



# 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

**9 JULY 2024**

**PAUL BENNETT  
GENERAL MANAGER**

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## Council

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

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

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

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

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

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

## Community Consultation Policy

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

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

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

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

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

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

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

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

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

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

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

## **AGENDA**

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

### **RECOMMENDATION**

*That the Minutes of the Ordinary Meeting held on Tuesday, 25 June 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**

Nil

### **OPEN COUNCIL REPORTS**

## **7 ENVIRONMENT AND PLANNING**

### **7.1 TAMWORTH REGIONAL COUNCIL HERITAGE WORKING GROUP MEETING MINUTES - 21 JUNE 2024**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Lisa Rennie, Executive Assistant

**1 ANNEXURES ATTACHED**

#### **RECOMMENDATION**

*That in relation to the report “Tamworth Regional Council Heritage Working Group Meeting Minutes - 21 June 2024”, Council:*

- (i) receive and note the minutes;*
- (ii) investigate the possibility of issuing an Order in regards to the repair and/or clean-up of the Regent Cinema site (corner Kable Avenue and Brisbane Streets);*
- (iii) rename the annual Heritage Assistance Fund program to Heritage Assistance Grant program; and*
- (iv) approve the amount of \$12,814.00 remaining from the 2023/2024 Heritage Assistance Fund to be carried over to the 2024/2025 Heritage Assistance Fund.*

#### **SUMMARY**

The purpose of this report is to present to Council the Minutes of the Tamworth Regional Council Heritage Working Group meeting held on 21 June 2024 and to provide an overview of the meeting outcomes.

#### **COMMENTARY**

The Minutes of the Tamworth Regional Council Heritage Working Group Meeting held on 21 June 2024 are **ATTACHED**, refer **ANNEXURE 1**. A brief summary of items discussed at the meeting follows below:

- Regent Cinema (corner Brisbane Street and Kable Avenue) – Heritage Working Group members are concerned regarding the state of this heritage listed building and are seeking assistance from Council to preserve this building.
- Ambulance Station (Marius Street) – Heritage Working Group members continue to wait final outcome on this building and again are keen to see this buildings preservation.
- 2024/25 Heritage Assistance Fund is currently open and it was agreed to extend lodgement of Applications until 12 July 2024 giving people more of an opportunity to get applications in. The budget for the 2024/25 Heritage Assistance Fund program is receiving a rollover of funds left over from 2023/24 Heritage Assistance program.

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

Nil

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

Nil



**(c) Legal Implications**

Nil

**(d) Community Consultation**

Community consultation for the 2024-25 Heritage Assistance Fund will be carried out via a combination of both social and traditional media formats.

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

Focus Area 7 – Celebrate our cultures and heritages

**7.2 OBJECTION IN SECTION 82 OF THE LOCAL GOVERNMENT ACT 1993 BY RPS GROUP ON BEHALF OF MAJESTIC LIFESTYLE PTY LTD TO ALLOW CONSTRUCTION OF DWELLINGS ON SITE AS OPPOSED TO MANUFACTURING OFF-SITE.**

**DIRECTORATE: LIVEABLE COMMUNITIES**

**AUTHOR: Nicole Chegwyn, Team Leader - Building Certification**

**5 ANNEXURES ATTACHED**

**GENERAL MANAGER'S ADVISORY NOTE TO:**

**Councillors**

**Applicants**

**Persons making public submissions (written or verbal) Members of the Public**

**Record (Division) of Voting**

In accordance with Section 375A(3) of the Local Government Act 1993, a Division is required to be called whenever a motion for a planning decision is put at a meeting of the Council or a Council Committee.

A DIVISION under Section 375A(3) of the Act is required on this Planning Application.

**Relevant Planning Application**

In accordance with Section 10.4(4) of the Environmental Planning and Assessment Act 1979, a person who makes a relevant planning application to Council is required to disclose the following reportable political donations and gifts (if any) made by a person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of the Council;
- (b) all gifts made to any local councillor or employee of the Council.

**Relevant Public Submission**

In accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979, a person who makes a relevant public submission to Council in relation to a relevant planning application made to the Council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing two years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of the Council;
- (b) all gifts made to any local councillor or employee of the Council.

**Disclosure of Reportable Political Donations and Gifts**

**Planning Applications**

NIL

**Public Submissions**

NIL

### RECOMMENDATION

*That in relation to the report prepared by RPS Group, Australia East Pty Ltd and associated documents for “Section 82 Objection under the Local Government Act 1993 to the Requirements of the Local Government (Manufactured Home Estates, Caravan parks, Camping Grounds and Moveable Dwellings) Regulation 2021 at Lot 1000 DP 1297855 (formerly Lot 120 DP 1105753 & Lot 2 SP864981), 7 Longyard Drive Hillvue”, Council:*

- (i) *support the Section 82 objection lodged by Majestic Development Corporation Propriety Limited in relation to facilitating construction of manufactured homes on site at 7 Longyard Drive, Hillvue (excluding dwellings that have already been erected on site); and*
- (ii) *seek the concurrence of Departmental Chief Executive under Section 23A of the Local Government Act 1993, in accordance with the Section 82 Objection.*

### APPLICATION DETAILS:

<b>Application No.</b>	LG2023-0492 (NSW Planning Portal Ref: S68-2023-537)
<b>Application For:</b>	Approval to Operate Manufactured Home Estate
<b>Date Received:</b>	19 January 2023
<b>Applicant:</b>	Majestic Development Corporation Pty Ltd
<b>Owner:</b>	Longyard Venture Pty Limited (Owner) and PMM Holdings Pty Limited(Owner)
<b>Land/Address:</b>	7 Longyard Drive, Hillvue NSW 2340
<b>Zoning:</b>	RE2 - <i>Tamworth Regional Local Environmental Plan 2010</i>

### SUMMARY

Majestic Lifestyle Tamworth, located at 7 Longyard Drive, Hillvue, was granted development consent by the NSW Land and Environment Court on 26 November 2019 as a Manufactured Home Estate for construction of 99 dwellings over five stages. The *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (The Regulation)* requires the homes to be constructed and assembled off-site and transported to the site.

On 19 January 2023, Council received a Section 68 application in accordance with the *Local Government Act 1993* for an Approval to Operate Manufactured Home Estate. Included in this application is a request by the Applicant under Section 82 of the *Local Government Act 1993*, for an objection to the following clauses of The Regulation:

#### **36 Use of manufactured home estates**

- (1) *A manufactured home estate must not be used:*
  - (b) *for the manufacture, construction or reconstruction of moveable dwellings.*

**41 Manufactured homes to be constructed and assembled off-site**

- (1) *A manufactured home must not be installed on a dwelling site unless each major section of the manufactured home is –*
  - (a) *constructed and assembled at a place of manufacture outside the manufactured home estate and*
  - (b) *transported to the manufactured home estate from the place.*

**51 Structural soundness**

- (2) *A certificate issued under this clause:*
  - b. *must include specifications as to the manner in which the manufactured home or associated structure must be transported and installed, and as to the nature of the footings (if any) on which it must be installed.*

Under Section 82 of the *Local Government Act 1993*, the Applicant may seek approval from Council for an amendment or modification to the relevant requirements of *The Regulation*. The purpose of this report is to seek Council's endorsement of the Section 82 objection lodged by the Applicant to vary the above requirements and to facilitate the construction of future dwellings on the subject site. This will remove the need to have dwellings constructed elsewhere and transported to the site.

**BACKGROUND:**

DA2019-0037 was approved in the Land and Environment Court on 26 November 2019 and was later modified through MOD2022-0054, approved by Council on 28 June 2022.

In October 2022, a Section 68 plumbing and drainage application (LG2023-0113) was lodged with Council for the installation of the infrastructure to service the estate. Confusion regarding the permits being applied for took some time to clarify. Council reached out to the Applicant on a number of occasions seeking confirmation that certain conditions as per the development consent had been satisfied as part of this process.

In November 2022, Council officers became aware that infrastructure works for servicing the site had already commenced without the appropriate approvals in place or inspections carried out. At that time Council did not have sufficient information to determine the S68 approval, as a number of conditions of consent had not been satisfied and documentation had not clearly been provided by the Applicant. Council issued a Stop Work Notice on 13 January 2023.

In November 2023, sufficient documentation was finally received and Council could issue approval for plumbing and drainage infrastructure for Stage 1 on 10 November 2023, which also lifted the Stop Work Notice. At this point, a lot of the works had already been undertaken and Council was required to rely on retrospective certification documentation for the infrastructure works to undertaken to date.

In January 2024, Council became aware of construction work having commenced on three dwelling sites without obtaining any approvals. It was discovered that Lots 44, 47 and 48 had partially manufactured dwellings on site, through a combination of manufactured buildings

constructed off site, then craned to each respective site along with concrete slabs poured on site and connected to the manufactured components to create the dwelling.

It is for this reason that any sites that already have an existing dwelling constructed onsite will not be included as part of the Section 82 Objection. This also provides context as to the reasons for the delays experienced with this development.

**SUBJECT SITE AND LOCALITY MAP:**

The subject site is known Lot 1000 DP 1297855 (Formerly Lot 120 DP 1105753 and Lot 2 SP864981), 7 Longyard Drive, Hillvue. See Figure 1 and 2 below, identifying the subject site and approved staging plan for the manufactured homes estate.



*Figure 1: Subject Site*



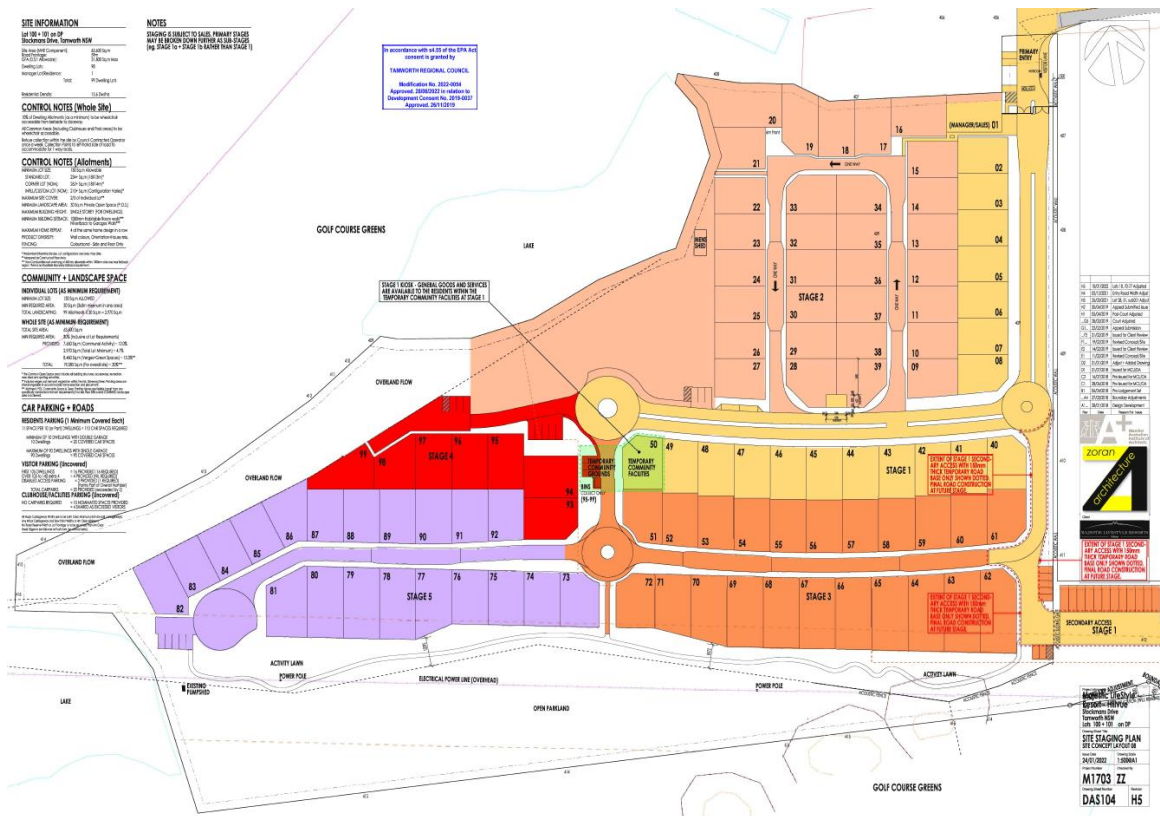


Figure 2: Approved Staging Plan

## LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS AND MOVEABLE DWELLINGS) REGULATION

For clarity, it should be noted that the original development consent was issued with reference to *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, which has now been repealed and replaced with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. The relevant clauses subject to the Section 82 objection have not changed between the 2005 and 2021 version of the legislation.

### REASONS FOR OBJECTION:

In considering a Section 82 objection, the Act requires Council to have assessed the proposal and, if satisfied that the objection is well founded, seek concurrence from the Departmental Chief executive under Section 23A of the *Local Government Act 1993*.

The Applicant has addressed the relevant criteria of the requirements of Division 3 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

The primary aim of the legislation is to provide affordable housing, together with promoting health, safety and amenity for occupiers of manufactured homes. In considering the intent of the legislation and the proposed variation, refer to the attached documents prepared by the Applicant outlining the advantages of constructing on site versus manufactured off-site and transporting to the site;

**ANNEXURE 1 - Section 82 Objection Report prepared by RPS Dated 4 June 2024**

Further details provided in relation to improvements in the following areas as proposed;

- Economic Benefits;
- Residential Amenity;
- Affordability; and
- Dwelling Design.

**ANNEXURE 2 - Design Controls prepared by Zoran Architecture Dated: 29 April 2019**

- 6 x Design types Offered with either LH or RH Garage

**ANNEXURE 3 - Quantity Surveyor Letter dated 31 May 2024 - Cost of Construction On-site vs Off-Site.**

**ANNEXURE 4 - Engineering Detail for Slab on ground prepared by Alan Taylor and Associates dated 24 September 2018.**

**ANNEXURE 5 – home designs supplied by Zoran Architecture.**

**CONSTRUCTION METHODOLOGY:**

While it is proposed to build the homes on-site, it is recognised the homes still need to be constructed in a form that will allow the homes to continue to be moveable dwellings as per the requirements of the regulation, therefore, the Applicant has proposed two methods of construction and has asked Council to confirm the preferred method as part of the application:

1. This method uses a structural steel subfloor structure on piers, constructed in segments that is able to be moveable, with a timber or steel frame and roof truss used. Pouring of the concrete slab for the garage on-site with the provision of the remainder of the dwelling raised on stilts. This construction method involves plumbing and plaster-boarding being completed on site – as per the three homes currently installed on the subject site; or
2. Provision of a moveable slab option which will be poured on site concrete slab that is specifically designed to be moveable. This construction method also involves plumbing and plaster-boarding being completed on-site.

Construction Method 1 would be Councils preferred option as this is the method that has been used for the homes already partly constructed on site.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Nil

**(c) Legal Implications**

In considering a Section 82 objection, the *Act* requires Council to have assessed the proposal and, if satisfied that the objection is well founded, seek concurrence from the Department Chief Executive

**(d) Community Consultation**

Community Consultation was undertaken during the Development approval pathway, a Modification to DA2019-0037 was determined on 28 June 2022 under MOD2022-0054, both DA and MOD were on public exhibition as part of the assessment and subsequent determination. This application is being sought for a variation to the construction of the dwellings as part of the application for an Approval to Operate a Manufactured Home Estate.

**(e) Reason for Consideration by Council**

To allow construction of dwellings on site as opposed to requiring manufacture off-site due to this being the preferred method of construction for operators of Manufactured Home Estates across NSW.

Construction of dwellings on site facilitates reduced construction costs in the midst of the current housing crisis and will also allow local trades to be employed on the site, along with having additional flexibility on material choices that can be used that would otherwise not being able to be used where a dwelling is being transported.

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 CHANGES TO WASTE VOUCHER ENTITLEMENT PROCESS**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Tess Dawson, Manager, Waste and Resource Recovery

#### **RECOMMENDATION**

*That in relation to the report “Changes to Waste Voucher Entitlement Process”, Council notes a change from the issuing of Waste Vouchers once per quarter to issuing four vouchers once in each financial year.*

#### **SUMMARY**

The purpose of this report is to advise Council of changes being made to the current Waste Voucher entitlement process in 2024/2025. Commencing in October 2024 four waste vouchers will be issued annually instead of four vouchers per year (one each quarter).

#### **COMMENTARY**

There are a number of benefits for moving away from waste vouchers being issued quarterly compared to the issuing of four vouchers once per year. The benefits include an improved customer experience, due to a simpler issuing process and customers have more flexibility in the way they use their vouchers. There will also be reduced renewal costs and reduced Council administration efforts with a single annual voucher release process.

The new approach provides the same annual voucher entitlements to residents but simplifies it to one voucher with four uses, that may be used at any time during the year. An annual single issue provides a single voucher code with four uses, instead of four vouchers with four unique voucher codes.

The voucher user interface experience on devices, such as mobile phones, is improved by having one voucher code. The customer will not need to navigate through four vouchers on their device to find the correct quarterly voucher.

Customers will not have to wait quarter to quarter to use their vouchers. For example, if moving house and they have more than one load of waste to dispose of, with a single code that has four uses anytime during the year they can use their vouchers as needed. Once more, simplifying the customer experience and adding value to the waste voucher service.

An improved customer experience can also be offered to residents who don't use the online self-service option. Applying for hardcopy vouchers would be a once-a-year requirement. Some customers have been visiting a Council's customer service office up to four times a year to redeem their four-voucher entitlement, with the new approach this would be reduced to once a year.

An annual issuing process moves from issuing vouchers four times a year to a single issue. Reducing the issuing work involved by 75%, which has an associated cost saving in the vicinity of \$10k per annum less from the software systems supplier.

There will also be a tangible reduced cost in the administration of processing vouchers for those who don't use the self-service option. This includes both: -

1. reduced staff time processing the hardcopy vouchers; and



2. a reduction in printing and mailing costs.

A single annual process for renewal at the start of the Financial Year as opposed to Council engaging quarterly with the software systems supplier should result in reduced administration. Quarterly issuing involves the software systems supplier and Council staff checking and aligning databases.

Property files will be able to be issued directly by Council's Property and Rates section. Currently there are separate property lists maintained by Council's waste team that relates to the eligibility and entitlements of properties for vouchers. Council will be able to provide data through a single property export from the Property & Rating system, coming back to a 'single source of truth' in Council's enterprise software system.

A single voucher template will be used across all property types, instead of unique voucher artwork for different property types. This is another simplification to the current process. Different voucher templates have been used by staff to visually validate the voucher; this will no longer be required. The system now does this validation at the time of scanning electronic or hardcopy vouchers.

With a quarterly issue of vouchers any remaining, unused vouchers are transferred with a property if it is sold or tenants change. With an annual issue of vouchers, a property that is sold will have four new vouchers issued to the new owners, or in the case of a new tenancy, four new vouchers would be issued to the new tenants. However, if a tenancy is unchanged through a property exchange no new vouchers will be issued, due to the tenants remaining in the property.

In the FY23:

- 5,644 properties out of a full 24,024 eligible properties requested waste vouchers during the financial year 2022-2023;
- of those 5,644 properties, 26,361 individual vouchers were issued (as one property can receive up to four vouchers – Q1, Q2, Q3, Q4 etc);
- 4,672 of the 26,361 issued vouchers were presented and used at Council's waste facilities during 2022-2023;
- there were 2225 properties sold for the financial year 2022-2023. Of the properties sold 1375 had waste collections. This is less than 6% of the total properties with domestic waste collection services;
- the total cost of the redeemed vouchers was \$126,177
- redeemed voucher values range from a few cents up to \$300. The average redeemed value is \$85.00; and
- it is estimated that in the vicinity of 300-500 new vouchers could be issued for properties sold and/or exchanging hands annually with a potential cost of \$25,000 to \$42,500.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

The uptake and use of vouchers may increase with a better customer experience. There will be savings from third party service costs and reductions in Council

administration costs. Financial implications are estimated to be a potential increase in cost of \$25,000 to \$42,500 per annum for additional vouchers presented, less savings from service costs and Council administration costs.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 5 – Connect our region and its citizens

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**8.2 INCORRECT CHARGING FOR GREEN WASTE SERVICES**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Bruce Logan, Director - Water and Waste**

**Reference: Item 8.1 Ordinary Council Meeting 10 May 2022**

**RECOMMENDATION**

*That in relation to the report “Incorrect Charging for Green Waste Services”, Council:*

- (i) receive and note the report; and*
- (ii) allocate funds from the Waste Reserve to pay for credits to property owners of property incorrectly charged annual waste charges for green waste kerbside collection services they did not receive.*

**SUMMARY**

A recent review of annual waste charges has indicated that some property owners have been paying annual waste charges for green waste kerbside collection services they have not received.

The purpose of this report is to advise Council of this error, that credits will be applied to properties incorrectly charged and the steps to be undertaken to ensure the risk of this occurring again is reduced.

**COMMENTARY**

Prior to the commencement of the 2022/2023 financial year Council agreed to make a number of changes to the way annual waste charges were allocated across the Council area, including the allocation of all properties within the Council area to one of three new zones or areas;

- **urban** – Tamworth, Moonbi and Kootingal;
- **regional centre** – Manilla, Barraba and Nundle and the main road network that connects these centres to Tamworth, where properties receive a waste collection service; and

- **regional remote** – All other areas across Council and including the centres of Duri, Somerton, Dungowan, Bendemeer, Watsons Creek and Niangala.

Kerbside collection services are different depending on which zone a property is in, and therefore the annual waste charges levied on the property, would be different depending on the area the property was located in;

- **urban** – Receive kerbside collection services for general waste (red lid), garden organics (green lid) and recyclables (yellow lid);
- **regional centre** - Receive kerbside collection services for general waste (red lid) and recyclables (yellow lid) but not for garden organics; and
- **regional remote** – No kerbside collection service is provided.

Establishing the boundary of each zone was critical to ensuring the correct services were offered and the annual charges levied reflect the services offered. New maps were drawn up of the three new zones and properties allocated accordingly. As part of the change a large number of properties were moved into the urban zone and, as of the 2022/2023 financial year, commenced paying annual charges for the receipt of three kerbside collection services.

However, Council's contractor responsible for supplying the kerbside collection services was not informed of the changes and particularly the increase in properties that should now receive 3 kerbside services. As a result, the contractor did not make the third, green lid bin, available to property owners newly added to the urban area, and did not start offering 3 kerbside services.

Recently staff noticed that some properties were paying for three collection services and only receiving two. This prompted a full review of the services being offered by the contractor, versus the services being paid for, and indicated 1,591 properties (of a total of 23,876 receiving kerbside services) were being incorrectly charged, and had been incorrectly charged for the financial years 2022/2023 and 2023/2024. The annual waste charge levied on those properties in 2022/2023 was \$67 more than it should have been and in 2023/2024 the charge was \$70 more than it should have been.

One of the ways this error could have been addressed would be to roll out the green waste collection service to properties now paying for it. However, this is not recommended because there is insufficient capacity at the Forest Road Waste Facility (FRWF) to process further green waste. This is the reason why towns such as Manilla and Barraba are not receiving a green waste service. Provision of additional green waste services will not be possible until Council makes a decision about the long-term processing of organics and capacity to process organics is increased.

Given the inability to provide the additional service, records attached to identified properties paying for 3 services but only receiving 2, have now been changed and the annual waste charges levied on these properties in 2024/2025 will reflect that only two kerbside collection services are provided.

Properties incorrectly charged will receive a credit on their rates notice for each of the two years they were incorrectly charged. The total cost of the credits over the two financial years is \$216,128.30.

A check of Council records indicates that 150 of the properties incorrectly charged have changed ownership in the last two financial years. When a property changes ownership, annual charges are apportioned so that the new owner pays a proportion of the annual charge equal to the remainder of the financial year, in which the charge was levied, is left. In

these cases, current property owners will receive a credit for the period of time they have owned the property over the past two years. It is not proposed to try and locate previous property owners and the Local Government Act does not require Council to do so.

Moving forward a working group has been established to examine processes used to link charges with services being offered, to improve the accuracy of Council's records, and to establish a regular review of services offered by Council's waste contractor and the annual waste charges Council is levying.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

There are no funds available in the 24-25 financial year to provide credits to the property owners charged in error. Assuming Council agrees to the payment of credits then an amount of \$216,128.30 will have to be allocated from the waste reserve.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 6 – Working with and protecting our environment

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## 9 GOVERNANCE, STRATEGY AND FINANCE

Nil

## 10 COMMUNITY SERVICES

### 10.1 TAMWORTH REGION MUSEUM AND ARCHIVE STRATEGY

DIRECTORATE: CREATIVE COMMUNITIES AND EXPERIENCES

AUTHOR: Bridget Guthrie, Director Art Gallery and Museums

**1 ANNEXURES ATTACHED**

#### RECOMMENDATION

*That in relation to the report “Tamworth Region Museum and Archive Strategy ”, Council:*

- (i) adopt the draft Tamworth Region Museum and Archive Strategy for the purpose of public exhibition;*
- (ii) place the draft Strategy on public exhibition for a period of 28 days;*
- (iii) determine that should no community feedback be received, the strategy be adopted.*

#### SUMMARY

This Tamworth Region Museum and Archive Strategy for 2024/2025–2028/2029 outlines a framework for the support of ten public museum, archive and social history collections located in the Tamworth Regional Council (Council) catchment area associated with Tamworth Regional Council. The intention of the document is to create a blueprint for the ongoing support and development of each unique collection and to identify the most effective way for Council to support and resource the preservation of the region’s heritage.

#### COMMENTARY

Tamworth is home to a number of professionally and volunteer run museums throughout our region. The Tamworth Region Museums and Archive collections tell the stories of the people, places and events that have been instrumental in our region becoming the unique regional centre that it is today.

While each of the ten museums and archives have a unique offering, common themes are evident across the collections, including The City of Music, The City of Light, Film & Sound, and Mining & Minerals. Each museum houses documents, artefacts and exhibits that are vital community assets, helping to contribute to Tamworth’s collective memory. These common themes relate back to Tamworth’s unique identity and connection to place.

The draft Tamworth Region Museum and Archive Strategy (Strategy), see **ATTACHED**, refer **ANNEXURE 1**, outlines a framework for the support of ten public museum, archives and social history collections located in the Council catchment area and associated with Tamworth Regional Council. The intention of the document is to create a blueprint for the ongoing support and development of each unique collection and to identify the most effective manner for Council to support and resource the preservation of the region’s heritage.

Council has a continuing commitment to the preservation and conservation of cultural collections, as demonstrated by many years of support for our local museums. This

assistance occurs in tandem with support offered to a number of heritage collections which are maintained by volunteers across the council catchment.

Across the ten collections, each museum model is slightly different, with different organisational structures ranging from Section 355 Committees through to independent, incorporated bodies and some co-locating with Visitor Information Services, as demonstrated below:

- Tamworth Powerstation Museum (Council Owned);
- Australian Country Music Collections (Council Owned);
- Nandewar Historical Society, Barraba (Incorporated Body);
- Manilla Heritage Museum (Incorporated Body);
- Rocks, Gems, Minerals and Fossil Collections (Council Owned);
- Moonbi Museum (Section 355 Committee);
- Tamworth Regional Film and Sound Archive (Section 355 Committee);
- Tamworth Historical Society (Incorporated Body);
- Tamworth Regional Astronomy Club (Incorporated Body); and
- Tamworth and District Family History Group (Incorporated Body).

The focus of the strategy is to consolidate work completed by all of the partners to date and to strengthen networks across the region.

**(a) Policy Implications**

It is recommended that the draft Tamworth Region Museum and Archive Strategy be placed on public exhibition for a period of 28 days.

**(b) Financial Implications**

The implementation of the Strategy can be predominately actioned through the existing Museum budget allocations and staffing resources but is also reliant on a series of external grants.

Council plans to apply for multi-year funding through Create NSW for our Museums and Archives portfolio and the Tamworth Region Museum and Archive Strategy is an essential document to support this application.

**(c) Legal Implications**

Implementation of this Strategy will assist with Council's forward planning, Asset Management and Risk Management processes.

**(d) Community Consultation**

The strategy was developed via consultation with key stakeholders in early 2024 and is supported by prior research and consultation contained in existing collection/community documentation, including Collection Significance Assessments,

Strategic Plans, the Community Strategic Plan, the Tamworth Region Cultural Plan and various other council planning documents.

In addition an online museum survey was also undertaken to ensure that the visitor's voice was heard and receive feedback from our audiences. Almost 50 visitors completed the survey and provided valuable information and feedback that was site specific to each museum location.

Community museum sessions in Manilla, Barraba, Moonbi, Nundle and Tamworth have taken place as part of the consultation process.

Furthermore, the draft Strategy has been presented to the Tamworth Region Arts Advisory Committee (TRAAC) for endorsement. The TRAAC includes six community members who represent a broad range of art disciplines. The Committee provides strategic advice to the Council in relation to 'Arts and Cultural' matters within the region and makes recommendations regarding priority areas for development.

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

Focus area 3 – Prosperity and Innovation

Focus area 7 – Celebrate Our Cultures and Heritage

Focus area 8 – A Strong and Vibrant Identity.

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**10.2 TAMWORTH REGION PUBLIC ART STRATEGY**

**DIRECTORATE: CREATIVE COMMUNITIES AND EXPERIENCES**

**AUTHOR: Bridget Guthrie, Director Art Gallery and Museums**

**2 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report "Tamworth Region Public Art Strategy ", Council adopts the draft Tamworth Region Public Art Strategy 2024/2025 to 2028/2029.*

**SUMMARY**

The draft Tamworth Region Public Art Strategy 2024/2025 to 2028/2029 (Strategy) has been on public exhibition for 28 days and received several public submissions. This Strategy is to be utilised by Council to govern a highly professional and well-managed process for the inception, coordination, installation, maintenance and ongoing management of public art in the Tamworth Regional Council Local Government Area.

**COMMENTARY**

Tamworth Regional Council (Council) is committed to supporting and developing public art throughout its Local Government Area as identified in the Blueprint 100 priorities, Council's Community Strategic Plan principles and the Tamworth Region Cultural Plan.

The term 'public art' refers to creative and original artworks created for, or located in, public spaces or facilities, such as parks, foreshores, squares, or spaces within a public building, or placed in any space accessible to the general community, including private sites that impact on the public domain.



The draft Strategy **ATTACHED**, refer **ANNEXURE 1** that has recently been reviewed and on public exhibition for 28 days.

The Strategy links the commitments of the Policy to a program for implementation, including identified aims and actions associated with those commitments. The draft Strategy refers to the public art collection as an ‘outdoor gallery’. Through utilising the thinking associated with this term, it is possible to gain a better understanding of how the collection is an asset of Council and requires ongoing resources for development and maintenance.

The Strategy aims to create an outdoor gallery that can:

- connect public art to place - to our region and identity;
- express Tamworth’s image as a centre for quality and innovation;
- create engagement with public art that leads to community pride and increased cultural tourism;
- provide a focus for local narratives, history and storytelling;
- support opportunities for industry and commercial development; and
- integrate a public art methodology and processes across Council.

Public art can enhance our environment and transform a landscape by creating spaces that draw people to them, and by providing landmarks that orientate and act as gathering places. The Strategy helps to ensure that new public artworks address specific criteria and align with its aims, so that they fulfil community desires and are implemented according to best practice.

**(a) Policy Implications**

Upon adoption, this strategy will be included on Council’s website.

**(b) Financial Implications**

The strategy is supported by the Public Art Fund which invests in both new public art and the maintenance of existing public art.

**(c) Legal Implications**

Implementation of this strategy will assist with Council’s forward planning, asset management and risk management processes.

**(d) Community Consultation**

The draft Strategy has been on public exhibition for 28 days from Wednesday 15 May 2024 to Tuesday 11 June 2024.

Community feedback was generally positive. A total of 15 comments were received from community members, see **ATTACHED**, refer **ANNEXURE 2**.

Previously, in response to the Tamworth Region Public Art Strategy consultation, community requests for both new and better maintained public art were received. As part of the survey, results from two previous public art events (sample size 97 people) included the following:

- 100% of participants said yes to more public art
- 86% of respondents felt inspired by the event/public art



- 14% of people travelled especially for the event and/or stayed overnight

Furthermore, the draft Strategy has been presented to the Tamworth Region Arts Advisory Committee (TRAAC) for endorsement. The TRAAC includes six community members who represent a broad range of art disciplines. The Committee provides strategic advice to the Council in relation to 'Arts and Cultural' matters within the region and makes recommendations regarding priority areas for development

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

Focus area 3 – Prosperity and Innovation

Focus area 7 – Celebrate Our Cultures and Heritage

Focus area 8 – A Strong and Vibrant Identity

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**10.3 PROPOSED SPONSORSHIP REQUEST FOR 2024-2026 TAMWORTH CUP SHOW JUMPING EVENT**

**DIRECTORATE: CREATIVE COMMUNITIES AND EXPERIENCES**

**AUTHOR: Prue Simson, Manager - AELEC Precinct**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Proposed Sponsorship Request for 2024-2026 Tamworth Cup Show Jumping Event”, Council support and approve \$30,000 in support to the 2024-2026 Tamworth World Cup Show Jumping Event.*

**SUMMARY**

The Tamworth World Cup Show Jumping is an annual event held at the Australian Equine and Livestock Events Centre (AELEC). This event has been a huge supporter of Tamworth and AELEC and over the years this event has attracted large crowds, showcased Tamworth on the world stage and has been a major contributor to the Tamworth economy.

This event has proven past and future economic benefit to the Tamworth Region and its surrounds. It also provides a direct link to Olympic pathways and development and holds significant recognition nationally and internationally. The continued support from this event for many years to come is paramount and with support from Tamworth Regional Council (Council) it will not only highlight Council in a positive light but provides exposure on a vast platform.

Events like this are largely contributing factors to the reason as to why AELEC remains a national leader in the equine industry by providing world-class facilities, attracting and retaining world class events and why people travel from all over Australia and overseas to Tamworth.

**COMMENTARY**

North and North West Show Jumping Club (NNWSJC) are seeking to further develop their formal relationship with Council and its connection to the Tamworth region and as such, have contacted Council to formally seek sponsorship for their landmark event currently held annually at AELEC in August, see **ATTACHED**, refer **ANNEXURE 1**.

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This is the largest Olympic disciplined event held at the Australian Equine and Livestock Events Centre (AELEC) and provides a national platform to showcase our equine facility to the world via onsite visitors and online livestreaming. This 4-day event generates in excess of \$2million into the Tamworth regional economy with many attendees driving from across the nation or venturing from overseas to attend the event annually.

The Tamworth World Cup Show Jumping (World Cup) event has been held in Tamworth for the past 7 years and each year it has continued to grow with the 2022 and 2023 events reaching stabling and venue capacity. The World Cup continues to attract high performance and elite athletes, horse owners, buyers, trainers and sellers which in return draws crowds, investment, revenue and a continued commitment to the equine performance sport industry. Based on previous year's attendance, it is expected that this event will continue to grow and support AELEC in its growth and strategic development.

As outlined in the AELEC Strategic Master Plan, AELEC's vision is to remain as the national leader in the equine industry by providing world-class facilities. This includes retaining, building and securing high profile equine events. With new facilities being developed across Australia, this sponsorship provides an opportunity to strengthen and secure Tamworth as the preferred equine destination.

Benefits regarding Council's sponsorship include, but are not limited to;

- naming rights to Major Class – 'The World Cup Qualifier of TAMWORTH';
- competition presentation opportunity;
- trade site during event;
- venue signage during the event;
- AELEC/Council Logo on event Website;
- profile links;
- social media sponsored content posts;
- sponsor functions;
- sponsor announcements during competition;
- advertisement in event program/catalogue;
- advertising on the worldwide livestream via [www.clipmyhorse.com](http://www.clipmyhorse.com) broadcast;
- promotional information in entrants' welcome packages;
- mentions in interviews; and
- mentions in daily wrap-up episodes.

## **RECOMMENDATIONS**

It is recommended that Council support the sponsorship agreement and extend sponsorship for three years, based on the proposed benefits. The \$30,000 sponsorship will be spread evenly at \$10,000 across 3 financial years of 2024/2025, 2025/2026 and 2026/2027.

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

Nil

**(b) Financial Implications**

Funding to support the Tamworth World Cup Show Jumping Event is \$10,000 per financial year for three years for 2024/2025, 2025/2026 and 2026/2027 and will be funded via the General Fund/Event Reserve.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

Nil

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

Focus Area 3: Prosperity and Innovation

Focus Area 8: A Strong and Vibrant Identity

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**10.4 TAMWORTH REGION CREATIVE COMMUNITIES PLAN 2024-2029**

**DIRECTORATE: LIVEABLE COMMUNITIES**

**AUTHOR: Kay Delahunt, Manager - Learning Communities**

**1 ANNEXURES ATTACHED**

**RECOMMENDATION**

*That in relation to the report “Tamworth Region Creative Communities Plan 2024-2029”, Council:*

- (i) adopt the Tamworth Region Creative Communities Plan 2024-2029; and*
- (ii) refer the Tamworth Region Creative Communities Plan 2024-2029 to future Management Plan processes for budget consideration.*

**SUMMARY**

The purpose of this report is to present the Draft Tamworth Region Creative Communities Plan 2024-2029 for adoption by Council. The draft plan was placed on exhibition for 28 days with no public submissions received relating to the document.

**COMMENTARY**

Following approval by the Council at its Ordinary Meeting on 28 May 2024, the Draft Tamworth Region Creative Communities Plan 2024-2029 was placed on public exhibition from 29 May 2024 until 26 June 2024.

There were no submissions relating to the Creative Communities Plan received during the exhibition period. There had been widespread consultation with stakeholders during the plan’s development.

The plan takes into account the evolving trends and challenges faced in the provision of cultural services and facilities, along with changes in demographics, the economic climate and emerging technological opportunities. It responds to:

- the National Cultural Policy – *Revive: a place for every story, a story for every place;*
-

- NSW Arts, Culture and Creative Industries Policy – *Creative Communities*; and
- Tamworth Regional Council – Blueprint 100.

The goals and actions in the plan provide a clear framework for strengthening the region as a “thriving creative ecosystem”.

The final “Tamworth Region Creative Communities Plan 2024-2029” is **ATTACHED**, refer **ANNEXURE 1** and is presented to Council for formal adoption.

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Provision will need to be made in future budgets for the implementation of the Tamworth Region Creative Communities Plan

**(c) Legal Implications**

Nil

**(d) Community Consultation**

A community survey was conducted from 12 February 2024 until 15 March 2024 on the Tamworth Regional Council “Have your Say” webpage.

A total of 180 people completed the survey with representation from all age groups.

Arts North West conducted 13 face-to-face workshops in the region to identify community needs and aspirations. The sessions also identified barriers to achieving these aspirations, and work-shopped solutions. Community workshops were held in Manilla, Barraba, Nundle, Kootingal and Tamworth. Workshops were also held for youth and for the Tamworth Region Arts Advisory Committee (TRAAC) and the Tamworth Region Inclusive Culture Advisory Committee (TRICAC).

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

Focus Area 4 – Resilient and Diverse Communities

Focus Area 7 - Celebrate our Cultures and Heritage

Focus Area 8 - A Strong and Vibrant Identity

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## 11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

### RECOMMENDATION

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

#### **PROPOSED SUBLEASE TO TAFE COMMISSION - HANGAR 9, TAMWORTH REGIONAL AIRPORT**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Kirrilee Ringland, Manager - Property and Legal Services  
**Reference:** Item 8.7 to Ordinary Council 12 August 2014 - Minute No 210/14  
Item 15.3 to Ordinary Council 9 August 2016 - Minute No - 240/16  
Item 12.1 to Ordinary Council 22 November 2022 - Minute No - 367/22

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d)i&(d)ii 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. and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

#### **SUMMARY**

The purpose of this report is to seek Council's authorisation to consent to a renewal of the Sublease of Hangar 9 at Tamworth Regional Airport to TAFE Commission.

#### **PROPOSED LEASE TO PIRATES RUGBY CLUB INCORPORATED OF PART LOT 4 IN DEPOSITED PLAN 211713**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Kirrilee Ringland, Manager - Property and Legal Services  
**Reference:** Item 12.1 to Ordinary Council 27 September 2022 - Minute No 283/22  
Item 12.5 to Ordinary Council 13 December 2022 - Minute No 395/22

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 update Council in relation to the progress of further negotiations with the Lessee and provide further clarification on the previous Resolutions of Council in relation to the Lease of part Lot 4 in Deposited Plan 211713.

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## **TENDER T029/2024 - SUPERINTENDENT FOR THE TAMWORTH REGIONAL AQUATIC CENTRE AND NORTHERN INLAND CENTRE OF SPORT AND HEALTH**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Callum Fletcher, Senior Project Engineer  
**Reference:** Item 8.1 to Ordinary Council 8 August 2023 – Minute No 188/23

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c)&(d)ii 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 information that would, if disclosed, confer a commercial advantage on a competitor of Council.

### **SUMMARY**

The purpose of this report is to seek Council's acceptance of tender T029/2024 to award a schedule of rates contract for the superintendent for the design finalisation and construction contract relating to the Tamworth Regional Aquatic Centre (TRAC) and Northern Inland Centre of Sport and Health (NICSH).

### **Background**

Tamworth Regional Council (Council) is proposing to develop a major aquatic and sports health centre with a total project budget of \$45 million. This is Stage 1 of a potential three stage facility and includes the TRAC and the NICSH, collectively referred to as the facility. Figure 1 below shows an artist's impression of the entry to the facility.



*Figure 1 – Artist's impression of the foyer entry to the facility.*

### **Tender Scope**

A tender for superintendent services associated with the future design finalisation and construction contract (Project Contract) for the facility was advertised for a period of 33 days and closed on 18 June 2024. Tenderers were required to provide a schedule of prices based on the payment of hourly rates on evidenced actual hours worked as directed by Council,



with no guarantee for a minimum or maximum contract value committed by Council, for the works to include the following:

- assist with the procurement of the Project Contract;
- administer the Project Contract including onsite verification;
- assist with the close-out of the Project Contract;
- reporting on multiple metrics associated with the Project Contract;
- ensure Council's project team is kept informed of all progress; and
- ensure the Council's project team is provided with all required notifications and requests.

**TENDER T105-2024 - SMALL MATERIAL RECOVERY FACILITY - REMOVAL AND DISPOSAL OF DISUSED PLANT AND EQUIPMENT**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Nathan Morgan, Senior Project Engineer**

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (a),(c),(d)i&(d)ii of the local Government Act 1993 on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors, 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, confer a commercial advantage on a competitor of Council.

**SUMMARY**

The purpose of this report is to recommend Council accepts a tender for the removal and disposal of disused plant and equipment from the Small Materials Recovery Facility (SMRF).