

ORDINARY COUNCIL



MINUTES

held in the Council Chambers Ray Walsh House, 437 Peel Street, Tamworth

TUESDAY 28 SEPTEMBER 2010 at 6:30pm

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PRESENT: Crs James Treloar, Cr Phil Betts, Cr Paul Durant, Cr Col Murray, Cr Ray Tait, Cr Helen Tickle, Cr Russell Webb Cr Juanita Wilson and Cr Warren Woodley.

IN ATTENDANCE: The General Manager, Acting Director Corporate and Governance, Director Environmental & Planning and Economic Development, Director Regional Services, Director Water Enterprises and Finance and Information Technology Manager.

1 APOLOGIES

Nil.

2 COMMUNITY CONSULTATION

2.1 REFER ITEM - 8.6 TAMWORTH WATER SUPPLY - SCOTT ROAD WELLFIELD (PARADISE WELLS) - FILE NO SF3308

Mr Barry John, Member of the Peel Valley Water Users Association addressed Council. He raised concerns that he had with the findings of the numerical flow model. He further stated that the findings of the Model had not been made known to the Peel Valley Water Users Association to date. He urged Council to ensure that prior to application for a permanent licence that stakeholders would be consulted.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

Moved Cr Col Murray/Cr Ray Tait

335/10 RESOLVED

That the Minutes of the Ordinary Meeting of the Council held on Tuesday 14 September 2010, 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

Nil.

5 MAYORAL MINUTE

Cr James Treloar tabled a Mayoral Minute and advised the Council that he would not be standing for Mayor.

Responses to the Mayoral Minute and the advice that Cr James Treloar would not be standing for Mayor, were received from Crs Betts, Woodley, Wilson, Tait, Durant, Webb, Tickle and Murray. All thanked Cr James Treloar for his service to the City of Tamworth, the new Regional Council area and to the Councillors themselves as individuals.

6 OPEN COUNCIL REPORTS

6.1 RETURNING OFFICER - FILE No SF819

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration & Governance Manager

MOTION

Moved Cr Ray Tait/Cr Russell Webb

336/10 RESOLVED

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

6.2 METHOD OF VOTING - FILE No SF819

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration & Governance Manager

MOTION

Moved Cr Ray Tait/Cr Warren Woodley

337/10 RESOLVED

That the advice in relation to the methods of voting for any election required for the position of Mayor and Deputy Mayor be received and noted.

6.3 DETERMINATION OF METHOD OF VOTING FOR ELECTION OF MAYOR AND DEPUTY MAYOR - FILE No SF819

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration and Governance Manager

MOTION

Moved Cr Phil Betts/Cr Paul Durant

338/10 RESOLVED

That Council elect the Mayor and Deputy Mayor for the ensuing 2010/2011 term by Ordinary Ballot.

ELECTION OF MAYOR AND DEPUTY MAYOR

MOTION

Moved Cr Warren Woodley/Cr Ray Tait

339/10 RESOLVED

That the following Items 6.4 Nomination for the Position of Mayor and 6.5 Nomination for the Position of Deputy Mayor be conducted by the Returning Officer and that the incoming Mayor take the Chair and following the election of the Deputy Mayor.

The outgoing Mayor Cr James Treloar vacated the Chair and handed the meeting over to the General Manager for the conduct of an election for the position of Mayor and Deputy Mayor for the ensuing 2010/2011 Mayoral Term.

6.4 NOMINATION FOR THE POSITION OF MAYOR - FILE No SF819

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration and Governance Manager

In accordance with Schedule 7 of the Local Government (General) Regulation 2005 the General Manager as the Returning Officer announced that two nominations for the position of Mayor were received. The Returning Officer announced that the nominations were for:

Cr Paul Durant
Cr Col Murray

As there were two nominations received for the position of Mayor, the Returning Officer announced that an election for the position of Mayor would be conducted by Ordinary Ballot.

Following the conduct of the election by Ordinary Ballot for the position of Mayor the result was:

Cr Paul Durant 2
Cr Col Murray 7

The Returning Officer declared that Cr Col Murray had been elected to the position of Mayor for the 2010/2011 Mayoral Term.

6.5 NOMINATION FOR THE POSITION OF DEPUTY MAYOR- FILE No SF819

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration and Governance
Manager

In accordance with Schedule 7 of the Local Government (General) Regulation 2005 the General Manager as the Returning Officer announced that four nominations for the position of Deputy Mayor were received. The Returning Officer announced that the nominations were for:

Cr Ray Tait
Cr Juanita Wilson
Cr Russell Webb
Cr Phil Betts.

As there were four nominations received for the position of Deputy Mayor, the Returning Officer announced that an election for the position of Deputy Mayor would be conducted by Ordinary Ballot.

The result from the first round of voting was:

Cr Ray Tait 2
Cr Juanita Wilson 2
Cr Russell Webb 3
Cr Phil Betts 2.

As there were 3 candidates with equal lowest number of votes, a draw to exclude a candidate was conducted. Crs Tait, Wilson and Betts were included in the draw.

As a result of the draw Cr Ray Tait was excluded.

A 2nd round of voting was conducted with the nominees remaining being:

Cr Phil Betts
Cr Russell Webb
Cr Juanita Wilson.

The result from the second round of voting was:

Cr Phil Betts 3
Cr Russell Webb 3
Cr Juanita Wilson 3

As there were 3 candidates with equal lowest number of votes, a draw to exclude a candidate was conducted. All remaining candidates were included in the draw.

As a result of the draw Cr Phil Betts was excluded.

A 3rd round of voting was conducted with the nominees remaining being:

Cr Russell Webb
Cr Juanita Wilson.

The result for the 3rd and final round of voting was:

Cr Russell Webb 5
Cr Juanita Wilson 4.

Following the conduct of the election by Ordinary Ballot for the position of Deputy Mayor, the Returning Officer declared that Cr Russell Webb had been elected to the position of Deputy Mayor for the 2010/2011 Mayoral Term.

The General Manager vacated the Chair and Cr Col Murray as Mayor occupied the Chair for the remainder of the meeting.

COUNCIL AND COMMITTEE MEETING GOVERNANCE STRUCTURE

6.6 GOVERNANCE STRUCTURE - MEETINGS FILE No SF2256

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration and Governance Manager

MOTION

Moved Cr James Treloar /Cr Paul Durant

340/10 RESOLVED

That Council maintain the current Governance Structure for the ensuing term of two Ordinary Council Meetings held on the second and fourth Tuesday of each month commencing at 6:30pm.

APPOINTMENT OF COUNCIL COMMITTEES

6.7 COUNCIL SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS - FILE No SF2256

DIRECTORATE: GENERAL MANAGER
AUTHOR: Robert Charlesworth, Administration and Governance Manager

MOTION

Moved Cr Warren Woodley/Cr Paul Durant

341/10 RESOLVED

That in relation to the report Council Committees the status quo remain as documented in the Annexure with the following exceptions:

- 2.1 Australian Equine And Livestock Events Centre Interim Management Group
Cr Treloar to replace Cr Webb.

2.5 Tamworth Regional Aviation Industry Steering Group
Cr Treloar to replace Cr Murray.

2.10 Tamworth Regional Racing Precinct Working Group
Cr Treloar to replace Cr Murray.

3. 10 Evocities Steering Committee
Cr Treloar to replace Mayor of the Day.

3.17 Northern Region Joint Regional Planning Panel
Cr Treloar to replace Cr Murray as Alternate Member.

3.24 Tamworth Regional Development Corporation Board
Cr Treloar to replace Cr Murray.

3.27 Tourism Tamworth Board of Management
Cr Tickle to replace Cr Durant.

6.8 COUNCIL INVESTMENTS AUGUST 2010 - FILE No SF3455

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Mark Crompton, Finance & Information Technology Manager

MOTION

Moved Cr Russell Webb/Cr Ray Tait

342/10 RESOLVED

That the report on Council's Investments for the month of August 2010 be received and noted.

6.9 REVENUE FRAMEWORK FOR LOCAL GOVERNMENT - FILE No SF3786

DIRECTORATE: CORPORATE & GOVERNANCE

AUTHOR: Stephen Bartlett, Director Corporate & Governance

MOTION

Moved Cr Ray Tait/Cr Juanita Wilson

343/10 RESOLVED

- (i) That the Independent Pricing and Regulatory Tribunal Final Report in relation to a new Revenue Framework for Local Government be received and noted; and
- (ii) That it be noted Options for the take-up of the new Revenue Framework reforms will be considered in Council's 2011/2012 Revenue Policy.

6.10 LOCAL GOVERNMENT OF NSW ANNUAL CONFERENCE 2010 ALBURY- FILE NO SF3903

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Robert Charlesworth, Administration and Governance
Manager

MOTION

Moved Cr Ray Tait/Cr Paul Durant

344/10 RESOLVED

That Cr James Treloar be authorised to attend the 2010 Local Government Association of NSW Annual Conference to be held in Albury from 24 to 27 October 2010 as a Delegate in accordance with Council's policy for the attendance of delegates.

6.11 AUSTRALIAN EQUINE & LIVESTOCK EVENTS CENTRE (AELEC) MANAGEMENT COMMITTEE - FILE NO SF3680

DIRECTORATE: CORPORATE & GOVERNANCE
AUTHOR: Finance & Information Technology Manager

MOTION

Moved Cr Russell Webb/Cr Warren Woodley

345/10 RESOLVED

That in relation to management and staffing of the Australian Equine and Livestock Events Centre, Council:

- (i) establish the "Australian Equine and Livestock Events Centre Management Committee" as a committee under section 355 of the Local Government Act 1993;
- (ii) delegate exercise of the following functions of the Council under section 377 (1) of the Local Government Act 1993 to the Australian Equine and Livestock Events Centre Management Committee:
 - (a) provide direction and advice on management of the AELEC to Council staff through the Tamworth Regional Council General Manager;
 - (b) provide recommendations on the management/use of AELEC facilities and services;
 - (c) preparation and approval of a business plan for the AELEC;
 - (d) preparation and approval of management/operational plans and other policies and procedures for the AELEC;
 - (e) marketing and promoting the AELEC to potential users;
 - (f) hiring the AELEC including terms of hire and overseeing the use of the AELEC;

- (iii) adopt the following Committee structure and membership for the Australian Equine and Livestock Events Centre Management Committee:
- Independent Chairperson – Community Representative
 - Mayor or nominee
 - General Manager or nominee
 - Chief Financial Officer or nominee
 - Equine/Livestock Industry Representative – Community Representative
 - External Venue Specialist – Community Representative
 - External Marketing/Sponsorship Specialist – Community Representative
 - External Entrepreneurial/Business Specialist – Community Representative
 - Tourism Tamworth Representative;
- (iv) adopt the draft Australian Equine and Livestock Events Centre Management Committee Constitution and Operating Guidelines as identified in the Annexure;
- (v) invite Expressions of Interest for membership of the Australian Equine and Livestock Events Centre Management Committee from interested members of the community to fill the roles of:
- Independent Chairperson
 - Equine/Livestock Industry Representative
 - External Venue Specialist
 - External Marketing/Sponsorship Specialist
 - External Entrepreneurial/Business Specialist;
- (vi) invite Tourism Tamworth to nominate a representative for the Australian Equine and Livestock Events Centre Management Committee; and
- (vii) endorse the proposed AELEC staff structure comprising:
- AELEC General Manager
 - Venue Coordinator
 - Events Officer
 - Events Trainee
 - Facility Supervisor.

6.12 KOOTINGAL ALCOHOL FREE ZONE - FILE NO SF990

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: S M Bartlett, Director Corporate and Governance

MOTION

Moved Cr Warren Woodley/Cr Ray Tait

346/10 RESOLVED

That in accordance with Section 644(B) of the Local Government Act 1993 Council give public notice of its intention to renew the Kootingal Alcohol Free Zone for a further period of four years in respect of the following public roads and footpaths:

- Denman Avenue (from boundary of school running south to include Sandy Creek Park area)
- Irvine Street
- Station Street (from Irvine Street to Gate Street)
- Field Lane (including two unformed lanes from Field Lane to Irvine Street)
- Gate Street.

6.13 SECTION 355 COMMITTEES - MINUTES - FILE NO SF2256

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Jodie Archer, Section 355 Coordinator

MOTION

Moved Cr Paul Durant/Cr Warren Woodley

347/10 RESOLVED

- (i) That the minutes of the following Section 355 Committees listed below be received and noted:

<u>Committee</u>	<u>Meeting Date</u>
Woolomin Recreation Reserve Committee	8 June 2010
Barraba Showground Management Committee	16 June 2010
Kootingal Recreational Reserve Committee - AGM	19 July 2010
Kootingal Recreational Reserve Committee	19 July 2010
Grey Fergie Tractor Muster Committee	21 July 2010
Woolomin Recreation Reserve Committee	24 July 2010
Dungowan Recreation Ground Management Committee - AGM	18 August 2010
Dungowan Hall Committee - AGM	13 September 2010
Dungowan Hall Committee	13 September 2010;

- (ii) That Council adopt the recommendation of the Kootingal Recreational Reserve Committee at its Annual General Meeting held 19 July 2010 to appoint the following persons as Office Bearers and Members of the Kootingal Recreational Reserve Committee:

President: Ken Carpenter;
Deputy Chair: Jim Thornton;
Secretary: Marlene Gilchrist;
Treasurer: Karen Litchfield (TRC); and
Members: F Cook, J Barber, J Hetherington, K Robinson, L Eccleston,
P Barber, R Stoltenberg and T Gilchrist;

- (iii) That Council adopt the recommendation of the Kootingal Recreational Reserve Committee at its Ordinary Meeting held 19 July 2010 to accept Robin Bruce as a member of the Kootingal Recreational Reserve Committee;

- (iv) That Council adopt the recommendation of the Dungowan Recreation Ground Management Committee at its Annual General Meeting held 18 August, 2010 to appoint the following persons as Office Bearers of the Dungowan Recreation Ground Management Committee:

Chairman: Paul Tongue;
Deputy Chairman: Joe Ferguson;
Secretary and Booking Officer: Glenys Bundy;
Treasurer: Ian Pittman;

- (v) That Council adopt the recommendation of the Dungowan Recreation Ground Management Committee at its meeting held 18 August 2010 to accept Peter O'Keefe and Sue O'Keefe as members of the Dungowan Recreation Ground Management Committee; and

- (vi) That Council adopt the recommendation of the Dungowan Hall Committee at its Annual General Meeting held 13 September, 2010 to appoint the following persons as Office Bearers of the Dungowan Hall Committee:

Chairperson:	John Thompson;
Vice Chairpersons:	David Gee and Peter Mackenzie;
Secretary:	Leanne Gee;
Treasurer:	Monique Cwach;
Booking Steward:	Leesa Mackenzie.

6.14 WOOLOMIN RECREATIONAL RESERVE COMMITTEE - FILE NO SF3681

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Jodie Archer, Section 355 Coordinator

MOTION

Moved Cr Phil Betts/Cr Ray Tait

348/10 RESOLVED

That Council delegate under section 377 (1) of the Local Government Act 1993 to the Woolomin Recreation Reserve Committee the function to plan, coordinate and conduct the Woolomin Country Festival annually, subject to the appropriate Council documentation being received in regard to Managing an Event.

6.15 PENSIONER REBATES - FILE NO LF723

DIRECTORATE: CORPORATE & GOVERNANCE
AUTHOR: Finance & IT Manager, Mark Crompton

MOTION

Moved Cr Paul Durant/Cr Ray Tait

349/10 RESOLVED

That the report in relation to pensioner rebates be received and noted.

6.16 LAND PURCHASE – MANILLA VINTAGE MACHINERY GROUP – ALEXANDER LANE MANILLA - FILE NO LF10602

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
**AUTHOR: Chris Johnston, Manager Economic Development and
Commercial Lands**

MOTION

Moved Cr Warren Woodley/Cr Phil Betts

350/10 RESOLVED

That Council 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 the council is conducting (or proposes to conduct) business.

7 ENVIRONMENT & PLANNING

7.1 TAMWORTH RIVERBANK PRECINCT MASTER PLAN - FILE NO SF4717

DIRECTORATE: Environment, Planning and Economic Development
AUTHOR: Megan Purkiss, Strategic Planner

MOTION

Moved Cr James Treloar /Cr Phil Betts

351/10 RESOLVED

That Council adopt the Master Plan for the Tamworth Riverbank Precinct.

8 INFRASTRUCTURE AND SERVICES

8.1 BARRABA WATER SUPPLY – GROUNDWATER DRILLING INVESTIGATIONS - FILE NO SF1884

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Ian Cross – Technical Officer Water Augmentation

MOTION

Moved Cr Warren Woodley/Cr Paul Durant

352/10 RESOLVED

- (i) That Council receive and note the report and request the Director of Water Enterprises be requested to submit a progress report and selection of tenders for Barraba Water Supply – Groundwater Drilling Investigations to Council's meeting scheduled for 12 October 2010; and
- (ii) That in relation to the Ground Water Drilling Investigations and all matters associated with the Barraba Water Supply, Council convene a meeting to be held in Tamworth involving:
 - the Council,
 - representatives of the Barraba Community Development Committee,
 - invited Barraba Community stakeholders,
 - the Hon Phillip Costa MP, Minister for Water, (or his nominee),
 - Mr Peter Draper MP, Member for Tamworth, and
 - Mr Tony Windsor, MP Member for New England.

8.2 BENDEMEER WATER TREATMENT PLANT: WASHWATER AND SLUDGE HANDLING SYSTEM - FILE No SF1839

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Ian Cross, Technical Officer Water Augmentation

MOTION

Moved Cr Russell Webb/Cr Ray Tait

353/10 RESOLVED

That in relation to the report Bendemeer Water Treatment Plant: Washwater and Sludge Handling System, Council:

- (i) approve works to the Washwater and Sludge Handling System to address performance problems and reduce operator attendance; and
- (ii) approve allocation of funds totalling \$66,000 to these works from the Water Capital Works Reserve.

8.3 NEMINGHA WATER MAIN AUGMENTATION – ACQUISITION OF 6M WIDE AND VARIABLE WATER MAIN EASEMENTS - FILE No LF20043

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Bruce Logan Director - Water Enterprises

MOTION

Moved Cr Warren Woodley/Cr Phil Betts

354/10 RESOLVED

That Council 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 would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

8.4 WATER LOSS MANAGEMENT - FILE No SF3869

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Bruce Logan Director – Water Enterprises

MOTION

Moved Cr Warren Woodley/Cr Russell Webb

355/10 RESOLVED

That in relation to the report Water Loss Management Council:

- (i) approve the making of an application under the Water Loss Management Program for funding (of up to 33% of the estimated cost of \$45,000) to address water loss issues at Manilla;

- (ii) source Council's share of the funding from the Water Reserve in the event that Council's funding application is successful; and
- (iii) note progress in relation to the development of a plan to address water loss in Tamworth City.

8.5 BARRABA GOLF CLUB – WATER SUPPLY - FILE NO SF1884

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Bruce Logan Director - Water Enterprises

MOTION

Moved Cr Russell Webb/Cr Juanita Wilson

356/10 RESOLVED

That in relation to the report Barraba Golf Club – Water Supply Council agree that until either the Golf Club's 2 bores return to pre James Street Bore trial operation or a long term solution can be found to the present water supply problems being experienced by the Club Council will:

- (i) continue to supply treated water to the Golf Course to assist in the operation of the irrigation system;
- (ii) waive any charges for treated water consumed by the Golf Club over the average quarterly amount used by the Golf Club in the 12 months prior to the commencement of the James Street Bore Trial;
- (iii) apply to the NSW Office of Water to extend the current license to allow the Golf Club to access Council's bore number TB8 until 30 June 2011; and
- (iv) reserve the right to restrict the Golf Club's access to treated water if Level 4 water restrictions are introduced in Barraba.

8.6 TAMWORTH WATER SUPPLY - SCOTT ROAD WELLFIELD (PARADISE WELLS) - FILE NO SF3308

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Headworks Engineer, Neil Sharpham

MOTION

Moved Cr Warren Woodley/Cr Paul Durant

357/10 RESOLVED

That in relation to the report Tamworth Water Supply - Scott Road Wellfield (Paradise Wells) Council make application to the NSW Office of Water for a new licence or access point for the Paradise Wells broadly based around the following principles:

- (i) the Well Field be considered as a secondary access point (the existing Peel River Pump Station remains as the primary access point) for access to flows in the Peel River;
- (ii) extraction from the Well Field be limited to an average of 100 ML/month with a total annual extraction of 1,200 ML/annum;

- (iii) use of the Well Field when level 4 water restrictions or greater have been introduced in Tamworth City be unlimited subject to the yield of the aquifer;
- (iv) any water used would be considered to be deducted from Council's existing entitlement at Chaffey Dam and paid for as per other high security water accessed from the dam;
- (v) regardless of the terms of the final license or access point it must contain provision to allow pumps to be operated at least monthly to ensure facility can be exercised and maintained; and
- (vi) Council undertake consultation with all stakeholders in the catchment area prior to proceeding with application for permanent licence.

8.7 NEW MANILLA DEPOT - FILE No SF2585

DIRECTORATE: REGIONAL SERVICES
AUTHOR: George Shearman, Manager Plant and Fleet Services

MOTION

Moved Cr Ray Tait/Cr Warren Woodley

358/10 RESOLVED

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

8.8 ART GALLERY – LOAN OF WORK FROM THE COLLECTION- FILE No SF820

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Bruce Mercer, Manager Cultural and Community Services

MOTION

Moved Cr Warren Woodley/Cr Russell Webb

359/10 RESOLVED

That the request for loan of the Rosemary Burke work 'Her Kin' to the Clarence City Council, Hobart for the purpose of inclusion in an exhibition in November 2010, followed by a tour of the exhibition to travel to Burnie Regional Gallery in July-August 2011 be approved.

8.9 TAMWORTH REGIONAL COUNCIL SWIMMING POOL MANAGEMENT PLAN 2010 REVISION 3 - FILE NO - SF1747

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Simon Haire, Manager Horticulture and Recreation

MOTION

Moved Cr Paul Durant/Cr Warren Woodley

360/10 RESOLVED

That in relation to the report Tamworth Regional Council Swimming Pool Management Plan 2010 Revision 3, Council authorise:

- (i) that the Plan be placed on public exhibition for a period of 30 days;
- (ii) that subject to there being no major objections to the Plan, arising from the public exhibition period, endorse the document and its implementation for the 2010-11 swimming season; and
- (iii) that wording in the plan be changed to reflect that the South and West Tamworth Pool season will run from commencement of the school holiday period preceding Term 4.

8.10 TENDER T011/2011 – WINNING AND CRUSHING OF GRAVEL MATERIALS FROM COUNCIL MANAGED PITS FOR THE PERIOD 1 OCTOBER 2010 TO 30 JUNE 2011 - FILE NO T011/2011

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Warren Faulkner, Manager Works and Asset Services

MOTION

Moved Cr Ray Tait/Cr Juanita Wilson

361/10 RESOLVED

That Council determine this matter in part of the meeting closed to the public pursuant to Section 10A(2)(d) 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.

9 REPORTS FROM DELEGATES

9.1 NAMOI COUNCILS – FILE NO SF2414

Cr Col Murray advised councillors that Katrina Macdonald Namoi Council's Executive Officer had resigned her position from the Namoi Councils.

10 QUESTIONS FOR NEXT MEETING

10.1 KING GEORGE V AVENUE TREES – FILE NO LF32

Cr Juanita Wilson raised the issue of the Draft Peel River Estate Development Controls and the potential impact on King George V Avenue Trees. Cr Wilson requested that a workshop be scheduled to discuss the issues.

The Director Environment, Planning and Economic Development advised that the proponent is currently reviewing the issues raised during the public exhibition of the draft Development Controls and may propose changes to the draft Master Plan. As such, it would be premature to conduct a workshop until the proponent has had an opportunity to respond.

10.2 GRAFFITI IN SOUTH TAMWORTH – FILE NO SF3852

Cr Ray Tait asked if the Director Regional Services could look at some short term measures to prevent vandalism and graffiti in the Belmore Park area.

The Director Regional Services advised that he would investigate some options and place them on the Agenda for the next Crime Prevention Working Group Meeting.

At 7:58pm, 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.

There was no response from the public. The General Manager advised the Chairperson that no written public submissions or representations had been received as to whether or not part of the meeting should be closed to the public.

The Chairperson advised that it is a requirement of clause 253 of the *Local Government (General) Regulation 2005* that any resolution passed in Closed Council, be made public as soon as practicable after the meeting has ended. At the end of Closed Council meeting and upon resumption into Open Council, the Chairperson will provide a summary of those resolutions passed in Closed Council.

11 CLOSED COUNCIL REPORTS

11.1 NEMINGHA WATER MAIN AUGMENTATION – ACQUISITION OF 6M WIDE AND VARIED WATER EASEMENTS - FILE NO LF20043

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Bruce Logan – Director Water Enterprises

MOTION

Moved Cr Warren Woodley/Cr Ray Tait

362/10 RESOLVED

That in relation to the report Nemingha Water Main Augmentation – Acquisition of 6 Metre Wide and Variable Water Easement Council:

- (i) authorise the acquisition of a 6 metre wide and variable easement through property Lot 2 DP 204705 under the terms and conditions detailed in this confidential report; and
- (ii) authorise the affixing of the Council seal for the creation of an easement over the land and associated documents.

11.2 NEW MANILLA DEPOT- FILE NO SF2585

DIRECTORATE: REGIONAL SERVICES
AUTHOR: George Shearman, Manager Plant and Fleet Services

MOTION

Moved Cr Warren Woodley/Cr Russell Webb

363/10 RESOLVED

That in relation to the New Manilla Depot, Council:

- (i) authorise the acquisition of the land under terms as detailed in confidence in the report;
- (ii) authorise the affixing of the Seal of Council to the Contract for the sale/purchase of the land, the Transfer documents, and all associated land exchange documents;
- (iii) upon acquisition classify the land as Operational land pursuant to Section 31 of the Local Government Act 1993;
- (iv) give public notice of the classification of the land in accordance with Section 34 of the Local Government Act 1993;
- (v) authorise improvement works as detailed in the report to the value of \$689,082.00 exclusive of GST; and
- (vi) authorise the funding to be drawn from "plant reserve" funds for the purchase of the land and the improvement works as detailed in the report.

11.3 TENDER T011/2011 – WINNING AND CRUSHING OF GRAVEL MATERIALS FROM COUNCIL MANAGED PITS FOR THE PERIOD 1 OCTOBER 2010 TO 30 JUNE 2011 - FILE NO; T011/2011

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Warren Faulkner, Manager Works and Asset Services

MOTION

Moved Cr Phil Betts/Cr Ray Tait

364/10 RESOLVED

That in relation to the report T011/2011- Winning and Crushing of Gravel Materials from Council Managed Pits, Council:

- (i) accept the Schedule of Rates Tender submitted by C&S Crushing and Screening for the Winning and Crushing of Gravel Materials from Council Managed Pits for the period 1 October 2010 to 30 June 2011; and
- (ii) authorise the Seal of Council to be affixed to the contract documents for the Winning and Crushing of Gravel Materials from Council Managed Pits for C&S Crushing and Screening.

11.4 LAND PURCHASE – MANILLA VINTAGE MACHINERY GROUP – ALEXANDER LANE MANILLA - FILE NO LF10602

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Chris Johnston, Manager Economic Development and
Commercial Lands

MOTION

Moved Cr Phil Betts/Cr James Treloar

365/10 RESOLVED

That in relation to the land adjoining the Manilla Vintage Machinery Group, Alexander Lane Manilla, Council:

- (i) authorise the purchase of part Lot B in DP 913078, being of some 600 square metres in area, under terms as detailed in confidence in the report;
- (ii) authorise the affixing of the Seal of Council to the contract for the sale of the land, the plan of subdivision and associated Section 88B Instrument, creating the proposed boundary adjustment between Lot B in DP 913078 and Lot 1 in DP 748665, the Transfer document and all associated documents;
- (iii) upon acquisition classify the land as Operational land pursuant to Section 31 of the Local Government Act 1993; and
- (iv) give public notice of the classification of the land in accordance with Section 34 of the Local Government Act 1993.

12 RESOLUTIONS PASSED IN CLOSED COUNCIL

At 8:02pm the meeting moved back into Open Council

In accordance with clause 253 of the *Local Government (General) Regulation 2005* 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 8:05pm.

Chairperson of the meeting at which these minutes were adopted, Title of Chairperson
Chairperson
Date at which these minutes will be adopted

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