: none"> • increased the minimum percentage to

the Tamworth Regional Council Local Government Area	<p>50%</p> <ul style="list-style-type: none"> • minor changes
Kerbside Green Waste Bin Contamination and Kerbside Recycling Bin Contamination	<ul style="list-style-type: none"> • policies have been combined into one new Policy 'Kerbside Bin Contamination Policy' • changes to definitions to make more succinct • deletion of paragraphs that overlapped or were repeated to make Policy clearer
Waste Collection Services – Multiple Unit Residential Developments	<ul style="list-style-type: none"> • minor changes to Policy owner
Drinking Water Quality	<ul style="list-style-type: none"> • minor changes
Stopped and Inaccurate Water Meters	<ul style="list-style-type: none"> • minor changes • changes to Policy statement • removal of non-residential
Dungowan Dam Trespassing	<ul style="list-style-type: none"> • minor changes
Water Meter Installation in Business Areas and other Difficult Access Areas	<ul style="list-style-type: none"> • minor changes
Customer Service Charter	<ul style="list-style-type: none"> • minor changes, values amended
Electronic Lodgement Policy – Planning/Building & Subdivision Applications	<ul style="list-style-type: none"> • minor changes
Complaints and Procedures Policy	<ul style="list-style-type: none"> • minor change
Payment of Expenses and Provision of Facilities to Councillors	<ul style="list-style-type: none"> • minor changes • amendment to include reimbursement for reasonable community meeting expenses
Risk Management Policy	<ul style="list-style-type: none"> • minor changes • roles and responsibilities added
Work Health and Safety Policy	<ul style="list-style-type: none"> • minor changes • roles and responsibilities added
Quality Policy	<ul style="list-style-type: none"> • minor changes • now 'Quality Management Policy'

Environmental Management Policy	<ul style="list-style-type: none"> • objectives • purpose • roles and responsibilities • this policy replaces Fatigue, Management Policy, Recovery at Work ; and Health Monitoring Policy;
Appeals – Door Knocks	<ul style="list-style-type: none"> • minor changes
Apologies by Council	<ul style="list-style-type: none"> • minor changes
Copyright of Plans	<ul style="list-style-type: none"> • minor changes
Closure of Council Facilities over Christmas/New Year Period	<ul style="list-style-type: none"> • minor changes
Year Round Care Policy	<ul style="list-style-type: none"> • extensive review and changes

The following Policies were reviewed, however, no amendments were made **ATTACHED** refer **ANNEXURE 2**:

- Public Liability and Professional Indemnity Minimum Cover;
- Financial Assistance to Community Groups and Organisations – Loans and Bank Guarantees;
- Asset Management Policy;
- Asset Disposal Policy;
- Appeals – Street Appeals;
- Competitive Neutrality – Complaints Management Policy;
- Provision of Information to Councillors and Interactions Between Councillors and Staff;
- Related Party Disclosure;
- Voluntary Planning Agreement Policy for Renewable Energy Projects;
- Social Media Policy;
- Bank Guarantee Policy;
- Deferral of Water Headworks Payments and Sewer headworks Payments;
- Discharge of Liquid Trade Waste;
- Dam Safety Management;
- Pop-Up Art Decoration of Peel Street Trees;
- Vandalism Policy;
- Street Tree Removal Policy;

- Naming of Council Facilities;
- Parking – Unrestricted use of Metered Parking Spaces – Tamworth;
- Bus Shelters – Advertising;
- Outdoor Fitness Trainer Policy;
- Scattering of Ashes in Public Parks and Reserves Policy;
- Restriction on the Consumption of Alcohol in Council's Parks, Reserves and Swimming Pools;
- Advertising Signs at Tamworth no.1 Oval;
- Helicopter Operations;
- Liquor Licence Policy;
- Developer and Contract Public Liability Insurance Requirements;
- Awarding Freeman to the City or the Key to the City of Tamworth Policy;
- Oversight and Liaison with General Manager Policy;
- Travel – Overseas Visits;
- Fraud and Corruption Prevention Policy;
- Managing Conflict of Interest in Council related Development Applications Policy;
- Media Engagement Policy;
- Corporate Branding Policy;
- Corporate Sponsorship;
- Footpaths – use of Public Footpaths for Restaurant and Outdoor Seating;
- Tamworth Regional Gallery – Collection Policy;
- Community Mowers for use by Section 355 Committees;
- Disclosure on request on Information Contained in Council Contracts;
- Ratepayers Hardship Policy;
- Pensioner Policy;
- Electronic Vehicle Charging on Public Land Policy;
- Public Interest Disclosure Policy;
- Public Art Policy;
- Provision of Meeting Facilities to Visit Parliamentarians; and
- Investment Policy.

Policies that have not been reviewed this revision period **ATTACHED** refer **ANNEXURE 3:**

- Backflow Prevention Policy;
 - Contracts – Disclosure on request of Information Contained in Council Contracts
 - Enforcing Parking Restrictions Policy;
-

- Financial Assistance Program – Section 356 of the Local Government Act;
- Floodplain Management;
- Low Flow (Trickle Feed) Water Supply;
- Excavating/Filling or Building Adjacent to or over existing Sewer Mains;
- Sewer Discharge Factor Policy for Non-Residential and Non-Rateable Properties
- Waste Management Charge for Council Community Groups
- Water - Requirements for Provision of Reticulation Supplying Treated Water Under Trickle Flow Conditions
- Water & Sewer - Reimbursement of Developers for Construction of water and sewer infrastructure outside reticulation areas
- Water and Sewer - Headworks Charges - Industrial/Commercial Development;
- Water Consumption Charges - Food Processing Category;
- Water Supply to Residential Dwellings with No Reticulated Supply;
- Welcome to Country and/or acknowledgement of Country; and
- Westdale Recycled Water Policy

The following Policies will be newly adopted after the Consultation Period and added to the register see **ATTACHED** refer **ANNEXURE 4**

- Animal Care Policy;
- Community Gardens Policy;
- Addressing (Road Naming, Urban & Rural Numbering); and
- Managing Unreasonable Conduct by Complainants. (This Policy is a Model Policy prescribed by the NSW Ombudsman. TRC wishes to introduce the model policy as a measure of good governance.)

The following Policies were reviewed and determined to be no longer relevant due to the functions already being carried out by Council staff under delegation, being superseded by relevant Legislation or have been incorporated into other Policies and therefore removed from the Register **ATTACHED** refer **ANNEXURE 5**.

- Country Music Festival – Raffle Tickets – Regulation of Sales in the Central Business District;
 - Encroachment on Public Roads;
 - Fatigue Management Policy;
 - Recovery at Work ;
 - Health Monitoring Policy;
 - Sanctions for developers/Consultants involved in Development;
 - Payment of Bond in Lieu of Construction;
 - Access Ramps in Central Business District of Barraba;
-

- Footpath reservations – Works Undertaken by Adjacent Landowners;
- Public gates and Grids on Local Roads;
- Street Naming, Street Numbers and Rural Addressing (replaced by Addressing - Road Naming, Urban & Rural Numbering Policy);
- Weight of Loads on Roads; and
- Temporary Trade of Water Licence Allocations

(a) Policy Implications

The General Policy Register provides direction to staff and Council on matters relating to Council operations.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

The updated General Policies within the Register will be placed on exhibition for a period of 28 days.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.6 MOTIONS FOR THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2025

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

RECOMMENDATION

That in relation to the report “Motions for the Local Government NSW Annual Conference 2025”, Council

(i) authorise the following motions to be submitted to Local Government NSW:

(a) That Local Government NSW That Local Government NSW use the failed purchase of the Rosehill Racecourse be an opportunity to use the \$6B in funding to turbo charge identified regional cities with critical social, transport, housing, economic and enterprise infrastructure to create very attractive regional capital cities for people in Sydney to relocate to. In addition to a massive publicity campaign to encourage people in Sydney to move to either of those major inland cities which will take that incredible pressure off Sydney’s urban sprawling.

(b) That Local Government NSW That LGNSW calls on the NSW and Commonwealth governments to:

(1). Acknowledge a weed management response is required immediately

following a disaster before weeds spread beyond containment and create negative post-disaster outcomes

- (2). Prioritise inclusion of weed management funding in post-disaster grants available to Councils; preferably under Disaster Recovery Funding Arrangements (DRFA).*
- (c) That Local Government NSW calls on the NSW Government to:*
- (1) Acknowledge that 18 regional centres with art galleries across the state will face the prospect of not being able to fund infrastructure and core staffing costs as a result of the funding cuts to Create NSW 4 year funding in the latest NSW State Government Budget;*
 - (2) Acknowledges that the removal of Create NSW 4 year funding constitutes an example of cost shifting of responsibilities onto Local Government; .*
 - (3) Acknowledge the crucial role of regional galleries in supporting artist-led programming and professional development initiatives that connect creatives with audiences across regional and remote communities; and*
 - (4) Restore funding Create NSW 4 year funding to art galleries across the state.*
- (d) That Local Government NSW calls on the NSW Government to investigate adding “Energy Production and Storage” as a rateable land category.*
- (e) That Local Government NSW lobby the NSW Government to ensure a surety is paid by self-represented litigants at the commencement of proceedings that will be returned if they win and given to Council if costs are awarded.*
- (ii) nominate Councillor Mark Rodda to attend the Conference as observer in accordance with Council’s Policy for the attendance of observers.*

SUMMARY

This purpose of this report is to recommend to Council motions for submission to Local Government NSW (LGNSW) for the 2025 LGNSW Annual Conference.

COMMENTARY

The 2025 Local Government NSW Annual Conference will be held at Panthers Penrith and Western Sydney Conference Centre from Sunday 23 November 2025 to Tuesday 25 November 2025, with nominations opening on Tuesday, 1 July 2025.

It is noted that the closing date for submissions is 26 October 2025, with motions encouraged to be submitted by Tuesday, 30 September 2025. LGNSW recommends that motions be strategic, affect members state-wide and introduce now or emerging policy issues and actions.

Proposed Motions (Councillors)

Motion - Failed Purchase of Rosehill Racecourse (Cr Impey)

That Local Government NSW use the failed purchase of the Rosehill Racecourse be an opportunity to use the \$6B in funding to turbo charge identified regional cities with critical social, transport, housing, economic and enterprise infrastructure to create very attractive regional capital cities for people in Sydney to relocate to. In addition to a massive publicity campaign to encourage people in Sydney to move to either of those major inland cities which will take that incredible pressure off Sydney's urban sprawling.

Background

The pressures on urban sprawling and the growing pains which contribute towards social challenges such as low housing stocks, housing affordability and pressures on road networks, public transport and a variety of other social challenges in cities such as Sydney are only getting worse and will become more severe into the future without considered and careful planning.

A significant component of this planning and seeking feasible medium to longer term solutions to the challenges faced in Sydney, is to include regional NSW as part of the solution. This will only arrive through careful and planning and funding instruments aligned, to strategically target those regional centres which have significant growth potential to help offer a viable alternative for people who are seeking an alternative to living in Sydney. The Regional Cities NSW Member Councils all offer a solution to Sydney's social and growing challenges. These regional centres are not land locked and with sound NSW Government Planning Policy and with supportive funding these regional cities can individually and collectively cater for growth into the future.

Newcastle, Sydney and Wollongong have seen strong growth over recent decades. This growth to be sustainable across NSW, needs to be shared across the regions to ensure overall growth across NSW is sustainable into the future. Tamworth, Orange, Wagga Wagga and Dubbo as existing regional cities in the southern, central and northern regions of NSW offer those in Sydney particularly, an achievable choice to re-settle to create and raise families and then enjoy their lives well into retirement.

Motion – Funding for Post-Disaster Weed Management (Cr Brooke)

That LGNSW calls on the NSW and Commonwealth governments to:

1. Acknowledge a weed management response is required immediately following a disaster before weeds spread beyond containment and create negative post-disaster outcomes
2. Prioritise inclusion of weed management funding in post-disaster grants available to Councils; preferably under Disaster Recovery Funding Arrangements (DRFA).

Background:

Weeds, along with loss of habitat and feral or pest animals, are known to be the major contributors to species loss. Weeds such as Parramatta Grass and Giant Devil's Fig are also causing major impacts to agricultural production.

The recent fire and flood disasters across the State have greatly exacerbated the spreading of weeds. Floods spread weeds down rivers and creeks and across flood plains. Bush fires remove native vegetation and at the same time open up vegetated areas to increased light which frequently results in major weed invasion.

At the recent Weeds NSW Conference, Dr. Marion Healy, Independent Biosecurity Commissioner of NSW, placed weeds among the significant climate change risks accompanying extreme weather.

We urgently need a forward response plan to minimise this negative post-disaster outcome.

Motion - Restore Create NSW funding to regional galleries (Cr Brooke)

That Local Government NSW calls on the NSW Government to:

- (1) Acknowledge that 18 regional centres with art galleries across the State will face the prospect of not being able to fund infrastructure and core staffing costs as a result of the funding cuts to Create NSW 4 year funding in the latest NSW State Government Budget;
- (2) Acknowledges that the removal of Create NSW 4 year funding constitutes an example of cost shifting of responsibilities onto Local Government;
- (3) Acknowledge the crucial role of regional galleries in supporting artist-led programming and professional development initiatives that connect creatives with audiences across regional and remote communities; and
- (4) Restore funding Create NSW 4 year funding to art galleries across the State.

Background

In the 2025-2026 NSW State Government Budget, a major restructure of Create NSW resulted in significantly reduced financial support by the State Government for art galleries throughout the State, but regional art galleries were particularly impacted.

As a result, Councils will be left to fill the funding gap, putting additional financial strain on Council budgets in the form of cost shifting. If Councils are unable to step in with funding, many communities are facing the prospect of their regional galleries closing.

Regional galleries serve as anchor institutions in their communities, often acting as catalysts for local economic development through cultural tourism, artist residencies, and community events that bring visitors to regional centres.

The timing of these cuts is particularly problematic, coming at a time when regional communities are working to recover from recent challenges including natural disasters, drought, and the ongoing effects of the pandemic. Cultural institutions like regional galleries have proven essential in community recovery and resilience-building efforts.

The four-year funding model provided galleries with the stability needed for strategic planning, staff retention, and programme development. Its removal undermines the professional capacity of regional galleries and their ability to attract quality exhibitions, retain skilled staff, and maintain community engagement programmes.

Motion - The addition of Energy Production and Storage as a rateable land category (Cr Brooke)

That Local Government NSW calls on the NSW Government to investigate adding “Energy Production and Storage” as a rateable land category.

Background:

Across NSW we are seeing the emergence of a substantial renewable energy production and storage industry as governments and markets move away from fossil fuel forms of energy and embrace electrification. This rapidly growing industry is seeing massive amounts

of investment into, and development of, wind farms, solar farms, pumped hydro dams, and large-scale batteries, many of which are being constructed across regional and rural NSW, particularly across the state's five renewable energy zones.

The methodology of mining being its own rateable land category—in that mining operations often impose unique and significant costs on local Councils, and the nature of mining activities differ substantially from residential, farmland, or business land uses—also applies to renewable energy operations.

The collective impacts of oversize and overmass loads, utility infrastructure such as power lines, emergency services, temporary workforces, and social and environmental factors on hosting communities need to be considered when assessing these major infrastructure projects.

While the current rating structure doesn't directly allow for renewable energy projects to be considered as rateable land, the creation of an Energy Production and Storage category would encompass renewable industries while giving local Councillors the ability to tailor rates, which creates various opportunities. Councils could adjust rates at a level to encourage investment in their LGA if they are hoping to encourage this fast-growing industry. Alternatively, Councils could adjust rates in line with the impacts on hosting communities not captured in voluntary planning agreements.

Proposed Motions (Staff)

Motion – Surety payment by self-represented litigants of proceedings

That Local Government NSW lobby the NSW Government to ensure a surety is paid by self-represented litigants at the commencement of proceedings that will be returned if they win and given to Council if costs are awarded.

Background

There has been concern regarding Councils experiencing a significant rise in the number of self-represented litigants commencing legal proceedings against them by community members unhappy with Councils processes and initiating frivolous lawsuits against Councils.

As Model Litigants, Councils are obliged to respond fairly and responsibly to all proceedings, regardless of merit while the self-represented litigants have no standards and no assets/financial outlay.

This places Councils in a difficult position, as defending these claims often requires substantial expenditure of public funds. In contrast, self-represented litigants are not bound by the same professional standards, face minimal financial outlay, and frequently have no assets from which Councils can recover costs, even where costs orders are made in Council's favour.

This imbalance results in millions of dollars being diverted each year from essential services and infrastructure into legal defence. It also allows vexatious litigants to repeatedly consume Council resources and the Court's time without consequence.

Legislative and procedural reforms are required to provide Councils with stronger protections against unmeritorious claims, ensure fairness in the litigation process, and safeguard community resources.

(a) Policy Implications

The LGNSW Policy Platform reflects the collective positions of local government on issues of importance and guides LGNSW in its advocacy on behalf of the local government sector. Member Councils are encouraged to review the Action Reports from previous conferences before submitting motions for the 2025 Conference. Action reports from previous conferences are available on the Annual Conference page on the LGNSW website.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus area 9 – Open and Collaborative Leadership

9.7 CODE OF MEETING PRACTICE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive Services

1 ANNEXURES ATTACHED

RECOMMENDATION

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

- (i) endorse the updated Code of Meeting Practice and advertise the proposed Code for a period of 28 days and allow a period of 42 days for public comments prior to formal adoption by Council; and*
- (ii) request a further report following the 42-day consultation period to consider any comments received.*

SUMMARY

The purpose of this report is for Council to endorse the draft Code of Meeting Practice in accordance with the *Local Government Act 1993*, for public exhibition and comment.

COMMENTARY

The Office of Local Government (OLG) released Circular 25-20 on 29 August 2025, advising Councils a new 2025 Model Code of Meeting Practice for Councils in NSW had been finalised. The new Model Code of Meeting Practice incorporates mandatory provisions that Council must adopt by no later than 31 December 2025.

Transitional provisions in the Regulation will provide that if Council does not adopt a Code of Meeting Practice that incorporates the mandatory provisions of the 2025 Model Meeting

Code by 31 December 2025, from 1 January 2026, any provision of Council's Code of Meeting Practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.

The Tamworth Regional Council Code of Meeting Practice is **ATTACHED**, refer **ANNEXURE 1**. Optional Clauses for Council are printed in red and additional information not in the Model Code are printed in Blue.

(a) Policy Implications

Upon adoption, the Code of Meeting Practice will be available to Councillor and staff via the intranet and portal and the public via the internet.

(b) Financial Implications

Nil

(c) Legal Implications

Tamworth Regional Council's Code of Meeting Practice complies with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*.

(d) Community Consultation

Council's Code of Meeting Practice must not be inconsistent with the Model Code of Meeting Practice and must be placed on public exhibition for 28 days and allow a period of 42 days for public comment.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.8 REVIEW OF ORGANISATION STRUCTURE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

Reference: item 9.5 to Ordinary Council 30 June 2025 - Minute No 147/25

RECOMMENDATION

That in relation to the report "Review of Organisation Structure", Council endorse the organisation structure as detailed in the report.

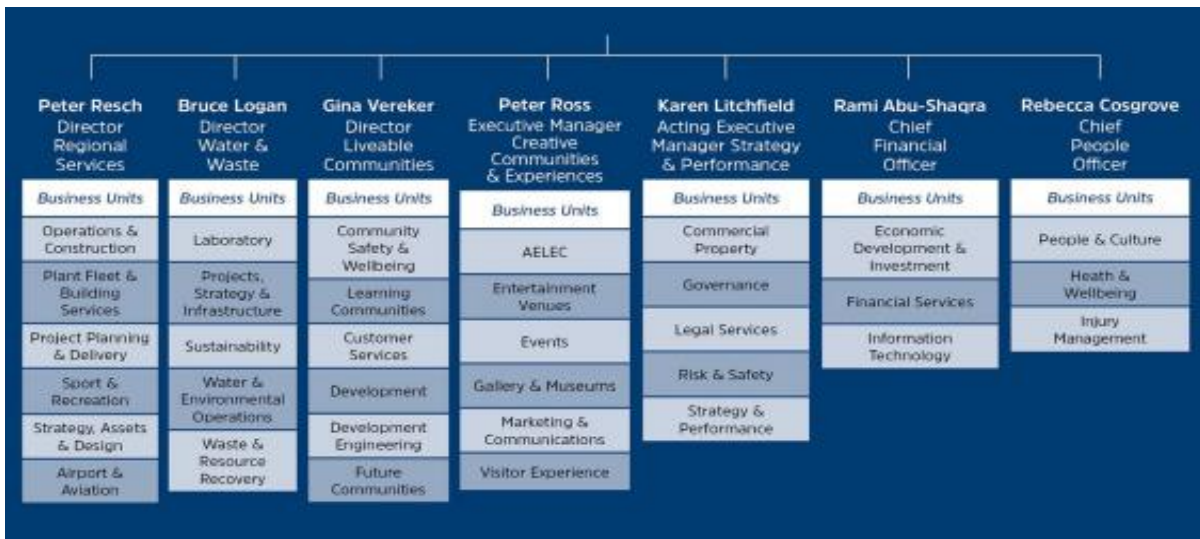
SUMMARY

The purpose of this report is for Council to endorse the organisation structure within 12 months of the after any ordinary Council election.

COMMENTARY

Council must review the organisation structure within 12 months of an ordinary Council election.

The current organisation structure is arranged across seven major functional areas with the Director/Executive Manager reporting to the General Manager as per below:



The organisation structure was exhibited with the Integrated Planning and Reporting documents adopted by Council at the Meeting held 30 June 2025, and remains unchanged.

Section 333 also provides the organisation structure may be re-determined under this Part from time to time.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Section 333 requires Council to review the organisation structure within 12 months after any ordinary election of Council.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.9 APPOINTMENT OF COUNCILLOR MEMBER TO AUDIT, RISK AND IMPROVEMENT COMMITTEE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Karen Litchfield, Internal Auditor

Reference: Item 9.3 to Ordinary Council 22 October 2024 - Minute No 276/24

RECOMMENDATION

That in relation to the report “Appointment of Councillor Member to Audit, Risk and

Improvement Committee”, Council reappoint Cr Matt Sharpham as Councillor Representative to the Audit, Risk and Improvement Committee until September 2028.

SUMMARY

The purpose of this report is to reappoint the Councillor Member to the Audit, Risk and Improvement Committee for the remainder of the Council term.

COMMENTARY

Council is required under S428A of the *Local Governance Act 1993* to have an Audit, Risk and Improvement Committee. Tamworth Regional Council has operated an Audit, Risk and Improvement Committee since 2012, with three independent members and currently staggers the membership of the Committee to ensure continuation of the knowledge of Council operations, financial reporting and structure.

The current Independent Chair of the Committee is Mr Robert Lagaida and the external members are Dr Meredith Caelli and Mr Glenn Inglis.

Council may also elect to have a Councillor Representative as a non voting member of the Audit, Risk and Improvement Committee. Councillors are non voting members of the Committee to ensure decision making by the Committee is independent of Council, the role of the Councillor member is to act as an important link between the Governing Body and the Committee.

At the Ordinary Council Meeting held 22 October 2024, Cr Matt Sharpham was appointed as the Council representative for the ensuing 12 month term. As the 12 months is almost completed, it is recommended that Cr Matt Sharpham be appointed to the Audit, Risk and Improvement Committee until the end of the current Council term.

Councillor members to an Audit, Risk and Improvement Committee should demonstrate the following:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest);
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations;
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information;
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a Councillor member of an Audit, Risk and Improvement Committee; and
- preparedness to undertake any training on the operation of Audit, Risk and Improvement Committees recommended by the Chair based on their assessment of the skills, knowledge and experience of the Councillor member.

The Mayor cannot be appointed as a Councillor member of Council’s Audit, Risk and Improvement Committee.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Council is required under S428A of the *Local Government Act 1993* to have an Audit, Risk and Improvement Committee.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Group 9 - Open and Collaborative Leadership.

9.10 2024/2025 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS FOR AUDIT

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Robyn Barnes, Accountant

2 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “2024/2025 General Purpose and Special Purpose Financial Reports for Audit”, for the period ending 30 June 2025, Council:

- (i) resolve to present the Audited General Purpose and Special Purpose Financial Reports, together with the Auditors Reports at a Public Meeting to be held as part of Council’s Meeting on 11 November 2025, in accordance with Section 419 (1) of the Local Government Act 1993;*
 - (ii) record as an opinion of Council pursuant to Section 413 (2c) of the Local Government Act 1993 (NSW) (as amended), that the General Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2025:*
 - (a) have been prepared in accordance with:*
 - the Local Government Act 1993 (as amended) and Regulations made thereafter;*
 - the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board; and*
 - the Local Government Code of Accounting Practice and Financial Reporting;*
 - (b) the General Purpose Financial Report presents fairly Council’s operating result and financial position for the year;*
 - (c) the General Purpose Financial Report accords with Council’s accounting and other records; and*
 - (d) the signatories are not aware of anything that would make the General Purpose Financial Report false or misleading in any way;*
 - (iii) record as an opinion of Council pursuant to the Local Government Code of Accounting Practice and Financial Reporting, that the Special Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2025:*
-

- (a) *have been prepared in accordance with:*
- *the NSW Government Policy Statement “Application of National Competition Policy to Local Government”;*
 - *the Division of Local Government Guidelines “Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality”;*
 - *the Local Government Code of Accounting Practice and Financial Reporting; and*
 - *Sections 3 and 4 of the NSW Department of Planning and Environment, Water’s “Regulatory and assurance framework for local water utilities”.*
- (b) *the Special Purpose Financial Reports present fairly the operating result and financial position for each of Council’s declared Business Activities for the year;*
- (c) *the Special Purpose Financial Reports accord with Council’s accounting and other records; and*
- (d) *present overhead reallocation charges to the water and sewerage businesses as fair and reasonable; and*
- (e) *the signatories are not aware of anything that would make the Special Purpose Financial Reports false or misleading in any way.*

SUMMARY

The purpose of this report is to comply with statutory requirements in relation to the General Purpose and Special Purpose Financial Reports for the year ended 30 June 2025, for Tamworth Regional Council. Section 413(2)(c) requires a Statement, signed by the General Manager, Responsible Accounting Officer, Mayor and one Councillor, in the form approved by the Council as to its opinion on the General Purpose Financial Reports and Special Purpose Financial Reports.

COMMENTARY

The General Purpose and Special Purpose Financial Reports for Tamworth Regional Council for the year ended 30 June 2025, have been prepared and the audit process commenced on 1 September 2025.

A draft set of the financial reports were provided to the Audit, Risk and Improvement Committee (ARIC) for review on 1 September 2025. When the audit is completed, the NSW Audit Office will issue a client service report which will be presented along with the audited financial reports to ARIC for review.

The audited financial statements and independent auditors report will be presented to Council and the public at the Ordinary Council Meeting to be held on 11 November 2025, in accordance with Section 419 (1) of the *Local Government Act 1993*.

A copy of the draft statements for the General Purpose and Special Purpose Financial Reports for Tamworth Regional Council are **ATTACHED**, refer **ANNEXURE 1** and **2**.

Section 413(2)(c) requires a Statement, signed by the General Manager, Responsible Accounting Officer, Mayor and one Councillor, in the form approved by the Council as to its

opinion on the General Purpose Financial Reports and Special Purpose Financial Reports. It should be noted that the Statement reflects an opinion only and is not legally binding.

Staff Certification

The General Manager, Mr Paul Bennett, and the Responsible Accounting Officer, Ms Sherrill Young, certify that to the best of their knowledge, the General Purpose and Special Purpose Financial Reports have been prepared in accordance with all statutory requirements and believe the reports present fairly the financial position of Tamworth Regional Council at 30 June 2025.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

A Statement by Councillors and Management authorised by this report is required to be included with Council's General Purpose Financial Statements and Special Purpose Financial Statements under Section 413(2)(c) of the *Local Government Act 1993* (as amended).

(d) Community Consultation

The independent members of the Audit, Risk and Improvement Committee have reviewed these statements.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership.

9.11 COUNCIL INVESTMENTS AUGUST 2025

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services
Hannah Allwood, Accountant

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Council Investments August 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 31 August 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 31 August 2025.

Of interest to Council in the Reserve Bank media release issued on 28 August 2025 is the Reserve's challenge of working "...towards a more durable future distribution system that supports the availability of cash in the community, including in rural and regional Australia." The media release goes on to mention that cash is a valuable back-up to electronic payments. A new regulatory framework for providers of cash distribution services is being proposed which should hopefully assist with maintaining minimum service levels across Australia.

During the month, Council's portfolio performed above the industry average, returning 4.47% against the three-month Bank Bill Swap rate (3mBBSW) of 3.57%.

(a) Policy Implications

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

(b) Financial Implications

Although it is early in the new financial year, if interest rates on investments remain low it is likely that Council's interest income for the year will not achieve the budget forecast of \$9.2 million consolidated. Council's investment earnings are also impacted by the timing of forecast cash flows which will govern cash holdings. The 2025/26 budget for investment earnings was based on returns of 4.75% which is above the current average return of 4.47%.

(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

9.12 ANNUAL OPERATIONAL PLAN 2025/2026 BUDGET VARIATION REPORT - JULY/AUGUST 2025

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services
Reference: Item to Ordinary Council 30 June 2025 - Minute No 147/25
1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Annual Operational Plan 2025/2026 Budget Variation Report - July/August 2025”, Council note and approve the variations to the existing budget as listed in the ANNEXURE attached to the report.

SUMMARY

This report seeks Council approval for budget variations identified during July and August 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 2025/2026 at the Ordinary Meeting of Council held 30 June 2025. 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. The first Quarterly Budget Review will be presented to Council at the November meeting.

The 2025/2026 financial year whilst relatively new has seen some notable budget variations being received. Work is to be done to advance planning for two proposed Special Entertainment Precincts in Tamworth after Council secured \$200,000.00 of funding from the NSW Government’s Special Entertainment Precinct Kickstart Grant. The funding will be used to explore how Special Entertainment Precincts could expand opportunities for live music, cultural events and night-time activity in Tamworth whilst balancing the needs of residents and businesses.

Works continue on the velodrome site with \$300,000.00 to be spent on site remediation with the funding coming from Council’s Regional Development Reserve. Grant funding has been made available to assist with weed management at the Mountain Bike Park and grant funding has also been received for a Tamworth CBD Levee Shared Path design. The operating expenditure budget for general fund has also been increased by \$197,500.00 to cover the cost of the Koori Knockout event to be held in Tamworth later in the year. The water division has adjusted its operational expense budget by \$100,000 to carry out electrical works at the Barraba treatment plant.

July & August 2025 Budget Variations

Description	Budget Variation	Operating Income	Operating Expenses	Capital Income	Capital Expenses
People & Culture	27,771	0	27,771	0	0
Future Communities	200,000	0	200,000	0	0
Aviation	76,010	0	0	0	76,010
Plant Fleet & Building Services	12,000	0	12,000	0	0
Project Costing	531,000	-118,498	418,498	0	231,000
Sports & Recreation	197,500	-10,300	207,800	0	0
W&W General Fund Activities	-3,050	-3,050	0	0	0
Water Fund	100,000	0	100,000	0	0
Waste & Resource Recovery	262,000	0	0	0	262,000
TOTAL	1,403,231	-131,848	966,069	0	569,010

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	-131,848	866,069	0	569,010
Water	0	100,000	0	0
Sewer	0	0	0	0
Total	-131,848	966,069	0	569,010

(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

9.13 GENERAL MANAGERS PERFORMANCE REVIEW PANEL

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

RECOMMENDATION

That in relation to the report “General Managers Performance Review Panel”, Council nominate the following Councillors to the Panel:

- (i) Mayor of the Day;*
- (ii) Deputy Mayor of the Day*
- (iii) a Councillor nominated by the General Manager – Cr Marc Sutherland; and*
- (iv) a Councillor nominated by Council.*

SUMMARY

The purpose of this report is to appoint Councillors to the General Managers Performance Review Panel.

COMMENTARY

The purpose of the General Managers Performance Review Panel is to delegate the task of performance reviews of the General Manager, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise of the Mayor, Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

The Office of Local Government has released Guidelines for the Appointment and Oversight of General Managers.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

10 COMMUNITY SERVICES

10.1 TAMWORTH WASTE MANAGEMENT FACILITY - PROPOSED CONCRETE WASTE CHARGES

DIRECTORATE: WATER AND WASTE

AUTHOR: Doug Hughes, Manager - Waste & Resource Recovery

RECOMMENDATION

That in relation to the report “Tamworth Waste Management Facility - Proposed Concrete Waste Charges”, Council:

- i) agree to place the proposed gate fees for concrete waste disposal at Council’s Forest Road Waste Management Facility on public display for a period of not less than 28 days;*
- ii) in the event no objections are received from the public during the public display period Council adopt the proposed gate fees; and*
- iii) request the Director Water and Waste submit a further report on this matter, following the period of public display, if any objections are received.*

SUMMARY

Council updated relevant fees and charges this financial year to encourage resource recovery. Concrete disposal charges were reduced and an unintended consequence has been a dramatic increase in concrete being received, including a significant portion from out of the Tamworth region.

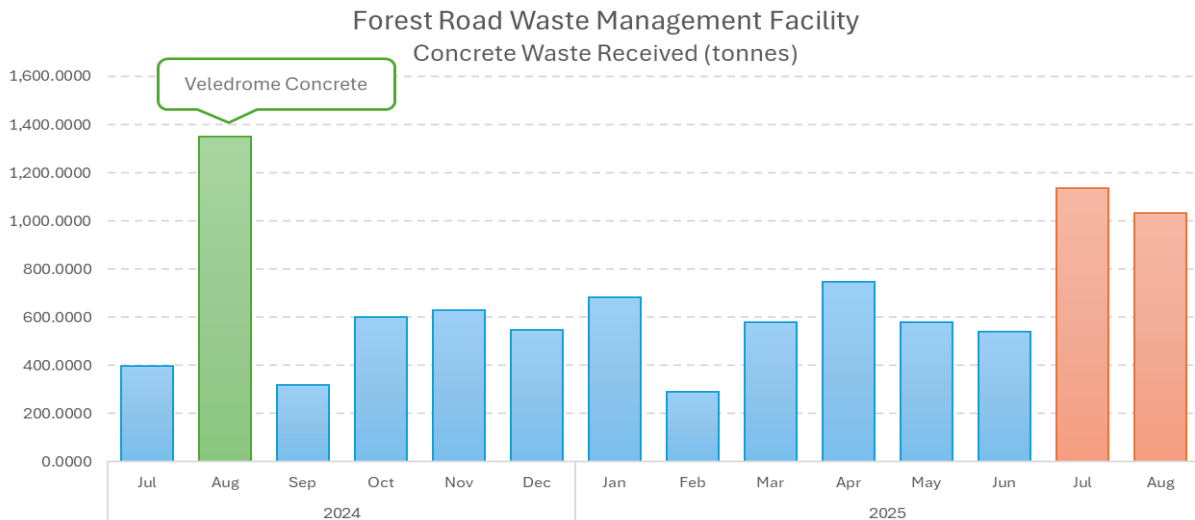
Based on the impact this fee reduction has had, and will have, Council is asked to re-consider charges for concrete disposal, including introducing a charge for concrete originating from outside the Tamworth Regional Council area.

COMMENTARY

Council currently receives waste concrete products at Council’s Forest Road Waste Management Facility only (concrete cannot be disposed of at any of Council’s regional waste facilities). Concrete received at Forest Road is stockpiled and periodically processed into a road base type material at a cost to Council. The processed material is either used on site, sold to the public, or “sold” for use by the Regional Services Directorate for road construction.

As part of the FY25/26 price review, and in the interests of increasing resource recovery by reducing the pricing of source separated materials, Council agreed to, amongst other things, lower the charge for clean concrete waste from \$16/tonne in 24/25 to \$0 in 25/26.

Following the reduction in the charge the Forest Road facility has seen a dramatic increase in volumes received, represented in the below graph.



Average annual concrete volumes received at Forest Road have traditionally been relatively stable, only impacted by significant projects. As a guide it costs Council approximately \$30 per tonne to crush, process and store the concrete waste to a point where it is reusable and then it is sold (where possible) for \$26 per tonne – a net loss to Council of \$4 per tonne. It should be noted processed concrete material does not meet the required standard for use on Transport for NSW owned/controlled roads, but it can be used for local road construction. However, it is generally more difficult to work with, than other road construction material available, and therefore the cost of road construction using the material may be higher. Forest Road currently has a large stockpile of crushed concrete available.

Based on the sudden increase in concrete receipt, the source of the concrete has been questioned by weighbridge staff. Verbal driver confirmations have been consistent with large volumes coming from outside the LGA.

A review of neighbouring Council's pricing for concrete, indicates as follows:

Council	Price	Comments
Upper Hunter	\$284.75 / tonne	Charge is higher because Upper Hunter is in the regional waste levy zone
Liverpool Plains	\$27.50 / m3	Per cubic metre – converts to ~ \$65/tonne
Gunnedah	\$43.50 / tonne	
Narrabri	\$54.00 / tonne	

Gwydir	No separate price	Charge based on vehicle size for general waste
Uralla	\$31.00 / m3	Per cubic metre – converts to ~ \$75/tonne
Armidale	\$82.00 / tonne	Bulk rate
Walcha	\$125.00 / m3	Per cubic metre – converts to ~ \$300/tonne

In FY24/25, Tamworth Council charged residents \$16 per tonne.

Based on the information above, it is considered Council should reinstate a charge for disposal of concrete originating from within the Council area and include a higher charge for concrete from outside the Tamworth Regional Council area. The suggested charges are as follows

- within Tamworth Regional Council area - \$ 25 per tonne; and
- outside of Tamworth Regional Council area - \$ 100 per tonne

Staff did consider only applying a charge for disposal of concrete originating from outside Council's area, however Council has no way of policing or verifying the origin of concrete presenting at the weighbridge, which would encourage those disposing of the concrete to claim the concrete was from the Council area. Whilst the suggested charges will not prevent false claims of the origin of the concrete at least Council is receiving some income to partially offset the cost of processing the material.

(a) Policy Implications

Nil

(b) Financial Implications

As there is currently no charge for clean concrete, any additional fee would see an increase in revenue received. Based on an historical average of approximately 400 tonnes per month, Council would receive between \$100,000 and \$200,000 of additional revenue this financial year (FY25/26). This additional revenue will be utilised to costs of processing the increased concrete stockpiles.

(c) Legal Implications

Section 610F(2) of the Local Government Act 1993, requires that public notice of proposed fees must be given.

(d) Community Consultation

Community consultation and feedback will be undertaken via the public notice process.

(e) Delivery Program Objective/Strategy

Focus Area 6 – Working with and protecting our environment

Focus Area 2 – A liveable built environment

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

RECOMMENDATION

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

12.1 TENDER FOR SUPPLY AND DELIVERY OF AGGREGATES - T082526NAMOI – FILE No

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager - Operations

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c),(d)i&(d)iii 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, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. and information that would, if disclosed, reveal a trade secret.

SUMMARY

The purpose of this report is to seek Council's approval to accept the tender for the supply of aggregates and road base for various road works. The tender was undertaken through Regional Procurement, as a panel tender T082526NAMOI, meaning that Tamworth Regional Council (Council) will be able to utilise any of the companies that tendered during the term of the contract.

Council routinely purchases road base and aggregates as part of its budgeted road works program. As significant quantities of this product are purchased throughout any financial year, the total annual expenditure makes it beneficial to enter into a period supply contract based on a schedule of rates. At the same time, Council is required, under the Local Government Act 1993, to tender for supply of goods or services that exceed \$250,000. This tender ensures that Council satisfies this requirement.

The contract for these works has been based on a three year term, with an additional two of one year options at the sole discretion of Council, providing for up to five years of total contract duration. The contract does not guarantee any quantity for supply, and only provides for payment based on the tendered rates and the actual quantity of material purchased by Council.

Council undertook an open tender for these works in accordance with the Local Government (General) Regulation, utilising the services of Regional Procurement.