



TAMWORTH REGIONAL COUNCIL

ORDINARY COUNCIL MINUTES

of the Meeting of Tamworth Regional Council held in the Council Chambers,
Lands Building, Nemingha Room, 25-27 Fitzroy Street, Tamworth

23 APRIL 2024

**PAUL BENNETT
GENERAL MANAGER**

ORDINARY COUNCIL MINUTES

Meeting of Tamworth Regional Council held in the Council Chambers, Lands Building,
Nemingha Room, 25-27 Fitzroy Street, Tamworth
TUESDAY 23 APRIL 2024 at 6:30PM

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PRESENT: Cr Russell Webb (Mayor), Cr Phil Betts, Cr Bede Burke, Cr Judy Coates, Cr Stephen Mears, Cr Mark Rodda, Cr Helen Tickle.

IN ATTENDANCE: The General Manager, Director Liveable Communities, Executive Manager Creative Communities & Experiences, Director Regional Services, Director Water and Waste, and Executive Manager Strategy and Performance.

1 APOLOGIES AND LEAVE OF ABSENCE

Apologies were announced as having been received from Cr Marc Sutherland who is unable to attend the Meeting due to personal leave and Cr Brooke Southwell who is unable to attend the Meeting due to personal leave.

MOTION

Moved Cr Betts/Cr Tickle

That the apology be accepted and Cr Marc Sutherland be granted leave of absence from the Meeting.

That the apology be accepted and Cr Brooke Southwell be granted leave of absence from the Meeting.

70/24 RESOLVED

2 COMMUNITY CONSULTATION

7.1 DA2024-0058 – PROPOSED CHILDCARE CENTRE, 72-74 CALALA LANE, CALALA

Stephen O'Connor – Spoke in support of the Recommendation

7.1 DA2024-0058 – PROPOSED CHILDCARE CENTRE, 72-74 CALALA LANE, CALALA

Greg McNamara – Spoke in opposition of the Recommendation

8.1 PROPOSED WATER PURIFICATION FACILITY - UPDATE AND 12.2 POSSIBLE SALE OF COUNCIL OWNED LAND TO BAIADA FOR THE PURPOSES OF CONSTRUCTING BRINE PONDS

Graham Carter – Spoke in support of the Recommendations

8.1 PROPOSED WATER PURIFICATION FACILITY -UPDATE

Robyn Bird – Spoke in support of the Recommendation

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Mears/Cr Coates

That the Minutes of the Ordinary Meeting held on Tuesday, 9 April 2024, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

71/24 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Bede Burke declared a conflict of interest on Item 8.2 '2024 Country Capital Cup fee Subsidy Request' of the Business Paper, for the reason that his sister is on the gymnastics Board. Cr Burke further declared that this was a less than significant, non-pecuniary interest and he would remain in the chamber and participate in the debate.

Chairperson Mayor Russell Webb declared a conflict of interest on Item 12.2 'Possible Sale of Council Owned Land to Baiada for the Purposes of Constructing Brine Ponds' of the Business Paper, for the reason that he has a current Lease agreement with company. Cr Webb further declared that this was a pecuniary interest and would leave the chamber and not participate in the debate.

Chairperson Mayor Russell Webb declared a conflict of interest on Item 8.1 'Proposed water Purification Facility – Update' of the Business Paper, for the reason that he has a current Lease agreement with a company identified in the report. Cr Webb further declared that this was less than significant, non-pecuniary interest in relation to this report and that he would remain in the chamber and participate in the debate given that the recommendation was only to receive and note the report.

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 DA2024-0058 - PROPOSED CHILDCARE CENTRE, 72-74 CALALA LANE, CALALA

DIRECTORATE:

LIVEABLE COMMUNITIES

AUTHOR:

Alice Elsley, Team Leader - Development Assessment

Motion

Moved Cr Betts/Cr Tickle

That Council, in relation to Development Application No. DA2024-0058 for the demolition of existing buildings and construction of a centre-based child care facility on Lots 27 and 28 in DP 33823, 72 – 74 Calala Lane CALALA, grant Development Consent subject to the following conditions:

General Conditions of Consent

- 1) development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise. In the event of any inconsistency between the plans and documents listed below and the consent conditions, the conditions of consent shall prevail.

Project Ref No.	Sheet No.	Description	Rev No.	Revision Date	Prepared by: (consultant)	
BC0459	00	Title	6	4/12/2023	Brown Building	Commercial
BC0459	01	Site Plan	5	1/12/2023	Brown Building	Commercial
BC0459	03	Floor Plan	2	8/08/2023	Brown Building	Commercial
BC0459	04	Demolition Plan	2	8/08/2023	Brown Building	Commercial
BC0459	05	Elevations	6	4/12/2023	Brown Building	Commercial
BC0459	06	Roof Plan	2	8/08/2023	Brown Building	Commercial
BC0459	07	Elevations Retaining-Fence	6	4/12/2023	Brown Building	Commercial

Brow 020623	1 to 4 of 4	Childcare Centre	5	8/12/2023	Tolero Design Landscape
23068-D02	01-06	72-74 Calala Lane, Calala	3	06/03/2024	CJP Engineering

Project Ref.	Document Title.	Revision Date	Prepared by: (consultant)
Proposed Child Care Facility	Statement of Environmental Effects	15/08/2023	Brown Commercial Building
Proposed Childcare Centre	Noise Assessment	August 2023	MAC Acoustic Consulting
Proposed Childcare Centre	Revised Traffic and Parking Assessment Report	26/03/2024	CJP Consulting Engineers
Proposed Childcare Centre	Detailed (Stage II) Environmental Site Investigation	20/12/2023	Sanko Environmental and Geotechnical Engineering

- 2) to confirm and clarify Council's terms of approval, this consent provides for the operation of a child care centre, as defined by the Tamworth Regional Local Environmental Plan 2010, with a maximum 120 children.
- 3) building work must be carried out in accordance with the requirements of the National Construction Code and, where relevant, the provisions of the Disability (Access to Premises - Buildings) Standards 2010.
- 4) it is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.
- 5) the Applicant shall consult with, as required:
 - a) Essential Energy
 - b) A Natural Gas Company
 - c) A Telecommunications carrier

Regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the proposed works, either on site or on the adjacent public road(s).
- 6) any existing State Survey Mark or Cadastral Survey Mark shall be preserved during construction and not disturbed unless authority has been obtained from the Surveyor-General in accordance with the Surveyor-General's Directions

published by the NSW Land and Property Information Service. In this regard, the Principal Contractor is responsible for the protection of the mark.

- 7) the fit-out of a food premises must comply with Standard 3.2.3 of the Food Safety Standards and the Food Act 2003. The Australian Standard AS4674-2004: Design, construction and fit-out of food premises may be used as a guide to achieving compliance.

Prior to the Commencement of Works

- 8) prior to the commencement of any building work, the following provisions under Section 6.7 of the Environmental Planning and Assessment Act 1979 are to be complied with:
 - a) a Construction Certificate is to be obtained from either Tamworth Regional Council or a Registered Certifier;
 - b) a Principal Certifier has been appointed by the person having the benefit of the development consent and Tamworth Regional Council is notified of the appointment;
 - c) Tamworth Regional Council has been given at least two (2) days' notice of the date intended for commencement of building works; and
 - d) the Principal Certifier is notified of the name and licence number of the principal contractor; or, the owner-builder intending to carry out the approved works.
- 9) pursuant to Section 68 of the Local Government Act 1993, the following works must be approved by Council in order to:
 - a) Carry out water supply work;
 - b) Carry out sewer work;
 - c) Carry out stormwater work, and
 - d) Obtain a trade waste agreement (if required).

Engineering design plans, reports and calculations for internal water and sewer, and stormwater shall be prepared in accordance with Council's current version of the Engineering Design Minimum Standards, and submitted to Council for approval. All plans are to include details of the location of all existing utility services. All engineering drawings and the associated specifications are to be certified by a suitably qualified and experienced design practitioner.

- 10) a peg-out survey prepared by a Registered Surveyor is to be submitted to the Principal Certifier to confirm the development can be sited in accordance with approved plans.
- 11) before any site work commences, the certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).
- 12) a Traffic Management Plan (TMP) detailing how vehicle and pedestrian movements during the construction will be adequately managed shall be

submitted to Council. Where the TMP is of a level of complexity that Traffic Guidance Schemes (TGSs) are required, the TGSs shall be prepared by a person with the applicable certification from Transport for New South Wales (TfNSW) in accordance with AS1742.3 (as amended) and the TfNSW current version of the "Traffic Control at Worksites" manual.

- 13) temporary toilet(s) must be provided and maintained on site from the time of commencement of building work to completion. The number of toilets provided must be one toilet per 20 persons or part thereof employed on the site at any one time. The temporary toilet is to be either connected to the sewerage system or an approved septic tank or otherwise may be a chemical toilet supplied by a licensed contractor.
- 14) a sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:
 - a) showing the name, address and telephone number of the principal certifier for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited. Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed. Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- 15) the Developer must have an occupational hygienist or suitably qualified professional inspect the area marked for demolition and confirm the presence or absence of asbestos prior to demolition. Written notice must be provided to Council and all adjoining neighbours at least two working days prior to commencement of any demolition. The written notice must include the date of asbestos removal; name, address and contact phone number and SafeWork NSW licence number of the asbestos removal contractor. Work must not commence prior to the nominated date.
- 16) before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.
- 17) at least one week before demolition work commences, written notice must be provided to Council and the occupiers of neighbouring premises of the work commencing. The notice must include:
 - a) name
 - b) address,
 - c) contact telephone number,
 - d) licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and
 - e) the contact telephone number of council and

- f) the contact telephone number of SafeWork NSW (4921 2900).
- 18) prior to the commencement of any works on Council's asset and / or land, including a public road, the applicant (contractor) is to obtain Public Liability Insurance in the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the Construction Certificate until the issue of a Compliance Certificate/Occupation Certificate for the works. Documentary evidence of the Certificate of Currency is to be provided to Council prior to the issuing of any Construction Certificate for access.

Prior to the Issue of a Construction Certificate

- 19) before the issue of a Construction Certificate, a contribution of \$26,851.00 as calculated at the date of this consent shall be paid to Council under Section 7.12 of the Environmental Planning and Assessment Act 1979 in accordance with Tamworth Regional Council Section 7.12 (Indirect) Development Contributions Plan 2013. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Tamworth Regional Council Section 7.12 (Indirect) Development Contributions Plan 2013. A copy of the development contributions plan is available for inspection on Council's website: <https://www.tamworth.nsw.gov.au/develop/planning-controls/development-contribution-and-charges>

- 20) pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following contributions to be paid prior to the release of a Construction Certificate:

Headworks

- Water = \$27,658.20
- Sewer = \$16,580.00

Advisory Note: The above amounts have been adopted under the 2023/24 Council Annual Operation Plan. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of subsequent Annual Operation Plans.

- 21) before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to the Certifier.

The plan must include the following matters:

- a) the location and materials for protective fencing and hoardings on the perimeter of the site;
- b) provisions for public safety;
- c) pedestrian and vehicular site access points and construction activity zones;
- d) details of construction traffic management including:
- e) proposed truck movements to and from the site;
- f) estimated frequency of truck movements; and
- g) measures to ensure pedestrian safety near the site;
- h) details of bulk earthworks to be carried out;

- i) the location of site storage areas and sheds;
- j) the equipment used to carry out works;
- k) the location of a garbage container with a tight-fitting lid;
- l) dust, noise and vibration control measures;
- m) the location of temporary toilets;
- n) waste management plan (prepared in accordance with the Environment Protection Authority's Waste Classification Guidelines as in force)

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

- 22) a Fire Safety Schedule must be issued with the Construction Certificate in accordance with Clauses 78 and 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for Classes 1b, 2 through to Class 9 buildings and include the proposed fire safety measures pertaining to the entire building.
- 23) before the issue of a Construction Certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person.

The detailed plans must be in accordance with the following and submitted to the certifier:

- a) Australian Standard 1668: - The use of ventilation and air- conditioning in buildings; and
- b) ensure all generated heated air, smoke, fumes, steam or grease vapours do not:
 - i) cause a nuisance to persons within or nearby to the premises, or
 - ii) cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997.
- 24) an approval pursuant to Section 138 of the Roads Act 1993, must be obtained from Council for all works associated with this development that will be undertaken in the Calala Lane road reserve, including but not limited to, driveway, footpath, stormwater, intersection treatments and median. Engineering design plans and construction reports, prepared in accordance with Council's current version of the Engineering Design Minimum Standards as required for roads and stormwater drainage, shall be provided to Council for approval.

Notwithstanding the requirements of the Engineering Design Minimum Standards, the following items shall be addressed as part of the submission, at a bare minimum: -

- a) stormwater infrastructure for the development;
- b) a 2.5m wide footpath within the verge fronting the development site;
- c) a Safety in Design report;
- d) certification being provided in accordance with Annexure A of Council's current version of the Engineering Design Minimum Standards, and

An Inspection Test Plan for the construction of Council infrastructure required for

the development shall be submitted to Council for approval.

Advisory Note 1: The ongoing maintenance and/or repair of the vehicle crossing and associated infrastructure is the responsibility of the owner in accordance with Section 142 of the Roads Act 1993.

Advisory Note 2: Council requires works-as-executed (WAE) plans to be prepared and submitted in accordance with Council's Engineering Design Minimum Standards for footpaths, road pavement markings, CHR(S) treatment, raised median(s) and associated signage gifted as part of this development.

Advisory Note 3: Any line marking and/or regulatory signage shown on any plan is required to be reviewed and approved by the Local Traffic Committee prior to approval of any plan(s).

- 25) the developer must produce written evidence that an agreement can be put in place with Council's Water and Waste Directorate or a waste collection contractor for the collection of rubbish bins during operations from private property prior to issue of any Construction Certificate.
- 26) prior to the issue of a Construction Certificate, amended plans shall be provided for the fencing located along the southern boundary with 18 Boronia Drive. The fencing must be amended to allow for a Perspex section above a height of 1.8m to allow for access to natural light.

This measure is only required in the location of the existing dwelling and must comply with the construction requirement provided in the Noise Assessment (prepared by Muller Acoustic Consulting, Ref MAC231887-01RP1, dated August 2023).

- 27) retaining walls greater than 600mm above finished ground level or other approved methods necessary to prevent movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by a qualified, practising Structural Engineer. Details are to be included with any Construction Certificate application.

Landscaping

- 28) the Applicant must provide an updated vegetation species planting schedule for approval by Council prior to the issue of a Construction Certificate. The updated species schedule (consistent with the approved landscape plan) shall be for plant species that are either endemic or suitable to the local region.

During Works

- 29) site work must only be carried out between the following times –
 - Monday to Friday - 7.00am to 5.00pm;
 - Saturday - 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;
 - No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

The Applicant shall be responsible to instruct and control any sub-contractors regarding the hours of work.

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

- 30) the developer is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.
 - 31) erosion and sediment control measures in accordance with the ESCP are to be maintained by the developer at all times.
 - 32) any spillage of materials outside the development site, must be removed as soon as practicable by the developer for reuse or disposal in a manner that does not cause pollution of the environment
 - 33) the Developer shall ensure that dust suppression is undertaken to ensure there is no visible dust emitted due to any works associated with the works associated with the development. This can be in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving in, out or within the development site does not cause a nuisance to surrounding properties.
 - 34) a temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the work:
 - a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic; or
 - b) could cause damage to adjoining lands by falling objects; or
 - c) involve the enclosure of a public place or part of a public place.
- Advisory Note: Clauses 2.109 and 2.110 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specify which scaffolding, hoardings and temporary construction site fences are exempt development and the applicable standards for that development.
- 35) the public way (outside of any construction works zone) must not be obstructed by any construction fencing, materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.
 - 36) any damage caused to Council infrastructure during in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of Council's infrastructure.

Allotment Filling

- 37) any allotment filling that may be required for the development site shall meet the requirements of AS3798 (as amended) – Guidelines on Earthworks for Commercial and Residential Developments. Certification of the allotment filling shall be provided by a geotechnical testing authority registered under NATA. The testing authority shall be required to certify whether the fill complies with the requirements of AS 3798 (as amended).

Heritage

- 38) while site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

- a) the work in the area of the discovery must cease immediately;
- b) the following must be notified:
 - (i) for a relic – the Heritage Council; or
 - (ii) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- a) for a relic – the Heritage Council; or
- b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, Section 85

Demolition

- 39) to ensure the safety, all demolition work shall be carried out in accordance with Workcover Authority requirements and Australian Standard 2601 - The Demolition of Structures.
- 40) all waste material should be classified in accordance with the NSW EPA Waste Classification Guidelines and disposed of to an appropriate and licenced facility.
- 41) upon completion of the demolition of all the building structures and removal of pavements of all the building structures on the property, an additional contamination investigation shall be undertaken and provided to Council for further assessment.

Where the additional investigation report confirms any chemicals of concern above Health Investigation Limit and Ecological Investigation Limit, a Remediation Action Plan (RAP) must be prepared to document the required works associated with the findings of further investigation for impacts beneath the buildings on the Site. The RAP must also specify the required validation testing.

The applicant must provide a validation report confirming that the property has been properly remediated from land contamination prior to undertaking any building works onsite.

Asbestos Removal

- 42) while demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:
 - a) only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;
 - b) asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and
 - c) any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on- line reporting tool WasteLocate.

Lighting

- 43) to provide for the safety and security of employees and users of the facility, outdoor lighting in accordance with AS 1158.3.1 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – performance and design requirements shall be provided to all off-street parking areas. The lighting installed must comply with AS 4282 Control of Obtrusive Effects of Outdoor Lighting.

Stormwater

- 44) all stormwater discharging from the proposed development site, buildings and works must be conveyed to the existing points of discharge by underground pipe drains complying with AS3500.3 (as amended) to the satisfaction of Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

- 45) the approved point of discharge for the development is Council's on-grade kerb inlet pit located on Calala Lane adjacent to the development site.

Advisory Note: in fulfilling this condition all stormwater discharge must be detained prior to release.

- 46) all major flows shall be directed to the Calala Lane road reserve so as not to impact any adjoining properties.

- 47) the stormwater drainage system must be constructed to comply with the following requirements as a minimum. -

- a) stormwater detention for the critical storm durations and frequencies in the range from the 1-year ARI up to and including the 1 in 100-year ARI events to maintain pre-developed flows;
- b) stormwater detention shall be designed and constructed in accordance with Council's current version of the Engineering Design Minimum Standards;
- c) all plumbing within the site must be designed and constructed in accordance with the relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage and Council's current version of the Engineering Design Minimum Standards;
- d) temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
- e) all overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development. A system to prevent overland flows discharging onto adjoining properties shall be implemented;
- f) any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted, and
- g) no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

Access and Egress

- 48) the redundant layback and crossover to the site shall be removed and the kerb and gutter reinstated. The verge behind the kerb and gutter shall be rehabilitated with construction of a 2.5m wide concrete footpath and grass established.
- 49) the developer shall construct a channelised right-turn lane on Calala Lane at the site entrance.
- 50) egress from the site shall be restricted to a left-turn only.

Traffic and Parking

- 51) all internal driveways, parking areas, loading bays, vehicle turning areas and barriers are to be designed and constructed to comply with Australian Standard (AS/NZS) 2890.1 Parking Facilities – Off-street parking and AS 2890.6 Parking Facilities – Off-street parking for people with disabilities.
- 52) on-site parking accommodation shall be provided for a minimum of 32 vehicles, to ensure the provision of adequate on-site parking facilities commensurate with the demand likely to be generated by the proposed development.
- 53) all internal driveways, parking and loading areas to be constructed with a base course of adequate depth to accommodate the design vehicle loading, being sealed with either asphaltic concrete, concrete or interlocking pavers.

Inspections

- 54) it is required that a Principal Certifying Authority (PCA) be appointed to undertake all critical stage inspections as prescribed under the Environmental Planning and Assessment Regulations, 2000. The owner may appoint either the Council or an accredited certifier to be the PCA.

Hand Wash Basin

- 55) a separate hand wash basin will be required additional to any food preparation sink and required to be used only for the purpose of hand washing. Hand basins must be provided in accessible and convenient locations. The basins must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and long enough tap handle to facilitate hands free operation will be acceptable. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand basin.

Fixtures and Fittings

- 56) all fixtures and fittings must be designed, constructed, located and installed to ensure the following:
 - a) they will not cause any food contamination
 - b) they are able to be easily and effectively cleaned
 - c) they do not provide harbourage for pests where practicable.
 - d) they must be located to ensure adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned.
 - e) they may be supported on:
 - (i) Legs: Legs for fittings and fixtures must be constructed of non-corrosive, smooth metal or moulded plastic, and have a clearance

space between the floor and underside of the fitting of at least 150mm.

- (ii) Plinths: If fixtures are built into the walls and floors and cannot be moved for cleaning then plinths must be an integral component of the design. They must be constructed of materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be sealed to plinths to ensure there are no gaps, cracks or crevices.

Flooring

- 57) the floor construction in a food premises must be finished to a smooth and non-slip surface. Recessed coving must be provided at all intersections of the floor with the walls within all food preparation areas. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface.

Lighting

- 58) the premises must provide sufficient natural or artificial light for the activities conducted at the premises. Lighting in food preparation and display areas must be provided with covers, or have shatterproof bulbs to prevent food contamination in case of a breakage.

Storage of Garbage and Recyclable Matter

- 59) the premises must have facilities for the storage of waste and recyclable matter which adequately contain the volume of waste generated, and enclose waste to prevent access by pests and animals. Waste receptacles must also be designed to ensure they are easily cleaned and sanitised.

Storage Facilities

- 60) the premises must provide adequate storage facilities for chemicals, clothing and personal belongings. These storage areas must be separate from food contact surfaces to avoid contamination of food.

Pest Control

- 61) the premises must be designed in such a way that all practicable measures have been taken to prevent the entry and harbourage of pests and vermin within the premises. This means ensuring there are no gaps, cracks or crevices for pests to access and harbour within, providing screens for doors and windows where practical, and weather strips to the bottom of doors

Water

- 62) the premises must have connection to an adequate supply of hot and cold potable water in compliance to, where water is to be used for activities conducted at the food premises.

Sewage and Wastewater Disposal

- 63) the premises must have a sewage and wastewater system which effectively disposes waste without the possibility of contaminating the premises water supply or food.

Food Safety Supervisor

- 64) The food premises must nominate to the Council at least one Food Safety Supervisor (FSS) for the site. The FSS must hold a NSW Food Authority FSS certificate that is no more than five years old. Any changes in the future to the FSS for the site must also be notified to the Council.
- 65) prior to operations commencing, an inspection must be completed by a Tamworth Regional Council Environmental Health Officer to ensure that the premise complies with the conditions of approval.

Note: Council's Environmental Health Officers will inspect the food premises annually. All inspections are unannounced to assess compliance with health and food safety requirements. Council will charge an administration fee at the rate set by Council's fees and charges for each financial year.

Prior to the issue of an Occupation Certificate

- 66) the occupation or use of the whole or any part of a new building must not commence unless an Occupation Certificate has been issued in relation to the building or part.
- 67) all proposed building, site works, property or road improvements indicated on the submitted plans or otherwise required under the terms of this consent shall be completed prior to the issue of any occupation certificate for the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979. This does not include conditions:
- 68) documentary evidence of lodgement of the plan of subdivision with NSW Land Registry Services for the consolidation of Lot 27 in DP 33823 and Lot 28 in DP 33823 must be provided to the Principal Certifier prior to issue of any Occupation Certificate, including:
 - a) easements for utilities and services, including stormwater, in favour of the Lot(s) benefiting and/or Council shall be provided where services are located on private properties and/or overland flows traverse private property, and
 - b) a Positive Covenant pursuant to Part 6, Division 4 of the Conveyancing Act 1919 to nominate that the development requires detention in accordance with the approved storage volume and discharge rates specified in the stormwater strategy and detailed design. The covenant shall also include details of maintenance responsibilities and schedules. This information shall be submitted to Council for approval.
- 69) an identification survey prepared by a Registered Surveyor shall be submitted to the Principal Certifier to confirm the completed development has been constructed in accordance with approved plans.
- 70) to ensure that the required Fire Safety Measures are provided in accordance with the building's use and operating in accordance with the appropriate standards, the owner of the building must cause a copy of a Final or Interim fire safety certificate to be given to the person issuing the occupation certificate in accordance with Section 84 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the fire safety schedule. The certificate must only be in the form specified by Clause 86 of the Regulation. Section 85 requires a copy of the

certificate to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

- 71) a Certificate of Compliance under Section 307 of the Water Management Act 2000 shall be obtained from the Council (as the Local Water Supply Authority) prior to the provision of any Occupation Certificate. All payments and works required under Section 306 of the Water Management Act 2000 must be completed prior to the release of a Certificate of Compliance.
- 72) pursuant to Section 306 of the Water Management Act 2000, Council requires the following works to be undertaken prior to the issue of a Compliance Certificate.

Water

- a) a single water service is to be provided to the lot;
- b) the existing water service to the lot may be utilised to service the proposed development;
- c) the developer will be responsible for engaging a hydraulic engineer to determine the fire fighting and domestic demands, and to determine an appropriate service size for the development;
- d) if the existing water service requires upsizing or relocation then the existing service is to be removed and disconnected from the water main;
- e) works shall be undertaken in accordance with Council's current version of the Engineering Design Minimum Standards, and,
- f) work on live water mains is to be undertaken by Council at full cost to the developer.

Sewer

- a) a single sewer service is to be provided to the lot;
 - b) the existing sewer junction (located in the north western corner of the lot) is to be utilised to service the proposed development;
 - c) redundant sewer junctions must be removed and sewer main reinstated;
 - d) the sewer manhole (SMH) lid located within close proximity to the proposed driveway shall be replaced with a trafficable lid and surround and the sub-surface infrastructure shall remain serviceable and protected;
 - e) works shall be undertaken in accordance with the current version of Council's Engineering Design Minimum Standards, and
 - f) work on live sewer mains is to be undertaken by Council at full cost to the developer.
- 73) a Maintenance Bond in accordance with the current version of Council's Engineering Design Minimum Standards shall be paid to Council for all infrastructure works.
- 74) one set of approved construction drawings shall be amended to show the "Work-as-Executed" and be certified by a Registered Surveyor or a Chartered Professional Civil Engineer, in accordance with Council's Engineering Design Minimum Standards.

A scanned electronic 'PDF version and an AutoCAD 'dwg' version of the signed "Work-as-Executed" plans shall be submitted to Council to ensure that adequate records are maintained of community infrastructure.

- 75) all test results, material certificates, non-conformance reports and signed off Hold/Witness Points as required by the Inspection and Test Plan shall be submitted for the review of Council to verify the quality of the completed product.

Ongoing Requirements

- 76) the property is only to be open for business and used for the purpose approved within the following hours:

Staff hours	Monday to Friday: 6:30am – 7:00pm
Operation of childcare centre	Monday to Friday: 6:30am – 7:00pm

- 77) a Childcare Plan of Management must be developed for the day-to-day operations of the child care centre and to minimise any adverse effects upon neighbours. The Childcare Plan of Management must include, but is not limited to, the following:

- staffing/parents/children arrival and departure procedures (Drop off and pick up procedures);
- Day to Day Operations Policy;
- Protocol for External Maintenance/Garden Staff;
- Noise Management Plan (see requirement in Condition 78);
- Traffic and Parking Management Plan;
- Security and Safety Plan; and,
- Any requirements of the Education and Care Services National Regulations.

- 78) the Noise Management Plan (NMP) shall adopt and implement acoustic criteria from the Noise Assessment (prepared by Muller Acoustic Consulting, Ref MAC231887-01RP1, dated August 2023), being:

Type of Receiver	Noise Level (dbA)	Applicable Time Period
Site Boundaries	40-45	During Operation Hours
Nearby Residential Properties	40-45	During Operation Hours
Indoor Area	35-40	During Operation Hours
Outdoor Playing Area	45-50	During Operation Hours

The following management measures / procedures must also be included in the

NMP:

- a) separate daily programs for both warmer and cooler months in order to regulate the total time spent outdoors and indoors. The program should be made publicly available to parents and neighbours;
- b) contact phone numbers for the overall facility manager or director should be made available to neighbours to facilitate communication and to resolve any neighbourhood issues that may arise due to operation of the childcare centre;
- c) details of the typical number of children anticipated to be present in the outdoor play area;
- d) procedure to ensure that crying children are taken inside the childcare centre building and comforted;
- e) details of plans and procedures to ensure that the behaviour of children is monitored and modified as required by adequately trained teachers and childcare workers, to assist in ensuring compliance with overall noise guidelines
- f) a procedure to ensure that parents and guardians are informed regarding the importance of noise minimisation when entering the site, and dropping off or picking up children;
- g) procedures as required to ensure that staff control the level of their voices while outside;
- h) minimisation or control of any use of amplified music to ensure compliance with noise management guidelines.

- 79) all acoustic control measures as identified within the Noise Assessment (prepared by Muller Acoustic Consulting, Ref MAC231887-01RP1, dated August 2023), are to be incorporated into the construction and operation of the development so as to manage and mitigate noise impacts appropriately. This includes:

This must include the following:

- a) Mechanical Equipment:

The acoustic performance of all plant and equipment associated with the facility is validated following construction and prior to the issue of an Occupation Certificate for the premises to confirm that acoustic impacts no greater than 5 dBA above the measured background LA90 sound levels detailed in this report exist at any residential property boundary.

- b) Acoustic Fence:

Construction of an impervious barrier around the outdoor play area to the southern boundary of the project. The barrier should be constructed to an RL of 2.5m above the relative ground level of the project site. This barrier may taper down to 1.8m when clear of the playground area but should continue along the western and eastern extents of the boundary (see Figure 3). The barrier should consist of materials with a surface density of at least 10kg/m², and not contain any gaps (i.e., lapped and capped timber or equivalent);

A noise validation assessment may be required to quantify noise emissions and

confirm that they meet the conditioned PNTL if Council receives future valid noise complaints relating to the operation of the development.

- 80) the operation must comply with the Australia New Zealand Food Standards Code and the Food Act 2003.
- 81) the child care centre shall comply with the Education and Care Services National Regulations.
- 82) the sealing to all vehicular parking, manoeuvring and loading areas is to be maintained at all times.
- 83) all vehicle movements into and out of the development site shall be in a forward direction.
- 84) during ongoing use of the premises signage of the building street number and building name (where applicable) must be clearly displayed.
- 85) vehicles shall be loaded or unloaded standing wholly within the site and within designated loading bays on the submitted plans, or as otherwise provided in accordance with the conditions of this consent. Under no circumstances are vehicles to be loaded or unloaded at the kerb side, or across the public footpath.
- 86) the on-site stormwater systems shall be maintained at all times so as to ensure their effective operation for their intended purpose.

Advisory Notes

- 1) within each 12 months after completion of the building, the owner of the building must cause Council to be given an annual fire safety statement in accordance with Clause 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule for the entire building. The statement must only be in the form specified by Clause 92 of the Regulation. A copy of the statement is to be given to the Commissioner of the New South Wales Fire Brigade. Email address for lodgement of Annual Fire Safety Statement - afss@fire.nsw.gov.au and a copy must also be sent to Council development@tamworth.nsw.gov.au
- 2) at all times, a copy of the Fire Safety Schedule and Fire Safety Certificate must be prominently displayed in the building.

72/24 RESOLVED

COUNCILLORS WHO VOTED **FOR** THE DECISION

1. Cr Phil Betts
2. Cr Bede Burke
3. Cr Judy Coates
4. Cr Helen Tickle
5. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST** THE DECISION

1. Cr Stephen Mears
2. Cr Mark Rodda

MATTER ARISING

MOTION

Moved Cr Coates/Cr Burke

Request the Traffic Committee undertake a desktop review of the traffic flow and safety issues along Calala Lane within the vicinity of Campbell Road.

73/24 RESOLVED

7.2 NORTHERN REGIONAL PLANNING PANEL MEMBERSHIP - OUTCOME OF CALL FOR EXPRESSIONS OF INTEREST

DIRECTORATE:

LIVEABLE COMMUNITIES

AUTHOR:

Christopher Faley, Strategic Planner

Reference:

Item 7.3 to Ordinary Meeting of Council 12 December 2023 - Minute No 324/23

MOTION

Moved Cr Betts/Cr Tickle

That in relation to the report "Northern Regional Planning Panel Membership - Outcome of Call for Expressions of Interest", Council:

- (i) re-appoint Mr James Treloar to serve as a Tamworth Regional Council permanent expert member on the Northern Regional Planning Panel for a period of three years;
- (ii) appoint Mr Glenn Inglis to serve as a Tamworth Regional Council permanent expert member on the Northern Regional Planning Panel for a period of three years;
- (iii) appoint Mr Colin Murray and Mr Warwick Stimson as Tamworth Regional Council alternate members on the Northern Regional Planning Panel for a period of three years;
- (iv) notify the NSW Planning Panels Secretariat of the re-appointment of Mr James Treloar and the appointments of Mr Inglis, Mr Murray and Mr Stimson; and
- (v) formally thank Mr Alan Buchan, Mr Warwick Lindsay and Mr Christopher Mury for their involvement in the Expression of Interest process.

74/24 RESOLVED

7.3 PROPOSED ROAD NAME FOR APPROVED SUBDIVISION MOD2019-0036 (DA0259/2015) 21-25 EVANS STREET, WESTDALE (LOT 28 DP 1208203) - RN2024-0073

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Christine Smith, Development Support Officer

MOTION

Moved Cr Burke/Cr Coates

That in relation to the report 'Proposed Road Name for Approved Subdivision MOD2019-0036 (DA0259/2015) 21-25 Evans Street, Westdale (Lot 28 DP 1208203) - RN2024-0073', Council:

- (i) approve in principle the road name 'Pioneer Close';
- (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.

75/24 RESOLVED

8 INFRASTRUCTURE AND SERVICES

8.1 PROPOSED WATER PURIFICATION FACILITY - UPDATE

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director - Water and Waste
Reference: Item 8.3 Ordinary Council Meeting 26 April 2022 Minute No. 112/22

MOTION

Moved Cr Betts/Cr Coates

That in relation to the report "Proposed Water Purification Facility - Update", Council receive and note the report.

76/24 RESOLVED

8.2 2024 COUNTRY CAPITAL CUP FEE SUBSIDY REQUEST

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Samuel Eriksson, Sports and Recreation Strategy Officer

MOTION

Moved Cr Mears/Cr Rodda

That in relation to the report “2024 Country Capital Cup Fee Subsidy Request”, Council subsidises the fees associated with the use of the Tamworth Regional Entertainment and Conference Centre by the amount disclosed in this report.

77/24 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 ADOPTION OF NAMOI WORKFORCE ATTRACTION AND RETENTION STRATEGY REPORT

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: Sam Uswatta, Business Analyst

MOTION

Moved Cr Coates/Cr Tickle

That in relation to the report “Adoption of Namoi Workforce Attraction and Retention Strategy Report”, Council adopts the final report and documents accompanying the Namoi Workforce Attraction and Retention Strategy.

78/24 RESOLVED

9.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

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

MOTION

Moved Cr Coates/Cr Burke

That in relation to the report “Audit, Risk and Improvement Committee Annual Report”, Council accept the Annual Report presented by the Audit, Risk and Improvement Committee.

79/24 RESOLVED

9.3 FRAUD AND CORRUPTION PREVENTION POLICY

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Lisa May, Office of the General Manager Administrator
Reference: Item 9.2 to Ordinary Council Meeting 29 June 2023 - Minute No. 143/23

MOTION

Moved Cr Mears/Cr Betts

That in relation to the report “Fraud and Corruption Prevention Policy”, Council

- (i) adopt the Fraud and Corruption Prevention Policy attached to this report; and
- (ii) note the one submission received during the public exhibition period.

80/24 RESOLVED

9.4 DRAFT PUBLIC INTEREST DISCLOSURE POLICY

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Lisa May, Office of the General Manager Administrator

MOTION

Moved Cr Betts/Cr Tickle

That in relation to the report “Draft Public Interest Disclosure Policy”, Council:

- (i) authorise the Draft Public Interest Disclosure Policy to be placed on public exhibition for a period of 28 days;
- (ii) request a further report to Council to consider any feedback received throughout the public exhibition period and present for formal adoption of the final Public Interest Disclosure Policy; and
- (iii) authorise the adoption of the Draft Policy in the event that no submissions are received and no changes are made to the Draft Policy.

81/24 RESOLVED

9.5 COUNCIL INVESTMENTS MARCH 2024

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

MOTION

Moved Cr Coates/Cr Mears

That in relation to the report “Council Investments March 2024”, Council receive and note the report.

82/24 RESOLVED

9.6 2023/2024 ROUND 2 FACILITY IMPROVEMENT FUND PROGRAM

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Jodie Archer, Place Manager

MOTION

Moved Cr Betts/Cr Rodda

That in relation to the report “2023/2024 Round 2 Facility Improvement Fund Program”, Council approve:-

- (i) the following funding allocations to the total of \$25,857.00:
 - Barraba Showground Committee
Barraba Showground Stables Replacement \$9,000.00
 - Kootingal Recreational Reserve Committee
Oval amenities refurbishment \$6,109.00
 - Piallamore Recreation Reserve Committee
Memorial Garden Stage 2 \$10,000.00
 - Tamworth Regional Film and Sound Archive Committee
Archive Efficiency Upgrade \$748.00
- (ii) the carry over to the 2024/2025 budget of the unallocated funds of \$6,630.00 to be made available for the 2024/2025 Facility Improvement Fund Program Round 1.

83/24 RESOLVED

9.7 ANNUAL OPERATIONAL PLAN 2023/2024 BUDGET VARIATION REPORT - MARCH 2024

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services
Reference: Item 9.5 to Ordinary Council 29 June 2023 - Minute No 146/23

MOTION

Moved Cr Mears/Cr Rodda

That in relation to the report “Annual Operational Plan 2023/2024 Budget Variation Report - March 2024”, Council note and approve the variations to the existing budget as listed in ATTACHED refer ANNEXURE 1 to the report.

84/24 RESOLVED

10 COMMUNITY SERVICES

Nil

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7.38pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council.

The General Manager advised the Chairperson that no written public submissions had been received as to whether or not part of the Meeting should be closed to the public. The Chairperson asked members of the public whether they wished to have any matters heard in open Council and one representation was made for Item 11.2 to be moved to Open Council.

MOTION

That item 11.2 – ‘Possible Sale of Council Owned Land to Baiada for the Purposes of Constructing Brine Ponds’ be moved into Open Council

THE MOTION WAS LOST

COUNCILLORS WHO VOTED FOR THE DECISION

1. Cr Stephen Mears
2. Cr Mark Rodda

COUNCILLORS WHO VOTED AGAINST THE DECISION

1. Cr Phil Betts
2. Cr Bede Burke
3. Cr Judy Coates
4. Cr Helen Tickle
5. Cr Russell Webb

CLOSED COUNCIL

Confidential Reports

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

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

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

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

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

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

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

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

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

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

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

Resolutions passed in Closed Council

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

12 CLOSED COUNCIL REPORTS

12.1 PUBLIC ART PROJECTIONS IN FITZROY STREET

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Bridget Guthrie, Director Art Gallery and Museums
Nicholas Hawkins, Commercial Property Officer

MOTION

Moved Cr Betts/Cr Mears

That in relation to the report “Public Art Projections in Fitzroy Street”, Council:

- (i) approve implementation of the Public Art Projections in Fitzroy Street;
- (ii) authorise the Mayor and General Manager to negotiate a licence agreement as set out in the body of this report; and
- (iii) authorise the Seal of Council to be affixed to the licence agreement and any other associated documents.

86/24 RESOLVED

Cr Russell Webb left the meeting, the time being 07:48 PM, Deputy Mayor Cr Coates became chair

12.2 POSSIBLE SALE OF COUNCIL OWNED LAND TO BAIADA FOR THE PURPOSES OF CONSTRUCTING BRINE PONDS

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director - Water and Waste
Reference: Item 12.1 to Ordinary Council 8 August 2024 - Minute No 198/23

6 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Burke

That in relation to the report “Possible Sale of Council owned land to Baiada for the purposes of constructing brine ponds”, Council authorise the Deputy Mayor and General Manager to negotiate an option for Baiada to purchase a portion of Council owned land, part of Lot 102 DP1097471, including the key items as detailed in the body of the report.

87/24 RESOLVED

Cr Russell Webb returned to the meeting, the time being 08:12 PM

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Burke/Cr Mears

That Council move into Open Council.

88/24 RESOLVED

At 8.13pm the meeting moved back into Open Council.

In accordance with the Tamworth Regional Council Code of Meeting Practice, Section 14.21, the Chairperson provided a summary of the resolutions passed in Closed Council.

Closure: There being no further business the Ordinary Meeting of Council concluded at 8.13pm

Cr Russell Webb, Chairperson
Tuesday, 14 May 2024

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