



TAMWORTH REGIONAL COUNCIL

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

ORDINARY COUNCIL AGENDA

8 JUNE 2021

**PAUL BENNETT
GENERAL MANAGER**

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Council

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

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

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

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

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

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

Community Consultation Policy

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

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

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

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

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

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

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

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

Disclosure of Political Donations or Gifts

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

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

AGENDA

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 25 May 2021, copies of which were circulated be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 **DISCLOSURE OF INTEREST**

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 **MAYORAL MINUTE**

Nil

6 **NOTICE OF MOTION**

Nil

OPEN COUNCIL REPORTS

7 **ENVIRONMENT AND PLANNING**

7.1 2020-2021 FACILITY IMPROVEMENT FUND

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Kay Burnes, Senior Place Manager

RECOMMENDATION

That in relation to the report “2020-2021 Facility Improvement Fund”, Council amend Resolution 127/21 for the Ordinary Meeting held 11 May 2021, as follows:

- (i) approve the funding allocation of \$4,999.00 to Moonbi War Memorial Hall and Recreation Reserve Committee for the sand and reseal of the main hall and meeting room floor; and*
- (ii) approve the funding allocation of \$3,108.00 to Piallamore Recreation Reserve Committee for the boundary fencing project.*

SUMMARY

The purpose of this report is to seek an amendment to Council Resolution 127/21 pertaining to the 2020-2021 Facility Improvement Fund allocation.

COMMENTARY

Council at its Ordinary Meeting on 11 May 2021, considered a report recommending the allocation of grant funds to the total sum of \$30,149.00 under the 2020-2021 Facility Improvement Fund. Council resolved to adopt the dollar allocations as listed in the report. Unfortunately, the individual project items listed in the report incorrectly transposed the dollar figures allocated to the Moonbi War Memorial Hall and Recreation Reserve Committee project for the sand and reseal of the main hall and meeting room floor (being \$3,108.00) with the Piallamore Recreation Reserve Committee boundary fencing project (being \$4,999.00).

The purpose of this report is to recommend to Council that this inadvertent error be corrected. The correct project totals are:

- Moonbi War Memorial Hall and Recreation Reserve Committee sand and reseal of the main hall and meeting room floor project = \$4,999.00; and
- Piallamore Recreation Reserve Committee boundary fencing project = \$3,108.00.

(a) Policy Implications

No formal policy has been adopted for the management and operation of the Facility Improvement Fund Program. Funding is provided in each year's Annual Operational Plan and Budget, with Council determining the distribution of funds following submissions from Section 355 Committees.

(b) Financial Implications

Funding allocated in the Annual Operational Plan for the 2020-2021 Facility Improvement Fund Program is \$50,000.00.

(c) Legal Implications

Nil

(d) Community Consultation

All eligible Section 355 Committees are invited to make submissions and offered assistance in the preparation of their applications.

(e) Delivery Program Objective/Strategy

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

8 INFRASTRUCTURE AND SERVICES

8.1 2021 NORTHERN INLAND ACADEMY OF SPORT NATIONAL PRIMARY GAMES FEE WAIVER REQUEST

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

RECOMMENDATION

That in relation to the report “2021 Northern Inland Academy of Sport National Primary Games Fee Waiver Request”, Council approve a complete fee waiver for all fees associated with the National Primary Games.

SUMMARY

The National Primary Games (NPG) is a major multi-sport event aimed at the participation of children between the ages of 8-14. The Northern Inland Academy (NIAS) of Sport has requested a fee waiver for this event.

Given the economic benefit to the broader community, and the opportunity to showcase Tamworth’s high-quality sporting facilities, Tamworth Regional Council has been asked to support this event through a full fee waiver.

COMMENTARY

The NPG is a major multi-sport event where children aged between 8-14 years participate in a chosen sport whilst representing their respective school, sporting club or sports association. The NPG has been held annually in July since its inception in 2015, and continues to provide a space for young athletes to enjoy the benefits of sport within a carnival-like atmosphere. The NIAS is seeking to host the event in Tamworth, at a number of Council’s sporting facilities during the month of July. These facilities include the Tamworth Sports Dome, Gipps Street turf fields and the Riverside turf precinct. By providing these facilities, Council and the broader community can showcase Tamworth’s ability to host large scale sporting events to a large number of visitors.

NIAS has advised that the carnival will attract over 5,000 athletes and accompanied spectators. Based on sport tourism industry standards, this event will bring an economic benefit of \$1,600,600 to the region, as displayed in Figure 1.

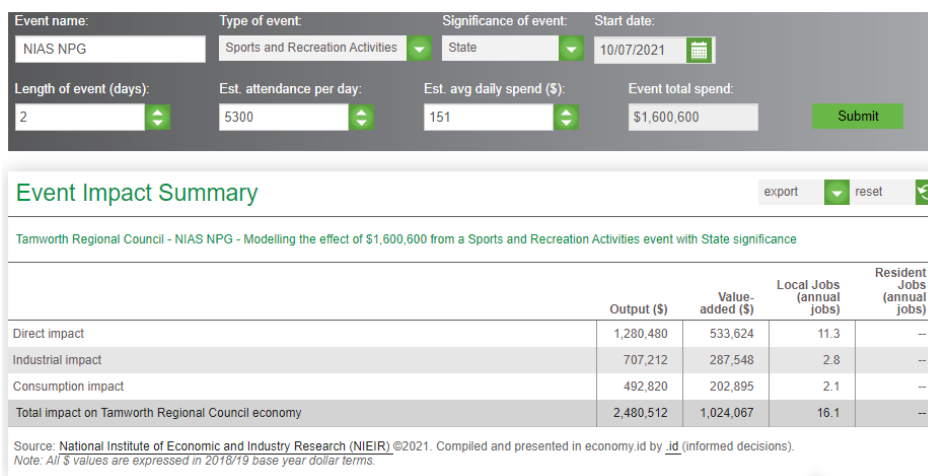


Figure 1. Event Impact Summary

It is anticipated that the cost of hiring and preparing fields and/or facilities for this event will be \$7,524.87. The calculation of this fee is outlined below in Table 1.

Table 1: Fee Calculation

Description	Proposed fee
Turf sports field hire	\$3,248.37
Sports Dome hire	\$2,812.50
Cleaning/bins	\$1,464.00
TOTAL	\$7,524.87

In an effort to keep participation costs as low as possible, NIAS has requested that Council consider the waiving of sports field hire and preparation fees in exchange for being listed as a major partner of the 2021 NIAS NPG. If supported, NIAS will promote Council's name and logo throughout their fortnightly report to registered participants, acknowledgment throughout social media posts and provide a feedback report after the event.

The request for a fee waiver is in line with Council's Sports Event Subsidisation Policy (SESP). It is therefore recommended that Council support this fee waiver request due to the economic benefit to the Tamworth community, the opportunity to showcase Tamworth's ability to host major sporting events and to promote participation in grass roots sport.

(a) Policy Implications

Nil

(b) Financial Implications

The Sports and Recreation division has an annual budget allocation for events subsidised under the SESP. The total fee for this event, \$7,524.87 (including GST) will be deducted from this budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Spirit of Community – C12 Provide high quality sporting facilities to meet the diverse needs of the community.

8.2 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE - 18 MAY 2021 - EMAILED ITEMS

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

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee – 18 May 2021 – Emailed Items”, Council:

- (i) approve the installation of a 17 metre Bus Zone operating from 7.00am to 7.00pm on Calala Lane, adjacent to 69 and 71 Calala Lane, Calala;*
- (ii) approve the traffic control for the running of the Winter Road Racing Program 2021, by the Tamworth Cycle Club, from 8 May 2021 to 16 October 2021, on Saturdays from 1:15pm to 4:30pm on alternate routes in Moore Creek, Attunga and Loomberah; and*
- (iii) approve the traffic control for the running of the Gunnedah to Tamworth Graded Scratch Race Cycling Event, by the Tamworth Cycle Club on 20 June 2021, from Osric Street, Gunnedah to Burgmanns Lane (or Criterium Track via Jack Smyth Drive), Hillvue between 8:00am and 4:00pm.*

SUMMARY

The purpose of this report is to advise Tamworth Regional Council of three recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) via email correspondence on 18 May 2021.

COMMENTARY

The Minutes from the Committee email items sent 18 May 2021, are **ATTACHED**, refer **ANNEXURE 1**.

52/2021 Calala Lane bus zone – relocation due to roundabout construction and increased bus service capacity

This item relates to the Calala Lane and Campbell Road, Calala intersection upgrade reported to the Committee in February 2021. The meeting minutes noted that the discussion of the bus location was to occur between Council’ project team and Tamworth Buslines. An agreement was reached regarding the location of the bus zone near the corner of Osprey Way as shown in Figure 1 below. The standard 10 metre No Stopping zone at the corner of the intersection will be maintained.



Figure 1. Calala Lane bus zone relocation

COMMITTEE RECOMMENDATION: The Committee support the installation of a 17 metre Bus Zone, operating from 7:00am to 7:00pm on Calala Lane, adjacent to 69 and 71 Calala Lane, Calala.

53/2021 Tamworth Cycle Club - Winter Road Racing Program 2021

The Tamworth Cycle Club have applied for weekly Saturday races as detailed below.

Date of event: 8 May 2021 to 16 October 2021

Event location: Weekly alternate start/finish locations at:

- Loomberah Hall, Loomberah;
- Davidsons Road, Moore Creek; and
- Attunga Hall, Attunga.

Event setup time: 1:15pm

Event start time: 2:00pm

Event finish time: 4:00pm

Event pack down finish time: 4:30pm

The route maps are included in the event plan **ATTACHED**, refer **ANNEXURE 2**.

COMMITTEE RECOMMENDATION: The Committee support the traffic control for the running of the Winter Road Racing Program 2021, by the Tamworth Cycle Club, from 8 May 2021 to 16 October 2021 on Saturdays, from 1:15pm to 4:30pm on alternate routes in Moore Creek, Attunga and Loomberah.

54/2021 Tamworth Cycle Club – Gunnedah to Tamworth Graded Scratch - Race Cycling Event

Date of event: 20 June 2021

Description of the event: Grade Scratch Cycling Races (Divisions 1 to 6) from Gunnedah to Tamworth via Werris Creek.

Event location: commencing at Osric Street, Gunnedah and finish at Burgmanns Lane (or Criterium Track), Hillvue.

Event setup time: 8:00am

Event start time: 9:00am

Event finish time: 3:00pm

Event pack down finish time: 4:00pm

The route map is included in the event plan **ATTACHED**, refer **ANNEXURE 3**.

COMMITTEE RECOMMENDATION: The Committee support the traffic control for the running of the Gunnedah to Tamworth Graded Scratch Race Cycling Event by the Tamworth Cycle Club on 20 June 2021, from Osric Street, Gunnedah to Burgmanns Lane (or Criterium Track via Jack Smyth Drive), Hillvue between 8:00am and 4:00pm.

(a) Policy Implications

Nil

(b) Financial Implications

52/2021 – the bus zone installation works will be covered by the project budget.

53/2021 – will be covered by the event organiser.

54/2021 – will be covered by the event organiser.

(c) Legal Implications

Nil

(d) Community Consultation

52/2021 - The Calala Lane roundabout construction project manager has consulted with Tamworth Buslines regarding the location of the bus zone. The project manager is undertaking correspondence with the adjacent property owners to inform them of the new bus zone and construction timing.

(e) Delivery Program Objective/Strategy

An Accessible Region – A23 Traffic Management and traffic safety planning.

8.3 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE GENERAL MEETING – 5 MAY 2021

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Traffic Committee General Meeting – 5 May 2021”, Council:

- (i) approve the installation of edge and centreline marking on Carthage Street, between Brisbane Street and Fitzroy Street, East Tamworth;*
- (ii) approve the installation of disability carparks at the following locations:*
 - 1) White Street between Peel Street and Marius Street, adjacent to the Tamworth Square shopping centre side entrance/existing Taxi Zone/ Loading Zone/disability bays;*
 - 2) Kable Avenue (Tamworth Regional Playground), between Roderick Street and White Street, adjacent to Hopscotch Café;*
 - 3) Bourke Street, between Peel Street and Dowe Street, adjacent to 13/17 Bourke Street;*
 - 4) Byrnes Avenue Carpark 1 (between Hill Street and Roderick Street) within the carpark, in bays nearest the entrance;*
 - 5) Byrnes Avenue Carpark 2 (between Roderick Street and Murray Street) within the carpark, in bays nearest the entrance;*
 - 6) CWA Hands of Fame Carpark, Kable Avenue, within the carpark, two in bays nearest to the entrance, and two in bays nearest to the Brisbane Street intersection;*
 - 7) Peel Street (between Darling Street and Bourke Street) adjacent to Castlereagh Imaging; and*
 - 8) approve the relocation of the following existing bay - Bourke Street, between Peel Street and Kable Avenue, currently adjacent to 239 Peel Street, to be relocated within the same block, to a bay where an accessible ramp can be constructed.*
- (iii) approve the installation of a Loading Zone bay in the White Street carpark extension, and in the Kable Avenue Regional Playground carpark.*

SUMMARY

The purpose of this report is to advise Tamworth Regional Council of three recommendations made by the Tamworth Regional Local Traffic Committee (the Committee) at the meeting held on 5 May 2021.

COMMENTARY

The minutes from the Committee meeting held 5 May 2021, are **ATTACHED**, refer **ANNEXURE 1**.

10/2021 - Carthage Street East Tamworth – angle versus parallel parking and No Stopping Zone requests

A community request was again received regarding parking and No Stopping Zones in Carthage Street near St Johns Church. In March 2021, the Committee reviewed the previous discussion of the item. On 7 November 2018, Tamworth Regional Council (Council) resolution 299/18 resolved the following in Figure 1 below:

- (ii) further investigate the change of parking conditions from 45 degree angle parking, to parallel parking on the eastern side of Carthage Street between Brisbane and White Streets;
- (iii) further investigate the linemarking of 45 degree angle parking, on the western side of Carthage Street between Brisbane and White Streets;

Figure 1. Council resolution 299/18

The parking on both sides of Carthage Street, between Brisbane Street and Fitzroy Street, has been investigated and is confirmed to be 60 degree reverse angle parking on the north eastern side, and parallel parking on the south western side. Parking behaviour was observed to include some non-compliant parking at a 60 degree angle on the south western side.

According to the Australian Standard AS2890.5 Table 3.3, the current 60 degree reverse angle parking behaviour is non-compliant when it occurs on both sides of the road at the same time due to peak traffic volumes and road width criteria.

In order to be compliant, Council has investigated two options:

- 1) change both sides of Carthage Street between Brisbane Street and Fitzroy Street to 30 degree reverse angle parking; or
- 2) retain the south western side of Carthage Street as parallel parking, and retain the existing 60 degree reverse angle parking on the north eastern side of Carthage Street, and line mark centre and edge lines, as shown in Figure 2 below.



Figure 2. Option 2 – line mark centre and edge lines on Carthage Street

COMMITTEE RECOMMENDATION: The Committee support the installation of edge and centreline marking on Carthage Street, between Brisbane Street and Fitzroy Street, East Tamworth.

47/2021 – outcome of audit of Disability Parking Bays – Tamworth Central Business District

An audit of disability parking in compliance with Australian Standard AS2890 – Parking was undertaken in 2017, following requests from members of the public and the Disability Access Working Group (DAWG).

There were a number of non-compliances identified in the audit, however the central business district (CBD) parking strategy was also being developed at that time and rectification works were put on hold until the strategy was finalised in 2019.

Changes to parking in the CBD were then also put on hold in 2020, due to COVID-19. A revised audit of disability parking spaces was then conducted in March 2021, based on the Australian Standard for on-street parking, amended in 2020. The non-compliances and maintenance works identified are expected to be addressed over the next year.

Outcomes of the audit requiring comment from the Committee are as follows:

1) Relocation of existing bay – Bourke Street

The existing bay on Bourke Street adjacent to 239 Peel Street, is adjacent to a stormwater inlet. It is currently non-compliant as it lacks an access ramp. The access ramp cannot be constructed here due to the stormwater pit. Council proposes to relocate the bay to an alternative location on the same block and side of the road where compliant access can be constructed. An alternative site will be determined based on service location and onsite measurement at the time of construction.



Figure 3. Existing disability parking bay on Bourke Street

2) Installation of new bays

The following bays are proposed to address ratio deficiencies, and to meet the minimum number, as recommended in the Australian Standards:

Please note: disability parking bays require a shared zone bay adjacent to the bay to allow manoeuvrability once out of the vehicle in accordance with the Australian Standard.

- Byrnes Avenue Carpark 1 – two bays (between Hill Street and Roderick Street)



Figure 4. New disability parking bays in Byrnes Avenue carpark 1

- Byrnes Avenue Carpark 2 – two bays (between Roderick Street and Murray Street)

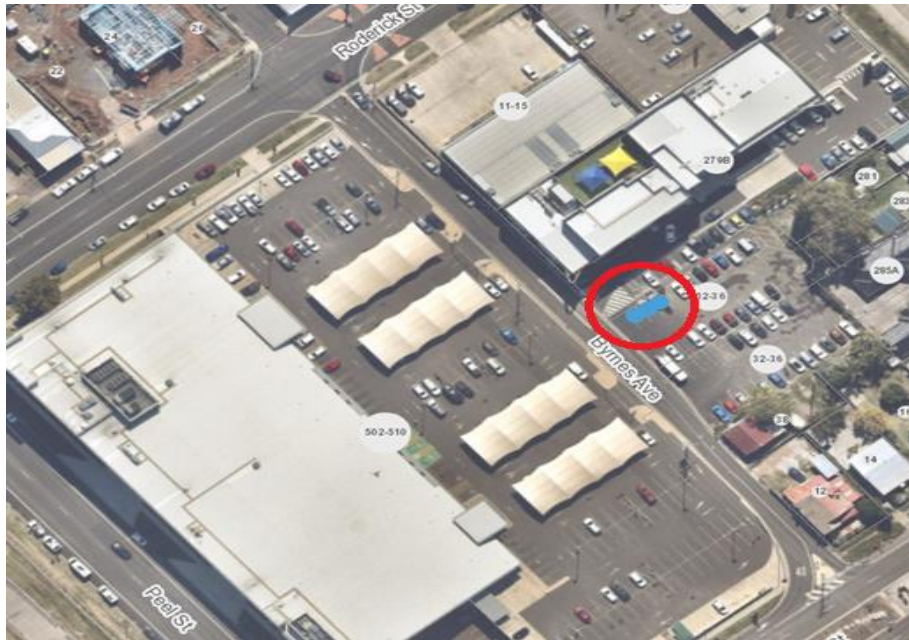


Figure 5. New disability parking bays in Byrnes Avenue carpark 2

- CWA Hands of Fame Carpark off Kable Avenue – four bays (two close to the CWA, two closer to CBD).



Figure 6. New disability parking bays in CWA Hands of Fame Carpark

Following the adoption of the Tamworth CBD parking strategy, additional disability parking bay locations were identified.

Below is a list of disabled car park works identified in the four year capital works program:

- Peel Street (Castlereagh Imaging) – one bay between Darling Street and Bourke Street, adjacent to Castlereagh Imaging



Figure 7. New disability parking bay on Peel Street

- White Street (near Peel Street) – one bay between Peel Street and Marius Street, adjacent to the Tamworth Square shopping centre side entrance/existing Taxi Zone/Loading Zone/Disability Bays

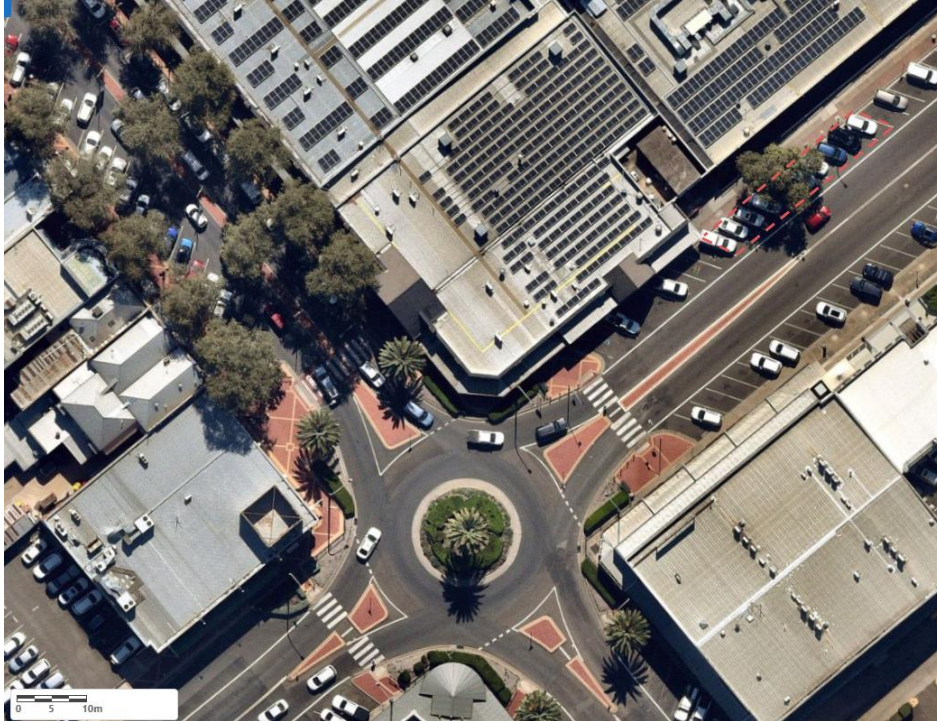


Figure 8. New disability parking bay on White Street

- Kable Avenue (Tamworth Regional Playground) – one bay between Roderick Street and White Street, adjacent to the Hopscotch Café



Figure 9. New disability parking bay on Kable Avenue

- Bourke Street (Community Centre) – one bay between Peel Street and Dowe Street, adjacent to 13/17 Bourke Street.



Figure 10. New disability parking bay on Bourke Street

DAWG have provided feedback that reverse angle bays are the preferred orientation for the users they represent (as opposed to parallel bays).

COMMITTEE RECOMMENDATION: the Committee support the installation of disability bay carparks at the following locations:

- White Street – between Peel Street and Marius Street, adjacent to the Tamworth Square shopping centre side entrance/existing Taxi Zone/Loading Zone/disability bays;
- Kable Avenue (Tamworth Regional Playground) – between Roderick Street and White Street, adjacent to Hopscotch Café;
- Bourke Street – between Peel Street and Dowe Street, adjacent to 13/17 Bourke Street;
- Byrnes Street Carpark 1 (between Hill Street and Roderick Street) within the carpark, in bays nearest the entrance;
- Byrnes Street Carpark 2 (between Roderick Street and Murray Street) within the carpark, in bays nearest the entrance;
- CWA Hands of Fame Carpark, Kable Avenue, within the carpark – two in bays nearest the entrance and two in bays nearest the Brisbane Street intersection;

- Peel Street – between Darling Street and Bourke Street (adjacent to Castlereagh Imaging); and
- the relocation of the following existing bay - Bourke Street – between Peel Street and Kable Avenue, currently adjacent to 239 Peel Street, to be relocated within the same block, to a bay where an accessible ramp can be constructed.

48/2021 – proposed sites for Loading Bays in Council carparks in Tamworth

The DAWG have requested loading zones be installed in the White Street carpark extension, and in the Regional Playground carpark, to facilitate the safe drop off of people with disabilities. The existing loading zones do not have an accessible path of travel to the adjacent footpath (too steep). The proposed bays would also be of use for market stall holders and event organisers that use the park from time to time.

The proposed locations of the loading zones are indicated below in Figure 11 and Figure 12:



Figure 11. Tamworth Regional Playground carpark



Figure 12. White Street Carpark Extension

COMMITTEE RECOMMENDATION: the Committee support the installation of a Loading Zone bay in the White Street carpark extension, and in the Tamworth Regional Playground carpark on Kable Avenue.

(a) Policy Implications

Nil

(b) Financial Implications

10/2021 - will be funded by the existing Infrastructure and Works signage and line marking budget.

47/2021 – will be funded by the existing car parking budget.

48/2021 – will be funded by the existing Infrastructure and Works signage and line marking budget.

(c) Legal Implications

Nil

(d) Community Consultation

47/2021 – Council staff consulted the members of the Disability Action Working Group regarding the location of disability parking bays in the Tamworth CBD.

48/2021 - Council staff consulted the members of the Disability Action Working Group regarding the provision and location of Loading Zone bays in the carparks.

(e) Delivery Program Objective/Strategy

An Accessible Region – A23 Traffic Management and traffic safety planning.

8.4 ROTARY CLUB OF TAMWORTH FIRST LIGHT REGIONAL WASTE WARRIORS EXPO SPONSORSHIP REQUEST

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Rotary Club of Tamworth First Light Regional Waste Warriors Expo Sponsorship Request”, Council:

- (i) agree to Gold Level Sponsorship of the 2021 Regional Waste Warriors Expo, including provision of \$5,000 to organisers; and*
- (ii) provide funding for this sponsorship from the Waste Reserve.*

SUMMARY

The purpose of this report is to seek Council’s direction in relation to a request for Council to sponsor the Regional Waste Warriors Expo in 2021, which is to be held in Tamworth.

COMMENTARY

The Rotary Club of Tamworth First Light is seeking sponsorship for the third Regional Waste Warriors waste event to be held on 3 September 2021. Council has received a sponsorship proposal **ATTACHED**, refer **ANNEXURE 1**, seeking Gold level sponsorship for the event, currently titled the Regional Waste Warriors Expo (the Expo).

Following on from the success of the first Regional Waste Warriors Expo held in February 2019, the Rotary Club of Tamworth First Light had planned to hold the event again in 2020, however due to the impacts of COVID-19 on community events, the expo was postponed. With the unpredictable impacts of COVID-19 still threatening, the organising committee has decided to proceed with an online event delivered via Zoom over one day instead of the previous two-day expo in 2020.

Council had previously agreed to Gold level sponsorship of the 2020 event at a cost of \$8,000. The altered format and duration of the event, moving from face to face over two days to being delivered online on a single day has resulted in reduced running costs and an amended request for Gold level sponsorship has been provided. The 2021 event Gold Sponsorship request amount is \$5,000.

The 2019 Expo delivered a strong emphasis on community education, for business and residential waste, providing practical advice and easy to implement behaviour change ideas to support the waste hierarchy objectives of waste avoidance, reduction, reuse and recycle. This committee is aiming to deliver the same messages and benefits to participants in the new format.

The Expo will target the general public, high school and university students as well as industry professionals from across the New England and North West Region and with the move to online can engage with a wider audience across New South Wales and nationally.

The Expo will be concluded with a 100 Mile food night on Friday evening.

The committee is seeking one Gold level sponsor, requiring a commitment of \$5,000, providing the following to the benefits:

- two tickets to the 100 Mile Dinner;

- extensive promotion of branding with inclusion on all promotional material including website, social media, television and newspaper advertising, flyers and brochures as well as direct marketing to schools and businesses;
- the opportunity to nominate a speaker for a 30-minute presentation at the Expo; and
- exclusive access to a large and diverse audience of community members, schools, universities and industry professionals via the online delivery platform.

Provision of sponsorship support and participation in the Expo supports the delivery of Blueprint 100, specifically Design with Nature and the goal of “pursue waste minimisation opportunities” by directly engaging with the community on waste education, waste minimisation and how Council and the community can work together in this space.

The Expo aligns with Council’s Sustainability Strategy theme of Waste and the specific focus areas:

- avoid and reduce waste generation;
- increase recycling and divert more waste from landfill; and
- increase community recycling.

In addition, the Expo supports the following measures of success identified in the Sustainability Strategy:

- Council engages with the community in terms of waste avoidance; and
- residents and businesses recycle more.

The Expo will offer an opportunity for Council, through the Sustainability Unit and Waste division to engage with a large portion of the regional community as a presenter, to further promote and reinforce the messaging of the “Let’s Talk Rubbish” campaign.

The sponsorship proposed would contribute to the promotion and advertising of the event and resources required.

(a) Policy Implications

Nil

(b) Financial Implications

There is no funding in the 2021/2022 operating plan to fund this proposal. As a result, should Council agree to the sponsorship, funding of \$5,000 would need to be allocated from the Waste Reserve.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

8.5 NSW GOVERNMENT C776 CONTRACT FOR SMALL SITES ELECTRICITY SUPPLY

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator
Reference: Item 12.11 to Closed Council 27 April 2021 - Minute No 120/21

RECOMMENDATION

That in relation to the report “NSW Government Contract for Small Sites Electricity Supply”, Council continue the provision of electricity to Council’s small sites under the NSW Government’s C776 Contract for Small Sites Electricity Supply, until 30 June 2022.

SUMMARY

Council’s small market electricity sites are presently supplied electricity under the NSW Government C776 contract for electricity, supply with Origin Energy as the retailer, which was scheduled to end on 30 June 2021. The C776 contract was amended in August 2019 to extend to 30 June 2022.

The purpose of this report is to seek direction from Council about whether it wishes to remain part of the C776 Agreement, or opt out at this time.

COMMENTARY

Council currently has two contracts for retail electricity supply. Small sites, identified as consuming less than 100MWh per annum, are provided electricity under the NSW Government’s C776 Contract for Retail Supply of Electricity with Origin Energy as the retailer. Large sites, which consume more than 100MWh per annum and include streetlighting, are under a contract with Energy Australia as part of a Council buying group coordinated by Central New South Wales Joint Organisation (CNSWJO) and Sourced Energy.

Council currently has 272 small sites which in the 2019/2020 financial year consumed 2,945,803 kWh at a cost of \$863,036.10.

Council joined the small sites C776 Contract for Retail Supply of Electricity in July 2018, for a term of three years, ending in July 2021. There are several key benefits of C776 contract for small sites:

- pricing is comparable to the wholesale market;
- consolidated billing provided at no additional charge;
- feed in tariff – C776 retailer Origin provides competitive prices for the electricity generated on site and fed back to the grid;
- pre-negotiated terms and conditions – NSW procurement has negotiated fair terms and conditions for the C776 contract;
- agency saving opportunities – reports and monitoring of consumption and usage data and undertaking energy efficiency initiatives; and
- appropriate complaints and disputes resolution mechanism.

The C776 contract was amended in August 2019, and the amendment extended the life of the contract for a further 12 months to 30 June 2022. Entities that entered into the C776 contract in 2019, have the option of accepting the extension, before 30 June 2021, or formally advising they will opt out.

At its Meeting of 27 April 2021, Council considered a confidential report regarding the possibility of joining a new buying group for electricity supply and resolved to proceed with the Southern Sydney Regional Organisation of Councils Program for Energy and Environmental Risk Solutions (PEERS 3) for electricity procurement for large electricity sites and possibly small sites. If Council does ultimately accept the PEERS 3 proposal and small sites are included then the earliest date that Council could enter the new contract for the supply of electricity to small sites would be 1 January 2022.

If Council was to opt out of the C776 contract, from 1 July 2021, then Council could simply stay with its current provider for small sites, Origin, and pay the current market prices for electricity at those sites, until an alternate arrangement has been agreed. Or, Council could go to the market seeking a short-term contract for supply of electricity to small sites pending the outcome of the PEERS 3 proposal. Current market prices are higher than what Council pays under the C776 agreement and a short-term contract is very likely to also have higher prices than the current C776 agreement. Based on this, it is recommended Council remain with the C776 contract for small sites supply for the coming 12 months, noting that Council can opt out of the contract at any time at no penalty.

Should Council choose to remain in the C776 contract for small sites electricity supply there is no action required.

(a) Policy Implications

Nil

(b) Financial Implications

Continuing with the NSW Government C776 contract retail electricity supply for small sites will have minimal impact on current charges. The electricity supplier under the C776 contract has advised a minor tariff reduction in retail charges will apply from 1 July 2021. Given that retail charges are only approximately 12.4% of Councils overall energy costs, it is not expected that the tariff reduction will result in a significant saving to Council in the coming 12 months.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Region for the Future – F22 Encourage efficient use of resources to improve environmental sustainability.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 SPONSORSHIP OF NATIONAL RUGBY LEAGUE PREMIERSHIP GAME

DIRECTORATE: GROWTH AND PROSPERITY

AUTHOR: Jacqueline O'Neill, Director Growth and Prosperity

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Sponsorship of National Rugby League Premiership Game”, Council approve sponsorship of \$20,000 (excluding GST) for the National Rugby League game to be held on 21 August 2021.

SUMMARY

The purpose of this report is to seek Council's approval to financially support the National Rugby League (NRL) Round 23 game between Wests Tigers and Cronulla Sharks. The game will be hosted by the Wests Entertainment Group, at the Scully Park Regional Sporting Precinct (Scully Park), Tamworth.

COMMENTARY

Over the past three seasons, Tamworth has successfully hosted NRL Premiership competition games at Scully Park with each of these games being televised to a national audience.

The Wests Entertainment Group has been the pivotal connection to secure the games, contributing financially to make the events viable for the host club. On each occasion Council has provided sponsorship to help offset the cost of the fixture and to also obtain national exposure for Tamworth and the region.

Due to the significance of the game and the exposure it provides for the Tamworth brand, \$20,000 sponsorship is considered a worthwhile investment as advertising buy in to the metropolitan market for a standalone campaign would be cost prohibitive. Other regional council's across NSW are spending considerably more to host NRL fixtures. Council also has no risk associated with the staging of the event.

Further, due to the COVID-19 pandemic crisis, this event is deemed important to the City of Tamworth, both financially and psychologically. Whilst many other events that were to be staged in the City have had to be cancelled, the NRL game is a welcome drawcard event. It is expected that some Wests Tigers and Cronulla Sharks fans will travel to the City for the game, providing additional economic activity.

The estimated overall total economic impact of the event for the Tamworth Regional Economy would be over \$1.8 million.

In return for its sponsorship, which includes provision of crowd control barriers at no cost, Council will receive a number of promotional benefits. These opportunities are to be utilised to promote Tamworth, through Destination Tamworth brand.

As an event partner, Council will receive:

- 50 metre pitch virtual signage for tourism related marketing;

- Destination Tamworth and Tamworth Regional Council nominated logo to be included on event marketing, promotional and other collateral;
- 20 general admission tickets to be used as promotional giveaways; and
- provision of ticket data, including ticket purchase postcodes and data from a post event survey.

Council's sponsorship will be paid to the Wests Entertainment Group.

(a) Policy Implications

Nil

(b) Financial Implications

The sponsorship allocation of \$20,000 will be funded from the Significant Sporting Event 2020-2021 budget.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Prosperous Region – P21 Utilise the Destination Tamworth brand to market the Region as a destination for living, working and leisure.

9.2 MEMORANDUM OF UNDERSTANDING BETWEEN TAMWORTH REGIONAL COUNCIL AND THE UNIVERSITY OF NEW ENGLAND

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Paul Bennett, General Manager

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Memorandum of Understanding between Tamworth Regional Council and the University of New England”, Council authorise the Mayor to sign the memorandum.

SUMMARY

A Memorandum of Understanding (MoU) has been developed between Tamworth Regional Council (TRC) and the University of New England (UNE) to promote a climate of open exchange and cooperation in areas of mutual interest.

COMMENTARY

The attached MoU has been developed through consultation between TRC and UNE with the aim of progressing the relationship between the two organisations and demonstrating the commitment towards a number of proposed activities as follows:

1. Forms of Co-operation

Proposed areas of mutual co-operation and collaboration contemplated by this MOU include to:

1.1 Facility activation

- a) Secure appropriate premises compliant with relevant University standards (eg: by lease, sub-lease) for use by UNE for its teaching, research and engagement activities;
- b) Obtain use of premises by UNE for peppercorn rent for an initial period of at least two years (with UNE responsible for outgoings) and consideration for commercial returns following the initial period;
- c) Develop Tamworth as a University city including provision of access to appropriate resources such as internet to UNE Tamworth students;

1.2 Branding

- a) Enable UNE branding on premises used for its activities consistent with TRC branding policies;
- b) Co-brand UNE and TRC joint activities and projects recognizing the contribution of each party;

1.3 Partnership

- a) Develop a long term partnership between UNE and TRC reflecting mutual trust between the parties to achieve mutually beneficial goals with appropriate activities such as:
 - i. Exchange of knowledge and expertise, including access to relevant staff of each party;
 - ii. Sharing of benefits arising from the partnership between both parties which recognizes the contribution of each party;
 - iii. Joint approaches to government to approach the parties common agenda;
 - iv. Leveraging the partner networks of each party to facilitate industry, community and government engagement.

1.4 Program Delivery

- a) Jointly promote UNE course delivery and research opportunities;
- b) Establish UNE as a TRC preferred supplier of education and research for Tamworth and its region;
- c) Jointly develop a scholarship fund;
- d) Establish English Language Training for the immigrant workforce in the Tamworth region;
- e) Work jointly on new programs and initiatives to advance UNE's Future Fit strategy and Tamworth's Blueprint 100;
- f) Review this MOU at the two year expiry date.

(a) Policy Implications

Nil

(b) Financial Implications

Some of the activities agreed to in the MOU will have financial implications however, these will be reported back to Council where required or included in existing operational budgets.

(c) Legal Implications

The MoU is not legally binding but provides a solid basis to continue the development of the partnership between TRC and UNE.

It is recommended that the Mayor be authorised to sign the MoU on behalf of Council.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

A Prosperous Region – P31 Provide quality and choice in education and vocation pathways including University options.

10 COMMUNITY SERVICES

Nil

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.

11.1 PROPOSED SALE OF COUNCIL LAND

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Luke Stevenson, Commercial Property Officer
Reference: Item 7.1 to Ordinary Council 9 October 2021

4 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to advise Council of a proposal regarding the disposal of land owned by Council in South Tamworth.

11.2 T126/2021 - DEMOLITION OF EXISTING LOW FLOW CAUSEWAY AND CONSTRUCTION OF NEW MULTICELL BOX CULVERT CAUSEWAY AT TANGARATTA CREEK ON WALLAMORE ROAD

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

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 consider submissions received for tender T126/2021 – demolition of existing low flow causeway and construction of new multicell box culvert causeway at Tangaratta Creek on Wallamore Road.

11.3 TENDER T071/2021 - DESIGN AND CONSTRUCTION OF TIMBER BRIDGE REPLACEMENTS 2021

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Callum Fletcher, Senior Project Engineer

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

SUMMARY

The purpose of this report is to seek Council's acceptance of tender T071/2021 to award a lump sum contract for the Design and Construction of five timber bridge replacements within Tamworth Regional Council's Local Government Area.

11.4 PROPOSED LEASE TO NORTH TAMWORTH RUGBY LEAGUE FOOTBALL CLUB INCORPORATED OF LOT 15 IN DEPOSITED PLAN 858511

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

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

SUMMARY

The purpose of this report is to advise Tamworth Regional Council of the matters regarding the North Tamworth Rugby League Football Club's request for the renewal of their lease.

11.5 REQUEST REGARDING RESTRICTION AS TO USE

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Kirrilee Ringland, Manager Property and Legal Services
2 CONFIDENTIAL ENCLOSURES ENCLOSED

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

SUMMARY

The purpose of this report is to request that Council resolve to consent to a Variation of a Restriction on the Use of Land which currently applies to the land known as 19 Brushtail Drive, Tamworth and described as Lot 31 in Deposited Plan 1142114. Specifically, the Variation will authorise the building within a previously sterilised area.

CLOSED COUNCIL

Confidential Reports

(Section 10A(2) of The Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the Meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the Council or committee.

Resolutions passed in Closed Council

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

CONFIDENTIAL