



TAMWORTH REGIONAL COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **Meeting of Tamworth Regional Council** will be held in the **Council Chambers, Lands Building, Nemingha Room, 25-27 Fitzroy Street, Tamworth**, commencing at **6:30pm**.

ORDINARY COUNCIL AGENDA

12 NOVEMBER 2024

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, 22 October 2024, 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

6.1 NOTICE OF MOTION – CR MARK RODDA - QUESTIONS WITH NOTICE

Notice is given that I have submitted the following Questions with Notice at the Meeting of the Council to be held on 12 November 2024.

SUPPORTING INFORMATION

In accordance with Clause 3.13 of the Code of Meeting Practice I would like to request answers to the Questions with Notice, which are listed below, to be included in the meeting agenda of Tuesday 12 November 2024.

1. Does Council have a register containing results of base-line health scans (respiratory system) of all staff that have worked in Ray Walsh House since amalgamation in 2004?
2. What are the results of the scans?
3. If no baseline health scans of staff that worked in Ray Walsh House have occurred, why not?
4. Many residents feel that Ray Walsh House was simply vandalised once staff left the building in 2022, as the vermiculite remains. In the interests of transparency why were the tiles on the ground floor destroyed and the internal furnishings, fixtures and chattels removed from the building?

5. If asbestos contamination was at such levels as to warrant demolition of all floors, from the ceiling level down to below floor coverings, were all donated furniture, equipment and/or fittings forensically cleaned prior to being donated?
6. Why did the contractors not wear appropriate PPE while demolishing Ray Walsh House given the existence of vermiculite containing asbestos?

Clause 3.13 of the Code of Meeting Practice states:

'A Councillor may, by way of Notice submitted under clause 3.9, ask a question got response by the General Manager about the performance or operation of Council.

The General Manage or their Nominee may respond to the Question with Notice by way of report included in the business paper for the relevant Meeting of Council or orally at the Meeting.'

Cr Mark Rodda

6 November 2024

GENERAL MANAGERS RESPONSE

1. No scans have been taken of all staff. Staff involved in the initial incident where air conditioning ducting and vermiculite fell through the ceiling were taken for health monitoring at the time.
 2. Results of any scans are the privacy and personal information of staff and will not be disclosed to the public.
 3. The risks to staff were minimal until the failing of the air conditioning system, at which point staff were removed from the building. Council has commenced health monitoring by health professionals to identify changes in employee health status because of exposure to certain hazards in the workplace. The health monitoring may include skin checks, samples of urine or blood collected, audiometry testing and spirometry testing (lung function) depending on the hazards identified in the particular workplace.
 4. Ray Walsh House was not vandalised. Before the asbestos can be removed, the building needed to be cleared of all items and furniture. It was also determined at this time to remove the ceramic tiles and fixed items in the foyer, and throughout the building, as this would need to be done if Council was to remodel/renovate the building and move back in. This approach will save considerable time and expense once a final determination is made regarding the building.
 5. There was no asbestos on the furniture as the air conditioning system has not been turned on since the discovery of asbestos in the Plant Room and therefore it had not circulated.
 6. Asbestos would only circulate in the building if the air conditioning system was turned on. The contractors were not required to wear specialised PPE as there was no air conditioning in operation in the building during the works. The contractor had a comprehensive asbestos management protocol in place that would be activated if any of the vermiculite had been disturbed.
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6.2 NOTICE OF MOTION – CR STEPHEN MEARS - RAY WALSH HOUSE

MOTION

That in relation to the Notion of Motion “Ray Walsh House” Council:

- (i) resolve to review all options to remediate, or otherwise, Ray Walsh House for the purpose of reoccupation by Council staff and Council operations, if and/or when it is safe to do so;*
- (ii) continue to investigate options to improve accommodation for staff over the medium term of ten years;*
- (iii) request that General Manager develop an options paper that includes all options for the future of Ray Walsh House. This is to include remediation, repurpose, redevelopment or other options for further consideration by Council;*
- (iv) that community consultation is entered into relating to all options for Ray Walsh House; and*
- (v) the workshops, relating to Ray Walsh House extend invitation to industry professionals with expertise in remediation, renovation and replacement or remediation of all plant and equipment as required.*

Notice is given that I intend to move the above Motion at the Meeting of the Council to be held on 12 November 2024.

SUPPORTING INFORMATION

On the 28 May 2024, Tamworth Regional Council – Ordinary Council – 28 May 2024, it was resolved. That in relation to the report “Ray Walsh House”, Council:

- (i) resolve to not remediate Ray Walsh House for the purpose of reoccupation by Council staff and Council operations;
- (ii) investigate options to improve accommodation for staff over the medium term of up to ten years;
- (iii) request that the General Manager develop an options paper for the future disposal of Ray Walsh House for further consideration by Council;
- (iv) that community consultation be undertaken in conjunction with the consideration of the options; and
- (v) make all of the professional reports available in a publicly accessible place for anyone to be able to access, noting that these will no longer be commercial in confidence.

Resolution (i) and (iii) appear to be the catalyst for residents and councillors’ concerns, and in part, give rise to residents’ concerns and may be the catalyst for the alleged misinformation circulating around Ray Walsh House being sold/disposed of.

Point (i) makes it clear that Ray Walsh House is not to be remediated for the purpose of reoccupation by either Council Operations and Council Staff. This clearly articulates that Council has no interest/need of Ray Walsh House and despite any remediation staff and operations will not return to the building, even if the building is made safe.

Point (iii) A request is made for the General Manager to develop an options paper for the future disposal of Ray Walsh House for further consideration by Council.

Point (iii) clearly indicates that the General Manager is to only provide developed options for the future disposal of Ray Walsh House for further consideration by Council. I am aware that the General Manager is working on alternate options for Ray Walsh House, other than disposal. The previously Resolved motion does not provide for the provision of any option papers other than for Ray Walsh House's disposal. It clearly articulates abandoning the building and for its disposal.

Disposal of a Building, in legal terms means: The sale, the transfer, or the building be leased for a period of twenty-one years or more.

I am pleased the General Manager is looking into all options for Ray Walsh House's future, however, without a new motion those options cannot be presented, as per the original motion. An amendment to the original motion was proposed, which, to have the word 'disposal' removed from Point (iii), unfortunately this was defeated. This, no doubt, has left residents of the belief that Ray Walsh House is to be disposed of. i.e. sold

It is difficult to speculate on what some Councillors believe to be misinformation regarding Ray Walsh House. Is the opinion that previous and/or current Councillor's have been engaged in the spreading of misinformation, or that residents have been spreading misinformation. Despite several requests for information relating to the 'misinformation' no response, as yet, has been provided.

This motions intent is to ensure all options for the future of Ray Walsh House are considered, that residents can clearly see our attempt to review those considerations and to show openness and transparency in the process and to invite the General Manager to present all options he is/has developed.

Cr Stephen Mears

6 November 2024

6.3 NOTICE OF MOTION – CR RYAN BROOKE - COUNCIL MEETING VOTES VIA DIVISION

MOTION

That Council amend the Code of Meeting Practice to record all decisions at Council Meetings as a Division.

Notice is given that I intend to move a Notice of Motion at the Meeting of the Council to be held on 12 November 2024, to amend the Tamworth Regional Council Code of Meeting Practice to add the following clause under Section 11 "Voting":

- A division is taken to have been called whenever a motion is put at a Meeting of Council or a Council Committee. The Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's Minutes for the Meeting.

The addition of this clause would make clauses 11.5 through 11.8 redundant, and these clauses will need to be removed.

SUPPORTING INFORMATION

During our induction training, Councillors have been given advice from two separate, independent and external consultants that Tamworth Regional Council should move towards adopting a Code of Meeting Practice where votes on put motions and amendments are recorded via a division so that the votes of Councillors are recorded in the Council Meeting Minutes.

This is already an adopted standard practice in numerous Councils across the state. Furthermore, this would align with Focus Area 9 of Our Community Plan Blueprint 100, Open and Collaborative Leadership.

We have committed to conduct Council business with transparency and accountability and by having all votes of democratically elected councillors recorded and available for residents to review their representatives' voting record aligns with both of these goals.

Cr Ryan Brooke

7 November 2024

6.4 NOTICE OF MOTION – CR MARK RODDA - TAMWORTH GLOBAL GATEWAY PARK COMMITTEE

MOTION

That Council establish a Tamworth Global Gateway Park Committee of Councillors and staff to consider, facilitate and provide oversight of the sale of properties at the Tamworth Global Gateway Park (TGGP).

Notice is given that I intend to move the Motion at the Meeting of the Council to be held on 12 November 2024, seeking support from fellow Councillors for the establishment of a new Tamworth Global Gateway Park Committee of Councillors and staff to consider, facilitate and provide oversight of the sale of properties at the Tamworth Global Gateway Park (TGGP).

SUPPORTING INFORMATION

Councillors have been requested to approve significant ratepayers' funds on development of the TGGP industrial estate and the construction of infrastructure. Given the ratepayers' funds invested in this estate, Councillors should be privy to offers for sale of land as they are responsible to the people that elected them and the residents need to be confident that they have representatives at the table providing oversight to the sale of land and the proposed committee.

The Committee should also review the exclusive sales agreement, and consideration for inclusion of additional agency agreements to ensure parcels of land that are advertised for sale are broadcast to a potential wider audience.

Cr Mark Rodda

5 November 2024

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 PROPOSED ROAD NAME FOR APPROVED ARCADIA WEST ENTRANCE DA2023-0212 DURI ROAD, HILLVUE (LOT 6 DP 1211122) - RN2025-0030

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Sam Lobsey, Manager - Development

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report 'Proposed Road Name for Approved Arcadia West Entrance DA2023-0212 Duri Road, Hillvue (Lot 6 DP 1211122) - RN2025-0030', Council:

- (i) approve in principle the road name 'Opal' Way;*
- (ii) advertise the proposed road name as required by the Roads Act 1993 Section 162, Roads Regulation 2018 Part 2 Division 1 Section 7 to enable interested parties the opportunity to make comment; and*
- (iii) provided no submissions are made which object to the proposed road name, proceed to publish the adopted name in the Government Gazette.*

SUMMARY

Development Application (DA2023-0232) for a 961 lot Torrens Title Subdivision was recently approved by the Northern Regional Planning Panel (NRPP). The purpose of this report is to recommend a road name for the approved entrance road to the proposed subdivision 'Arcadia West' (approved under DA2023-0212). The entrance road is off Duri Road. Council has pre-approval from the Geographical Names Board to name the proposed new road 'Opal' Way which will be consistent with the developer's nominated road name theme being 'Gemstones and Minerals'.

COMMENTARY

Proposed Road Name:	'Opal' Way
Development Consent:	DA2023-0212
Approval Date:	17 October 2023
Theme or origin of proposed names:	Gemstones and Minerals
Geographical Names Board	
Approval Date:	Pre-approval 25 September 2024

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

(a) Policy Implications

Council's policy enables developers to propose a road naming theme for a new subdivision and to propose names for each individual road within the subdivision/precinct, prior to consideration by the Geographical Names Board.

(b) Financial Implications

Nil

(c) Legal Implications

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

(d) Community Consultation

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

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

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

(e) Delivery Program Objective/Strategy

Focus Area 4 – Resilient and Diverse Communities

7.2 PLANNING PROPOSAL - SECONDARY DWELLINGS IN CERTAIN RURAL LANDS

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Andrew Spicer, Manager - Future Communities
Mitchell Gillogly, Team Leader – Strategic Planning

Reference: Item 7.2 to Ordinary Council 13 August 2024 - Minute No 201/24
Item 7.1 to Ordinary Council 27 February 2024 - Minute No 22/24

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Planning Proposal - Secondary Dwellings in Certain Rural Lands”, Council:

- (i) forward the Planning Proposal to the Department of Planning, Housing and Infrastructure requesting a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, with the submission to include a request to issue Council with Delegation to be the plan making authority;*
- (ii) grant delegation to the Director Liveable Communities to make any necessary changes to the Planning Proposal prior to public exhibition in response to the conditions of the Gateway Determination;*
- (iii) publicly exhibit the Planning Proposal in accordance with the Gateway Determination and Council’s Community Participation Plan 2019;*
- (iv) receive a further report following public exhibition of the Planning Proposal detailing any submissions received; and*
- (v) in the event that a Gateway Determination is issued relating to the Planning Proposal – Secondary Dwellings in Certain Rural Lands, amend the Phase 1 Review of the Tamworth Regional Local Environmental Plan 2010 to remove the reference to secondary dwellings permissibility in rural lands to enable the Phase 1 Review to be finalised.*

SUMMARY

The purpose of this report is to seek a resolution of Council to amend the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)* in accordance with the draft *Planning Proposal – Secondary Dwellings in Certain Rural Lands* which aims to support housing diversity in rural areas by permitting secondary dwellings in the RU1 Primary Production and RU4 Primary Production Small Lots zones with the exception of lands affected by the proposed Namoi Regional Jobs Precinct (Namoi RJP). The draft *Planning Proposal – Secondary Dwellings in Certain Rural Lands* is **ATTACHED**, refer **ANNEXURE 1**.

COMMENTARY

Background

A comprehensive review of the *TRLEP 2010* has been undertaken in accordance with Council's *Blueprint 100: Part 2: Local Strategic Planning Statement 2020 (LSPS 2020)* and the Department of Planning Housing and Infrastructure (DPHI) *New England North West Regional Plan 2041 (NENW Regional Plan 2041)*.

The review included consultation with property owners and a community-wide Expression of Interest (EOI) process undertaken in 2022. In order to balance the timely completion of the comprehensive *TRLEP 2010* review it was determined to complete the comprehensive review of the *TRLEP 2010* in phases.

The *Planning Proposal for the Phase 1* review of the *Tamworth Regional Local Environmental Plan 2010* (Phase 1 Planning Proposal) was undertaken in 2024. A component of the Phase 1 Planning Proposal was to amend the *TRLEP 2010* by permitting secondary dwellings in the RU1 Primary Production and RU4 Primary Production Small Lots zones to support housing diversity in rural areas in a manner that is unlikely to have a significant impact on agricultural lands or primary production.

A Gateway Determination for the Phase 1 Planning Proposal was issued by DPHI on 27 May 2024, which supported permitting secondary dwellings across all RU1 Primary Production and RU4 Primary Production Small Lots zoned lands.

Following State Government agency consultation as part of the Phase 1 Planning Proposal Gateway Determination, the Department of Primary Industries – Agriculture (DPI – Ag) and NSW Environment Protection Authority (NSW EPA) raised concerns in relation to the potential impact on the proposed Namoi Regional Jobs Precinct (Namoi RJP).

Council has been working collaboratively with Regional Growth NSW – Development Corporation (RGDC), which is responsible for delivering the proposed Namoi RJP. The RJP seeks to explore opportunities for the sustainable growth of the intensive livestock agriculture sector by identifying locations for production clusters, known as Identified Production Areas (IPA). A key pillar of IPAs is the protection of land identified as potentially suitable for intensive livestock agriculture from encroachment by future sensitive receptors, such as secondary dwellings. The intention of this is to provide a long-term solution to ensure primacy of rural productive uses within the RU1 Primary Production and RU4 Primary Production Small Lots land use zones.

This issue was also raised by the DPHI and RGDC in their submissions to the *Tamworth Regional Housing Strategy 2024*. As an example, the RGDC submission to the exhibition of the draft Tamworth Regional Housing Strategy 2024 included the following specific comment:

*“In striving to create better balance between housing needs and that of a growing economy, **RGDC recommends that secondary dwellings remain prohibited in lands that are mapped within the Identified Production Areas (IPA).**”*

Council officers agreed that permitting secondary dwellings in these key lands would be a poor land use planning outcome as the proposed Namoi RJP lands cover some of the most appropriate land for intensive livestock agricultural production, both poultry and beef, and this area should be protected from encroachment by additional sensitive receivers. However, the opportunity for secondary dwellings in appropriate rural lands is also important as this supports housing diversity and will enable ageing in place and succession planning on rural properties. Furthermore, secondary dwellings are only permitted in conjunction with a

primary dwelling and the size and placement of secondary dwellings in relation to the primary dwelling is restricted by clause 5.5 of the *TRLEP 2010* which aims to reduce the potential for land use conflict.

It was therefore recommended that the TRLEP Phase 1 Planning Proposal be amended to only permit secondary dwellings in RU1 Primary Production and RU4 Primary Production Small Lots zoned lands *outside* of the proposed Namoi RJP. The amended Phase 1 Planning Proposal was adopted by Council at its Meeting held on 13 August 2024. Council is now proceeding with the finalisation of the Phase 1 Planning Proposal in association with the DPHI and NSW Parliamentary Counsel.

Status of the proposed Namoi Regional Jobs Precinct

The Namoi RJP material, which includes mapping of the Identified Production Areas where secondary dwellings will be excluded, was to be exhibited by the RGDC in August 2024, but this has since been delayed to February 2025. The mapping prepared for the proposed Namoi RJP is underpinned by numerous studies which identify areas most suited for intensive livestock agriculture and where secondary dwellings should remain prohibited. The Namoi RJP mapping is embargoed by the NSW Government and cannot be revealed to the public prior to public exhibition. There also remains the issue of uncertainty over the Namoi RJP process, which means that the mapping may be exhibited in an unexpected form or potentially not exhibited at all.

This poses a significant risk to the finalisation of the TRLEP Phase 1 Planning Proposal.

Implications for current planning processes

The implication therefore, is that due to the delay in the proposed Namoi RJP, Council is unable to finalise its Phase 1 Planning Proposal in accordance with the resolution of 13 August 2024, within the time specified by the DPHI, being 24 February 2025. This is significant noting that the Phase 1 Planning Proposal includes a raft of other important amendments relating to heritage, planning controls for Bridge Street, amendments to existing clauses and insertion of new clauses, housekeeping amendments and two expressions of interest for rezoning. Furthermore, Council has been verbally advised by DPHI that a one-month extension would likely be the maximum supported in order to finalise the Phase 1 Planning Proposal. This extension would not be adequate to cover the potential exhibition and finalisation of the RJP by the RGDC.

The recommended option to address this risk is to remove the secondary dwellings component from the Phase 1 Planning Proposal to enable the remainder of the Phase 1 amendments to be finalised prior to 24 February 2025. However, to maintain the option to enable secondary dwellings in other suitable rural lands the Phase 1 Planning Proposal would not be amended *until* such time as a Gateway Determination is issued by the DPHI for a separate draft *Planning Proposal - Secondary Dwellings in Certain Rural Lands*, which is now the recommended option.

The recommended option would reset the timeline for finalisation of the secondary dwellings matter potentially until September 2025, however this is considered to be the only realistic option based on the uncertainty surrounding the proposed Namoi RJP or until such time as Council has a rural lands strategy adopted.

A rural lands strategy is currently in preparation and to date is progressing in accordance with its expected timeframe. It can reasonably be expected that this strategy may proceed to public exhibition in early 2025 following consideration by Council. This strategy will take into account and build on the work undertaken in the proposed Namoi RJP process and include detailed consultation with relevant government agencies, industry and the wider community.

This means that Council may well have a publicly exhibited and potentially adopted rural lands strategy by mid-2025 to underpin potential amendments to rural planning controls such as those relating to secondary dwellings.

Therefore, the draft *Planning Proposal – Secondary Dwellings in Certain Rural Lands* provides a potential path forward to maintain opportunities for secondary dwellings in suitable rural locations while protecting intensive livestock agriculture within the proposed Namoi RJP.

(a) Policy Implications

The review of the *Tamworth Regional Local Environmental Plan* is a direct action of the *Tamworth Regional Blueprint 100 Part One, Blueprint 100 Part Two: Local Strategic Planning Statement 2020 and Blueprint 100 Delivery Plan 2023-2025*. The contents of the draft *Planning Proposal - Secondary Dwellings in Certain Rural Lands* are consistent with the outcomes identified within Blueprint 100.

(b) Financial Implications

Nil

(c) Legal Implications

The Planning Proposal will result in an amendment to Council's statutory planning instrument, the *TRLEP 2010*, and will affect the legal use of land in certain areas.

(d) Community Consultation

Extensive landowner, community and Government agency consultation has been undertaken in connection with the exhibition of the Phase 1 Planning Proposal which has directly informed this Planning Proposal.

However, the requirements for community engagement in relation to a Planning Proposal are specified by the Minister for Planning and Public Spaces or delegate in the DPHI Gateway Determination. It is likely further consultation will be required as part of the Gateway Determination.

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable Built Environment

Focus Area 3 – Prosperity and Innovation

Focus Area 9 – Open and Collaborative Leadership

7.3 TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 - DIGITAL TRANSITION OF MAPPING

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Mitchell Gillogly, Team Leader – Strategic Planning
Christopher Faley, Senior Strategic Planner

RECOMMENDATION

That in relation to the report “Tamworth Regional Local Environmental Plan 2010 - Digital Transition of Mapping”, Council request the Department of Planning, Housing and Infrastructure expedite an amendment to the Tamworth Regional Local Environmental Plan (TRLEP) 2010 in accordance with Section 3.22 of the Environmental Planning and Assessment Act 1979, to transition the TRLEP mapping to the NSW Planning Portal - Digital Environmental Planning Instruments (EPI) Viewer.

SUMMARY

The purpose of this report is to seek a resolution of Council to transition the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)* mapping to the NSW Planning Portal - Digital Environmental Planning Instruments (EPI) Viewer.

This transition would be facilitated through an expedited amendment to the *TRLEP 2010* under Section 3.22 of the *Environmental Planning and Assessment Act 1979*.

COMMENTARY

On 26 May 2020, Council adopted the *Tamworth Regional Blueprint 100 Part Two: Local Strategic Planning Statement 2020 (LSPS 2020)*. Consistent with the Actions identified within the *LSPS 2020*, Council has been engaged in the comprehensive, phased review of the *TRLEP 2010*.

The Planning Proposal for the Phase 1 Review of the *TRLEP 2010* was adopted with amendments at Council’s Ordinary Meeting held on 13 August 2024, and involves a significant amount of mapping changes, including but not limited to, Land Zones, Lot Size and Heritage. It is anticipated that future phases of the *TRLEP 2010*, will also involve substantial changes to the *TRLEP 2010* mapping in response to other strategic studies, such as the *Tamworth Regional Housing Strategy 2024* and proposed rural lands strategy.

Currently, the official version of the *TRLEP 2010* mapping is contained within 110 PDF maps located on the NSW Planning Portal. When undertaking an amendment to the *TRLEP 2010* that involves map changes, Council must first create Geographic Information System (GIS) data, which is then used to generate multiple new and/or amended PDF maps. This can be a time-consuming process, particularly when the same PDF map may need to be amended multiple times across consecutive planning proposals.

Discussions with the Department of Planning, Housing and Infrastructure (DPHI) have confirmed that mapping changes associated with planning proposals can be streamlined by transitioning to the NSW Planning Portal – Digital Environmental Planning Instruments (EPI) Viewer, an online platform to view GIS layers.

Once the digital transition has been completed, for amendments to the *TRLEP 2010* that involve mapping changes, Council will only need to create GIS data. These layers are uploaded into the NSW Planning Portal - Digital Environmental Planning Instruments (EPI)

Viewer and no PDFs are required to be generated. This will improve efficiencies as it removes the cumbersome and time-consuming process of generating PDF maps.

Other benefits associated with transitioning the *TRLEP 2010* maps include:

- Easier User Experience – The NSW Planning Portal – Digital Environmental Planning Instruments (EPI) Viewer provides an easier user experience to identify relevant planning controls for a property without the need to manually search and open multiple PDF maps;
- NSW Government Ownership – Once the *TRLEP 2010* mapping is in a digital format and available on the NSW Planning Portal – Digital Environmental Planning Instruments (EPI) Viewer, the responsibility for storing and maintaining this data will transfer from Council to DPHI. Where access to data is required by Council or other third parties (consultants), this remains available through the NSW Governments Open Data system; and
- NSW Government ePlanning Initiatives – The transition from PDF to digital Local Environmental Plan mapping is a key initiative of the ePlanning Program. The digital transition will improve access to planning maps and enhance the ability of the community and businesses to make better informed land use planning decisions.

DPHI has confirmed that its GIS team will prepare the GIS data for transition to the NSW Planning Portal - Digital Environmental Planning Instruments (EPI) Viewer. Once the data is reviewed by Council officers, the digital transition would then be completed via an expedited amendment to the *TRLEP 2010* under Section 3.22 of the *Environmental Planning and Assessment Act 1979*.

It is recommended that Council pursue the transitioning of the *TRLEP 2010* maps to the NSW Planning Portal – Digital Environmental Planning Instruments (EPI) Viewer.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil – The transition of the *TRLEP 2010* mapping to the NSW Planning Portal - Digital Environmental Planning Instruments (EPI) Viewer is an administrative matter and will not alter any land use planning controls.

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable Built Environment

Focus Area 6 – Working with and Protecting our Environment

Focus Area 7 – Celebrate our Cultures and Heritage

Focus Area 9 – Open and Collaborative Leadership

7.3 PROPOSED ROAD NAMING FOR STAGE 2 'RUPARI HEIGHTS' SUBDIVISION (NEMINGHA) - RN2025-0027

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Sam Lobsey, Manager - Development

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report 'Proposed Road Naming for Stage 2 'Rupari Heights' Subdivision (Nemingha), Council:

- (i) approve in principle the road names:
 - a. 'Winners' Close (Nemingha); and
 - b. 'Triumphant' Place (Nemingha);*
- (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads (General) Regulation 2008, Part 2, Division 2 to enable interested parties the opportunity to make comment; and*
- (iii) provided no submissions are made which object to the proposed road names, proceed to publish the adopted names in the Government Gazette.*

SUMMARY

The purpose of this report is to nominate new road names for the following approved subdivision:

Rupari Heights – Stage 2 – Lot 84 DP 1260794, Nundle Road, Nemingha.

COMMENTARY

Rupari Heights Subdivision – Stage 2

Proposed Names: 'Winners' Close and 'Triumphant' Place
Development Consent: Granted: 29 October 2019
(DA2019/0286)
Theme or origin of proposed names: Theme of Winners/Winning
Geographical Names Board Pre-Approval Date: 17 October 2024

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

(a) Policy Implications

Council's policy enables developers to propose a road naming theme for a new subdivision and to propose names for each individual road within the subdivision/precinct, prior to consideration by the Geographical Names Board.

(b) Financial Implications

Nil

(c) Legal Implications

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

(d) Community Consultation

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

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

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

(e) Delivery Program Objective/Strategy

Focus Area 4 – Resilient and Diverse Communities

8 INFRASTRUCTURE AND SERVICES

Nil

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 CODE OF CONDUCT - PANEL OF CONDUCT REVIEWERS

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

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Code of Conduct - Panel of Conduct Reviewers”, Council appoint the following organisations to the panel of conduct reviewers for a term of four years:

- *Weir Consulting (National);*
- *SINC Solutions Pty Ltd;*
- *Centium Group Pty Ltd;*
- *Mediate Today Pty Ltd; and*
- *Nemesis Consulting Group Pty Ltd.*

SUMMARY

The purpose of this report is to appoint a panel of Code of Conduct Reviewers for a period of four years for investigation of complaints against Councillors.

COMMENTARY

The Office of Local Government Procedures for the Administration of the Model Code of Conduct requires all Councils to establish a Panel of Conduct Reviewers by resolution of Council, following a prescribed Expression of Interest (EOI) process.

Council first appointed a shared panel through Namoi Councils on 10 September 2013. That four year term expired on 10 September 2017. Council undertook another shared panel EOI process with Gunnedah, Tamworth, Narrabri, Uralla and Walcha in 2017, and appointed a new panel in January 2018.

The previous panel has now expired and Council has undertaken a new EOI process which was invited by public advertisement on Council’s website and Tenderlink. Council received fourteen submissions that have been evaluated by staff.

The evaluation panel gave consideration to the following mandatory requirements:

- Public Liability Insurance of \$20 million;
- Professional Indemnity Insurance of minimum \$2 million; and
- Workers Compensation Insurance to the extent required by law.

To be eligible to be a member of a panel of conduct reviewers, a person must have at a minimum:

- an understanding of local government;
- experience in assessing complaints under the NSW Office of Local Government Model Code of conduct;

- (c) be familiar with investigative processes including but not limited to procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994; and
- (d) have knowledge and or experience in one or more of the following disciplines:
 - (i) investigations;
 - (ii) law;
 - (iii) public administration;
 - (iv) public sector ethics; or
 - (v) alternative dispute resolution.

A person is not eligible to be a member of the panel of conduct reviewers if they are:

- (a) a Councillor;
- (b) a nominee for election as a councillor;
- (c) an administrator;
- (d) an employee of a Council;
- (e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly;
- (f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly; or
- (g) a person who has a conviction for an indictable offence that is not an expired conviction.

The evaluation panel assessed the submissions received against the following qualitative criteria:

No.	Evaluation Criteria	Weighting
1	<p><u>Understanding of the Local Government Environment</u></p> <p>Demonstrated understanding of the environment in which Local Government operates.</p> <p><i>No more than one page</i></p>	30%
2	<p><u>Skills and Specific Industry Experience</u></p> <p>Evidence the Specified Personnel have the skills required to perform Conduct Reviews and have experience in providing services for similar organisations.</p> <p><i>No more than one page</i></p>	40%
3	<p><u>Value-For-Money</u></p> <p>Value-for-money pricing for each service provided and an hourly rate to deliver a Conduct Review</p>	30%

	including travel and other costs.	
		100%

The evaluation of the submissions is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**. It is recommended that the following submissions be appointed to the panel for a term of four year, based on the evaluation:

- Weir Consulting (National);
- SINC Solutions Pty Ltd;
- Centium Group Pty Ltd;
- Mediate Today Pty Ltd; and
- Nemesis Consulting Group Pty Ltd.

(a) Policy Implications

A panel of Conduct Reviewers is required under in Model Code of Conduct and the Procedures for the Administration of the Code of Conduct.

(b) Financial Implications

There is no budget allocation for conduct reviewers and will be evaluated on an as needs basis.

(c) Legal Implications

Section 440 of the Local Government Act 1993, provides that Council must adopt a Code of Conduct that incorporates the provisions of the *Model Code* and *Procedures for the Administration of the Code of Conduct*.

(d) Community Consultation

The EOI was advertised on Council website and on Tenderlink from 8 August 2024, to 12 September 2024. Alerts were sent to 1224 suppliers and 121 suppliers viewed the EOI.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.2 INTEGRATED PLANNING & REPORTING - STATE OF OUR REGION REPORT

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

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report “Integrated Planning & Reporting - State of our Region Report”, Council note the Integrated Planning and Reporting State of our Region Report.

SUMMARY

The State of our Region Report (formerly known as the End of Term Report) has been prepared to meet the Integrated Planning and Reporting requirements of the *Local Government Act 1993*.

It is a report from the outgoing Council to the Community on its achievements and effectiveness over the past three years in meeting the objectives of its Blueprint 100 Our Community Strategic Plan. The legislative purpose of the report is to inform the review and update of the Community Strategic Plan by the incoming Council.

COMMENTARY

This State of the Region Report, **ATTACHED** refer **ANNEXURE 1**, was previously known as the End of Term report. The report is a review of our 10-year 2023/2033 Community Strategic Plan and informs the new elected Council on how council has progressed over the past three years.

The report considers the progress made towards Council’s Blueprint 100 Our Community Strategic Plan, and those challenges and opportunities that will need to be prioritised in the coming term.

The report is structured by the 9 Focus Areas of the Blueprint 100 Our Community Strategic Plan and by the priorities under each of the below Focus Area’s:

1. Our Water Security
2. A Liveable Built environment
3. Prosperity and Innovation
4. Resilient and Diverse Communities
5. Connecting our Region and its Citizens
6. Working with and Protecting our Environment
7. Celebrate our Cultures and Heritage
8. A Strong and Vibrant Identity
9. Open and Collaborative Leadership

It is important to note, that this State of our Region report should be read in conjunction with the Integrated Planning & Reporting suite of documents; 2023-2033 Blueprint Our Community Strategic Plan, 2022-2025 Delivery Program, and 12-month Operational Plans.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.3 PLACE MANAGEMENT UPDATE - SECTION 355 COMMITTEE MINUTES

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Jodie Archer, Place Manager
Kay Burnes, Team Leader - Place Management

1 ANNEXURES ATTACHED

RECOMMENDATION

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

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

<i>Bendemeer Hall Committee AGM</i>	<i>23 June 2024</i>
<i>Bendemeer Hall Committee</i>	<i>23 June 2024</i>
<i>Dungowan Hall Committee AGM</i>	<i>19 August 2024</i>
<i>Dungowan Hall Committee</i>	<i>19 August 2024</i>
<i>Dungowan Recreation Ground Committee AGM</i>	<i>7 August 2024</i>
<i>Dungowan Recreation Ground Committee</i>	<i>7 August 2024</i>
<i>Grey Fergie Tractor Muster Committee AGM</i>	<i>31 August 2024</i>
<i>Grey Fergie Tractor Muster Committee</i>	<i>31 August 2024</i>
<i>Loomberah Hall Committee AGM</i>	<i>30 July 2024</i>
<i>Loomberah Hall Committee</i>	<i>30 July 2024</i>
<i>Nemingha Hall and Reserve Committee AGM</i>	<i>8 August 2024</i>
<i>Nemingha Hall and Reserve Committee</i>	<i>8 August 2024</i>
<i>Nundle Common Trust</i>	<i>2 September 2024</i>
<i>Somerton War Memorial Hall and Recreation Grounds Committee</i>	<i>24 April 2024</i>
<i>Tamworth Regional Film and Sound Archive Committee AGM</i>	<i>2 July 2024</i>
<i>Tamworth Regional Film and Sound Archive Committee</i>	<i>2 July 2024</i>
<i>Tamworth Regional Film and Sound Archive Committee</i>	<i>17 September 2024;</i>

(ii) appoint the following executive members and members to the Bendemeer Hall Committee as an outcome of the Committee’s Annual General Meeting held on 23 June 2024:

<i>Chairperson</i>	<i>Edwina Byrne</i>
<i>Deputy Chairperson</i>	<i>Kerry Brown</i>
<i>Secretary</i>	<i>Carolann Brown</i>

Treasurer **Anne Doak**

Booking Officer **Winston Doak**

Members: Louise Brown, Adrienne Jackson, Bradley Hobson, Cody Taylor, Wayne Denholm, Jaki Dressing, Jamie Hook and Kerrie Rule;

(iii) appoint Adrienne Jackson as Secretary of the Bendemeer Hall Committee as an outcome of its General Meeting held on 23 June 2024;

(iv) appoint the following executive members and members to the Dungowan Hall Committee as an outcome of the Committee’s Annual General Meeting held on 19 August 2024:

Chairperson **vacant**

Deputy Chairperson **Alison Leckie**

Secretary **Liz Lollback**

Assistant Secretary **Marie Goodwin**

Treasurer **Jacqui Gidley-Baird**

Booking Officers **Marie Goodwin and Alex Steinbeck**

Members: Di Brown, Robyn Thompson, John Thompson, Michael Lollback, Wendy McRea, Margaret Brady, Karen Herring and Tracey Crawford;

(v) appoint Tracey Crawford as Chairperson of the Dungowan Hall Committee as an outcome of its General Meeting held on 19 August 2024;

(vi) appoint the following executive members and members to the Dungowan Recreation Ground Committee as an outcome of the Committee’s Annual General Meeting held on 7 August 2024:

Chairperson **Paul Tongue**

Deputy Chairperson **Rob Brady**

Secretary and Booking Officer **Suzanne O’Keeffe**

Treasurer **Peter O’Keeffe**

Members: Ian Pittman, Tony McClelland, Chris Hague, Paul Cox, Dungowan Rural Fire Service - Jack Hahn and Peter McKenzie, Dungowan Hall Trust - John Thompson, Dungowan Rugby League Football Club - Robert Brady, Progress Association - Tony Mumford, Cricket Club - John Trickett and Ian Cooper;

(vii) appoint the following executive members and members to the Grey Fergie Tractor Muster Committee as an outcome of the Committee’s Annual General Meeting held on 31 August 2024:

Chairperson **Winston Doak**

Secretary **Anne Doak**

Treasurer **Greg Offord**

Members: Jaki Dressing, Steve Payne, Michael Breedon, Fiona Stanford and Verity Treeve;

(viii) appoint Dave Axon as a member of the Chairperson of the Grey Fergie Tractor

- Muster Committee as an outcome of its General Meeting held on 31 August 2024;**
- (ix) **appoint the following executive members and members to the Loomberah Hall Committee as an outcome of the Committee's Annual General Meeting held on 30 July 2024:**
- | | |
|---------------------------|-----------------------|
| Chairperson | Liz Blackburn |
| Deputy Chairperson | Rachel Tongue |
| Secretary | Kate Ponto |
| Treasurer | Tanya McKnight |
| Booking Officer | Karlie Tongue |
- Members: Ian Pittman, Trish Moore, Janelle Tongue and Matilda Croser;**
- (x) **appoint the following executive members and members to the Nemingha Hall and Reserve Committee as an outcome of the Committee's Annual General Meeting held on 8 August 2024:**
- | | |
|---------------------------|-----------------------|
| Chairperson | Angus Newcombe |
| Deputy Chairperson | Steven Hawkins |
| Secretary | Kev Squires |
| Treasurer | vacant |
| Booking Officer | Kev Squires |
- Members: Tamworth Radio Control Car Club- Bronwyn Fullford, Bush Cricket Club - Daniel Everingham, Cheryl Parker, Gab squires and Matthew Brock;**
- (xi) **appoint Cheryl Parker as Treasurer of the Nemingha Hall and Reserve Committee as an outcome of its General Meeting held on 8 August 2024;**
- (xii) **appoint the following executive members and members to the Tamworth Regional Film and Sound Archive Committee as an outcome of the Committee's Annual General Meeting held on 2 July 2024:**
- | | |
|--|---------------------------|
| Chairperson | vacant |
| Deputy Chairperson | Vic Kolesnikoff |
| Secretary | Ces Ledwos |
| Treasurer | Miranda Heckenberg |
| Communications Officer/Social Media Administrator | Vic Kolesnikoff |
| Information Technology Officer | Allan Alderson |
- Members: Ian Austin, Dan Alderson and Robyn Byrnes;**
- (xiii) **accept the resignation of Trish Cunningham from the Tamworth Regional Film and Sound Archive Committee as an outcome of its General Meeting held on 17 September 2024; and**
- (xiv) **appoint John Vickery as Chairperson to the Tamworth Regional Film and Sound Archive Committee as an outcome of its General Meeting held on 17 September 2024.**
-

SUMMARY

Tamworth Regional Council's Section 355 Committees each have delegated functions which may include the management of a facility, the coordination of an event or an advisory function to submit recommendations and advice to Council in regard to a specific community facility.

The purpose of this report is to:

- present the minutes of a number of Section 355 committee meetings and consider the items for adoption, as recommended by the committees;
- note the key outcomes, achievements and requests from the minutes received; and
- inform Council of the notable outcomes of place management activities in the community.

COMMENTARY

Council has received 17 sets of Minutes requiring items for adoption, from Section 355 committees. The Meeting Minutes are **ATTACHED**, refer **ANNEXURE 1**.

Council will note that there is a wide range in both the dates and numbers of meetings held by individual committees. In this respect it was considered appropriate to await receipt of a reasonable number of meeting minutes prior to collating these to justify presentation of this report.

Notable outcomes, achievements and items included in the minutes are:

- a number of committees have been reminded to report items outside of their delegated function directly to Council officers. In addition to this they were also advised fees and charges may not be set on case-by-case scenarios.
- **Bendemeer Town Hall Committee** – Council officers are liaising with the committee on their proposal for an upgrade of the amenities, noting the Committee is seeking financial donations towards the project in addition to working with external groups; the New England Sculpture Track (NEST) and Bendemeer Art Show Committee in regards to Public Art in Bendemeer. In this regard the Bendemeer Town Hall grounds has been identified as a possible site to house an item of public art.
- **Dungowan Hall Committee** – Council officers are assisting with maintenance requests including the proposed noticeboard outside the hall.
- **Dungowan Recreation Ground Committee** – It is noted that the Dungowan Annual Fair Committee have advised that the annual fair is not likely to continue.
- **Grey Fergie Tractor Muster Committee** – Council officers are assisting the Committee with its upcoming triennial event scheduled for Saturday 21 March 2025.
- **Loomberah Hall Committee** – Council officers have been discussing storage options with the Committee.
- **Nemingha Hall and Reserve Committee** – Council is working with the committee to establish suitable surveillance to deter persons hanging around the grounds and leaving rubbish. A request for consideration of a replacement community mower and whipper snipper has been made.

- **Tamworth Regional Film and Sound Archive** – Council is continually investigating options for opportunities to display some of the Archive’s collection. Council officers are working with the committee regarding suitable temporary and relocatable signage for the Archive’s Annex site exterior. The Committee thanked Council for purchasing and installing a two-door cupboard in the Community Centre’s communal kitchenette area for the Archive’s private use.
- **The MyTRC Volunteer Connect Expo** is back this year, offering a unique opportunity for community members and potential volunteers to connect directly with local organisations and initiatives. This year’s event promises to be the largest yet, with over 25 organisations participating, ranging from health and wellness groups to environmental organisations and youth services. The expo aims to showcase the diverse ways individuals can make a meaningful difference in their communities, no matter their interests or skill sets.

There will be live panel discussions throughout the morning featuring volunteer stories and success insights from seasoned volunteers. These discussions are geared towards motivating new volunteers by highlighting the positive community impact and personal growth that volunteering brings.

The MyTRC Volunteer Connect Expo provides a welcoming space for everyone, whether they’re seasoned volunteers or just beginning to explore volunteer opportunities. It continues to build a more interconnected, vibrant community, where everyone has a role in contributing to local wellbeing and collective progress. The Expo will be held on Sunday 24 November at Tamworth Town Hall. Admission is free for all.

(a) Policy Implications

It is a policy decision of Council to maintain Section 355 committees and practices having regard to Council’s community governance structure and Section 355 of the *Local Government Act 1993*.

(b) Financial Implications

Section 355 Committee and Place Management activities and budgets are maintained under the Liveable Communities Directorate budget.

(c) Legal Implications

Section 355 of the *Local Government Act 1993*, enables the Council to appoint a committee, to exercise a function on its behalf by way of a committee of Council. This is used in conjunction with Section 377 of the *Local Government Act 1993*, to formally delegate a function to the appointed committee.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.4 2024/2025 FACILITY IMPROVEMENT FUND PROGRAM

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Jodie Archer, Place Manager

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “2024/2025 Facility Improvement Fund Program”, Council approve the following funding allocations to the total of \$19,324.25:

- ***Barraba Showground Committee***
Barraba Showground Sheep Pavilion Roof Replacement
Stage 1; ***\$10,000.00***
- ***Kootingal Recreational Reserve Committee***
Irrigation Refurbishment; ***\$2,567.25***
- ***Weabonga Hall and Recreation Reserve Local Committee***
Recreation Ground Improvements; and ***\$3,757.00***
- ***Woolbrook Hall and Park Committee***
Upgrade of seating for Woolbrook AIF Hall ***\$3,000.00***

SUMMARY

The purpose of this report is to seek Council’s determination of funding allocations to Section 355 Management Committees under the 2024/2025 Facility Improvement Fund Program.

COMMENTARY

This program is an opportunity for Section 355 Committees to enhance community facilities under their control, by applying for matching funding and/or in-kind contributions from Council for each capital project.

Council has allocated \$50,000.00 to the 2024/2025 Facility Improvement Fund program.

Four applications were received in round one of the program totalling \$19,324.25. All four applications were supported by the Project Assessment Team. A copy of the applications received is **ENCLOSED**, refer **CONFIDENTIAL ENCLOSURE 1**

The unallocated funds of \$30,675.75 will be made available in a second round of the 2024/2025 Facility Improvement Fund Program due to be launched in February 2025.

The recommended projects under round one are:

- Barraba Showground - sheep pavilion roof replacement - Stage 1;
- Kootingal Recreational Reserve - irrigation refurbishment - upgrade of the sporting field irrigation sprinkler system which includes installation and replacement of damaged or failing sprinklers and spray nozzles, articulated riser adaptors to allow repositioning of the sprinkler in the soil/sand, new sand around sprinklers, servicing solenoids and cleaning out reduced pressure zone (rpz) filters;

- Weabonga Recreation Ground - improvements including installation of vermin protection mesh, purchase and installation of multimedia including projector and screen, purchase of exterior gas heater, and planting of trees around the grounds; and
- Woolbrook Hall - upgrade of seating for Woolbrook AIF Hall which includes the purchase of 100 new stackable chairs to replace the current steel chairs.

(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 is allocated in the Annual Operational Plan for the 2024/2025 Facility Improvement Fund Program.

(c) Legal Implications

Nil

(d) Community Consultation

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

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership.

9.5 COUNCIL REGISTER OF SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive Services

1 ANNEXURES ATTACHED

RECOMMENDATION

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

- (i) determine that the status quo remain, except where vacancies currently exist, and that Councillors be appointed as delegates or representatives for the ensuing 12 month term as detailed and documented ATTACHED refer ANNEXURE 1;*
- (ii) approve the amendments Register for Council’s Special Purposes Committees, Working Groups, External Boards and Organisations as detailed in the report below; and*
- (iii) request a review of the Terms of Reference for all Committees where the Councillor membership has changed and refer the Terms of Reference to Council for approval.*

SUMMARY

The purpose of this report is to update the Register for Council’s Special Purposes Committees, Working Groups, External Boards and Organisations based on updated information detailed below and to elect or appoint Councillors as members or representatives on Council’s Special Purposes Committees, Working Groups, External Boards, and Organisations.

COMMENTARY

A review of the Register for Council’s Special Purposes Committees, Working Groups, External Boards and Organisations has been undertaken with the following changes made:

Committee, Working Group, Board or Organisation	Amendment
Northern Inland Government Water Managers Group	Removed due to inactivity
Namoi Water Alliance	Added to Register – Created after the proposed disbanding of the Namoi Joint Organisation
Murray Darling Association – Region 11	Council is now a member of this Association
Australia Day Working Group	This working group has recently being established.
Tamworth Regional Community Safety Working Group	Formally known as ‘Tamworth Regional Crime Prevention working Group’
Tamworth Aboriginal Community	Removed as this committee no longer exists

Consultative Committee	
Tamworth Health Committee	Removed due to inactivity and no longer exists
Tamworth University Strategic Working Group	This working group no longer exists. An implementation committee has been established, however, this is no a Council Committee.
Northern Regional Planning Panel	Has been removed as this is not a TRC Committee

Additionally, the following minor amendments have been made throughout the document:

- Reference to the ‘Director of Planning and Compliance’ has been changed to ‘Director of Liveable Communities’
- Reference to ‘Growth and Prosperity Directorate’ has been removed and replaced with the relevant directorate.

The Register for Council’s Special Purposes Committees, Working Groups, External Boards and Organisations is **ATTACHED**, refer **ANNEXURE 1**, and requires the election or appointment of a Councillor as either a member or the Council’s representative. As current representation on the committees and working groups is fulfilling Council’s community commitment and in the interest of continuity it is recommended that there be no changes to current membership, however due to the recent Local Government Elections, the following Committees now require Councillor appointments:

COUNCIL SPECIAL PURPOSE COMMITTEES

Committee, Working Group, Board or Organisation	Councillor representative
Annual Donations Programme	Cr Marc Sutherland Cr Ryan Brooke Cr Stephen Mears
General Managers Performance Review Panel	Mayor of the Day Deputy Mayor of the Day Cr Marc Sutherland To be determined
*Tamworth Regional Floodplain Management Committee	Cr Jeffrey Budd Cr Russell Webb
*Tamworth Regional Local Traffic Committee	Cr Jeffrey Budd Cr Matthew Sharpham
*Tamworth Regional Rural Fire Service Liaison Committee	Cr Jeffrey Budd Cr Stephen Mears

	Cr Russell Webb
Murray Darling Association – Region 11	Mayor of the Day Cr Jeffrey Budd – Alternate

COUNCIL WORKING GROUPS

Committee, Working Group, Board or Organisation	Councillor representative
Audit Risk & Improvement Committee	Cr Matthew Sharpham
Tamworth Country Music Festival Advisory Working Group	Mayor of the Day Cr Brendon North
*Disability Access Working Group	Cr Charles Impey Cr Mark Rodda Cr Stephen Mears – Alternate
*Plant Committee	Mayor of the Day Cr Brendon North Cr Matthew Sharpham
Sports Working Group	Cr Mark Rodda Cr Stephen Mears Cr Brendon North Cr Charles Impey
Tamworth City Centre Working Group	Mayor of the Day Cr Brendon North Cr Marc Sutherland Cr Charles Impey Cr Ryan Brooke Cr Matthew Sharpham
Tamworth Regional Arts Advisory Committee	Cr Marc Sutherland Cr Ryan Brooke Cr Charles Impey
Tamworth Regional Inclusive Culture Advisory Committee	Cr Marc Sutherland Cr Stephen Mears Cr Ryan Brooke

Tamworth Regional Aviation Strategic Development Steering Group	Mayor of the Day Deputy Mayor of the Day Cr Charles Impey Cr Ryan Brooke Cr Matthew Sharpham Cr Brendon North Cr Mark Rodda Cr Stephen Mears Cr Marc Sutherland
Tamworth Regional Council Heritage Working Group	Cr Mark Rodda Cr Ryan Brooke Cr Marc Sutherland
Tamworth Regional Community Safety Working Group	Cr Marc Sutherland Cr Jeffrey Budd Cr Stephen Mears Cr Matthew Sharpham
*Urban Street Tree Advisory Group	Cr Brendon North Cr Ryan Brooke Cr Mark Rodda Cr Marc Sutherland
*Tamworth Regional Youth Council	Cr Marc Sutherland Cr Ryan Brooke Cr Charles Impey – Alternate/Observer
Australia Day Working Group	Cr Matthew Sharpham

INTERNAL BOARDS, COMMITTEES, WORKING GROUPS AND ORGANISATIONS

Internal Boards, Committees, Working Groups and Organisations	Councillor Representative
Arts North West	Cr Ryan Brooke
Avi Skills	Cr Matthew Sharpham Cr Charles Impey

Bush Fire Management Committee	Cr Jeffrey Budd Cr Russell Webb – Alternate
Central Northern Regional Library	Cr Brendon North Cr Stephen Mears – Alternate
Club Grants Committee	Cr Brendon North Cr Matthew Sharpham
Country Mayors Association	Mayor of the Day
Namoi Councils	Mayor of the Day Deputy Mayor of the Day
New South Wales Public Libraries Association	Cr Stephen Mears
North West Regional Weed Committee	Cr Brendon North
Regional Cities NSW	Mayor of the Day
Tamworth Cardiovascular Health Working Group	Cr Charles Impey
Tamworth Regional Conservatorium of Music	Cr Charles Impey Cr Matthew Sharpham – Alternate
Tamworth Regional Local Emergency Management Committee	Cr Jeffrey Budd Cr Matthew Sharpham
Tamworth Regional State Emergency Administrative Committee	Cr Jeffrey Budd Cr Matthew Sharpham

(a) Policy Implications

Nil

(b) Financial Implications

Council is a financial member of some of the listed Organisations. Provision has been included in the 2024/2025 Annual Operation Plan for Council delegates to attend and contribute to these Organisations.

(c) Legal Implications

A number of the appointments of Councillors, as either members or representatives, are required to satisfy statutory requirements, e.g. Tamworth Regional Rural Fire Service Liaison Committee and Tamworth City Local Traffic Committee.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.6 2024 NATIONAL ROADS, TRANSPORT AND INFRASTRUCTURE CONGRESS

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

RECOMMENDATION

That in relation to the report “2024 National Roads, Transport and Infrastructure Congress ”, Council nominate Councillors as appropriate to attend the Conference to be held in Margaret River 3-4 December 2024.

SUMMARY

This report is to advise that the 2024 National Roads, Transport and Infrastructure Congress will be held on 3-4 December 2024, in Margaret River, Western Australia.

The purpose of this report is to authorise the attendance of Councillors who are interested in the event to further their professional development.

COMMENTARY

The Australian Local Government Association has extended an invitation to the Mayor and Councillors to attend the 2024 National Roads, Transport and Infrastructure Congress.

Over two days, Councillors will hear from government leaders, academics, peak bodies, and other Councils on issues such as enabling infrastructure for future housing development, renewable energy deployment and integration, innovations in active transport and transitioning to a circular economy.

A copy of the Congress Information Brochure is **ATTACHED**, refer **ANNEXURE 1**.

(a) Policy Implications

Approval arrangements for Councillor discretionary trips, attendance of Councillors at conferences, seminars, forums, workshops, professional development programs and/or other significant expenses and facilities under this policy and for insurance purposes must be authorised by way of a formal resolution of an Ordinary Meeting of the Council.

(b) Financial Implications

Councillors have been allocated the sum of \$45,500 annually to specifically provide for attendance at Local Government sector conferences, workshops, industry working

parties and community non-Council functions and events. Authorisation of the attendance of councillors is by way of a resolution of the Council. Authorisation and the payment of the expenses involved will only be provided by Council where the conference, workshop or industry working party is directly related to the Councillor's civic functions and responsibilities and/or the Local Government sector.

The cost of the Conference will consist of the registration fee of \$1,025.00 per person, flights and accommodation of approximately \$1,500 for two nights depending on accommodation and flights options available at the time of booking.

(c) Legal Implications

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

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

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.

TENDER REGPRO222425 - LINEMARKING

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager - Operations

1 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 recommend to Tamworth Regional Council acceptance of a tender for the delivery of linemarking within the Council area, as and when required, for a period of two years with an optional one-year extension at Council's discretion.