

ORDINARY COUNCIL

MINUTES

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

TUESDAY 22 JUNE 2010 at 6:30pm

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PRESENT: Crs James Treloar (Mayor), 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, 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

Nil.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

Moved Cr Russell Webb/Cr Juanita Wilson

200/10 RESOLVED

That the Minutes of the Extra Ordinary Council Meeting held on Monday 7 June 2010 and the Ordinary Meeting of the Council held on Tuesday 8 June 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

Nil.

OPEN COUNCIL REPORTS

6 ENVIRONMENT & PLANNING

6.1 CHANGE OF OPERATING HOURS AND ERECTION OF SIGNAGE TO TENANCY No. 14 (DOMINO'S PIZZA) NORTHGATE SHOPPING CENTRE, 1 PIPER STREET NORTH TAMWORTH - FILE No DA 489/2010

DIRECTORATE: ENVIRONMENT PLANNING AND ECONOMIC DEVELOPMENT
AUTHOR: Susan Whitwell – Senior Development Assessment Planner

MOTION

Moved Cr Paul Durant/Cr Phil Betts

201/10 RESOLVED

That in relation to Development Application No. DA0489/2010 for change of operating hours and new signage to Tenancy No. 14, the application be determined by issue of development consent subject to the following conditions:-

- 1) The development must be carried out in accordance with the Development Application and accompanying plans, drawings and other documents as amended by conditions of this consent. Development consent is granted for the change of operational hours and erection of signage to Tenancy No.14, Northgate Shopping Centre. Any amendment to the development or to these conditions will require the consent of the Council.
- 2) Hours of operation for occupation of Tenancy 14 by Domino's Pizza are limited to:
 - (i) 11.00am to 11.00pm Sunday to Wednesday;
 - (ii) 11.00am to 12.00am Thursdays; and
 - (iii) 11.00am to 1.00am Friday and Saturdays.
- 3) Upon the cessation of hours of operation, all illuminated signage must be extinguished.
- 4) Upon the cessation of use of Tenancy 14 for the occupation by Domino's Pizza, the approved hours of operations as granted under this Development Consent DA 0489/2010 shall expire and the operational hours of the complex shall apply.

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS – SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

DIVISION

COUNCILLORS WHO VOTED FOR THE DECISION	COUNCILLORS WHO VOTED AGAINST THE DECISION
1. Cr James Treloar, Mayor 2. Cr Col Murray, Deputy Mayor 3. Cr Phil Betts 4. Cr Paul Durant 5. Cr Ray Tait 6. Cr Helen Tickle 7. Cr Russell Webb 8. Cr Juanita Wilson	1. Cr Warren Woodley

6.2 PROPOSED ROAD CLOSURE, DURI - FILE No LF 654

DIRECTORATE: ENVIRONMENT, PLANNING AND ECONOMIC DEVELOPMENT

AUTHOR: Sylvia Elliott, Commercial Property Officer

MOTION

Moved Cr Col Murray/Cr Juanita Wilson

202/10

RESOLVED

That, in relation to a request to close part of a formed and unnamed road between Duri-Dungowan Road and Kia Ora Lane Duri, Council:

- (i) authorise the making of an application to the Land and Property Management Authority for the closure of part of the road; and
- (ii) authorise the Mayor and General Manager to negotiate the sale of the parcel of closed road that is created to the owner of Lot 92 in DP 1000311.

6.3 NSW RURAL FIRE SERVICE SITE INSTALLATIONS - FILE No SF93

DIRECTORATE: ENVIRONMENT, PLANNING AND ECONOMIC DEVELOPMENT

AUTHOR: Sylvia Elliott, Commercial Property Officer

MOTION

Moved Cr Juanita Wilson/Cr Russell Webb

203/10

RESOLVED

That in relation to the report, NSW Rural Fire Service Site Installations Council:

- (i) authorise the affixing of the Seal of Council to the lease documents for the Rural Fire Service installations at Garoo and Halls Creek; and
- (ii) authorise the making of an application to the Land and Property Management Authority for approval to be appointed as Reserve Trust Manager of part of Lot 58 in DP 755346 being a land parcel proposed for a Rural Fire Service shed site at Niangala.

6.4 COUNCIL'S COMMERCIAL AND INDUSTRIAL LAND STOCKS - SALE AND DEVELOPMENT STATUS REPORT 1 JANUARY 2010 TO 30 JUNE 2010 - FILE NO SF202, SF4286, LF634, LF5703, E080/2007, SF4712

DIRECTORATE: ENVIRONMENT, PLANNING AND ECONOMIC DEVELOPMENT

AUTHOR: Chris Johnston, Manager Economic Development and Commercial Lands

MOTION

Moved Cr Paul Durant/Cr Russell Webb

204/10 RESOLVED

That in relation to Council's Commercial and Industrial Land Stocks – Sale and Development Status Report 1 January 2010 to 30 June 2010, Council:

- (i) receive and note the report; and
- (ii) authorise the affixing of the Seal of Council to the Lease document between Council and Northern Inland Academy of Sport over Suite 3 Parry House.

7 INFRASTRUCTURE AND SERVICES

7.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING – JUNE 2010- FILE NO SF1387

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Craig Orvad, Technical Officer, Traffic

MOTION

Moved Cr Ray Tait/Cr Russell Webb

205/10 RESOLVED

That in relation to the report from the Tamworth Regional Local Traffic Committee – June 2010 meeting Council endorse the following recommendations of the Tamworth Regional Local Traffic Committee held on 9 June 2010:

- 28/2010 That the existing taxi rank in Shand Circuit at the Tamworth Airport be extended approximately an additional 12 metres along the kerb to the east to accommodate a further two (2) taxis.
- 29/2010 That with regard to the proposed installation of regulatory devices in Plain Street and the Plain Street carpark in the Carter Street Sporting precinct in Tamworth the following be recommended:
 - (i) that Plan No. 18683 be adopted including the proposed Stop sign in the carpark amended to a Give Way sign and the holding line reflects same.

- 30/2010 That with regard to the objections to the RAV gazettal of roads between Manilla and the Gunnedah Shire boundary, the following be recommended:
- (i) the minor objections be noted;
 - (ii) the proposed RAV route for Sherwood Road be deferred from nomination to the RTA pending determination of Development Application No0062/2009, being the basis on which the route is nominated;
 - (iii) Council proceed to refer the other locations, with the exception of Sherwood Road, to the RTA for final approval and listing in the State Gazettal Notices.

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

DIRECTORATE: Regional Services
AUTHOR: Sandra McMahon, Director Regional Gallery

MOTION

Moved Cr Phil Betts/Cr Col Murray

206/10 RESOLVED

That the request for loan of the Liz Nettleton tapestry 'White Diamond' to the Ararat Regional Art gallery for the purpose of inclusion in an exhibition in August 2010, followed by a tour of the exhibition to take place between 2011 and 2012, be approved.

7.3 NEMINGHA WATER MAIN AUGMENTATION – ACQUISITION OF 6M WIDE AND VARIABLE WATER MAIN EASEMENTS - FILE No LF2092 AND LF14463

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

MOTION

Moved Cr Phil Betts/Cr Paul Durant

207/10 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 that would, if disclosed, confer a commercial advantage on a person with whom Council conducting (or proposes to conduct) business.

7.4 RENEWAL OF AGREEMENT TO SUPPLY BACKWASH WATER TO LONGYARD GOLF COURSE - FILE NO SF1742

DIRECTORATE: Water Enterprises
AUTHOR: Michael Bryant – Water Executive Services Manager

MOTION

Moved Cr Russell Webb/Cr Col Murray

208/10 RESOLVED

That in relation to the report Renewal of Agreement to Supply Backwash Water to the Longyard Golf Course, Council authorise the affixing of the Seal of Council to the revised agreement with Dromahair Pty Ltd the new owner of the Longyard Golf Course.

7.5 BARRABA WATER SUPPLY - SILO BORE GROUNDWATER LICENCE - FILE NO SF1884

DIRECTORATE: Water Enterprises
AUTHOR: Technical Officer, Augmentation – Ian Cross

MOTION

Moved Cr Russell Webb/Cr Ray Tait

209/10 RESOLVED

That in relation to the report Barraba Silo Bore, Council write to the NSW Office of Water advising of Council's acceptance of the proposal to amalgamate the volumetric allocation attached to the Silo Bore with that of the James Street Emergency Bores.

8 GOVERNANCE, STRATEGY AND FINANCE

8.1 DRAFT MANAGEMENT PLAN 2010/2013 - FILE NO SF4653

DIRECTORATE: GENERAL MANAGER
AUTHOR: Mark Crompton, Finance & Information Technology
Glenn Inglis, General Manager

MOTION

Moved Cr Phil Betts/Cr Paul Durant

210/10 RESOLVED

That in relation to the 2010/2013 Draft Management Plan the following determinations be made:

- (i) In accordance with Section 406 of the Local Government Act 1993, Council adopt the 2010/2013 Draft Management Plan as described in the body of the report and annexures, subject to the following amendments;

(a) Fees and Charges

Title of Fee/Charge	Fee/Charge for 2009/2010 \$	Exhibited Fee/Charge 2010/2011 \$	Changed Proposed Fee/Charge 2010/2011 \$
Corporate and Governance			
Rating and Property Information			
Section 603 Certificate	\$60.00	Awaiting advice from DLG	\$60.00
Section 603 Certificate – Urgency Fee	\$80.00	Awaiting advice from DLG	\$80.00
Explanation: Section 603 Certificate Fee advised by Division of Local Government during 2010/2013 Draft Management Plan exhibition period.			
Environmental Planning and Economic Development			
Development and Approvals			
Certificates			
Registration of annual fire safety statement	\$22.00	\$22.00	\$20.00
Explanation: GST no longer applicable on fee in accordance with Division 81 determination.			
Office of the General Manager			
In-House Solicitor			
In-House Solicitor – recovery of litigation costs (charged in minimum six minute units at \$27.50 for each six minutes)	N/A	Not exhibited	\$275.00 per/hr
Explanation: Introduction of fee at commercial rates to claim expenses incurred in litigation.			
Regional Services			
Manilla Showground - Ground Rental Agreements			
Australian Miniature Horse Association per annum	N/A	Not exhibited	\$831.60

Title of Fee/Charge	Fee/Charge for 2009/2010 \$	Exhibited Fee/Charge 2010/2011 \$	Changed Proposed Fee/Charge 2010/2011 \$
Explanation: New agreement following request from Australian Miniature Horse Association to be added as an annual user of the Manilla Showground.			
Barraba Showground			
Rentals			
Jockey Club per annum	\$412.00	\$427.00	Under Control of s355 Committee
PA & H Association per annum	\$412.00	\$427.00	Under Control of s355 Committee
Pony Club per annum	\$686.00	\$710.00	Under Control of s355 Committee
Others			
Per day	\$173.00	\$180.00	Under Control of s355 Committee
Deposit (refundable)	\$350.00	\$363.00	Under Control of s355 Committee
Non-Resident Users			
Deposit – Circuses (refundable after full clean-up and restoration)	\$350.00	\$363.00	Under Control of s355 Committee
Explanation: Change in fee structure to reflect that facility is under care and control of Barraba Showground Section 355 Committee.			

(b) General Fund Budget

Draft 2010/2011 Budget Projected Cash Result	\$1,085,833	Deficit						
Changes:								
Staff restructure between Information Technology and Citizen Services (offset against Information Technology Applications Budget)	\$0	N/A						
Amend Rural Fire Service Capital Estimates to the New South Wales Rural Fire Service (NSWRFS) approved budget (Remove expenditure and income amounts for tankers now to be purchased centrally on Council's behalf by NSWRFS - \$835,247 - no change to Council's contribution to the NSWRFS)	\$0	N/A						
Amend Rural Fire Service Capital Estimates to the New South Wales Rural Fire Service (NSWRFS) approved budget (Remove proposed amounts for Mount Lindsay and Namoi River Station constructions (\$300,000) that were not approved in the final New South Wales Rural Fire Service (NSWRFS) budget. Reduces Council's contribution to the NSWRFS by \$35,100, being 11.7% of \$300,000)	\$35,100	Surplus						
Transfer Air Conditioning Upgrade to Manilla Mechanics Institute Building from 2011/2012 to 2010/2011 (\$15,000 funded by Corporate Buildings Reserve)	\$0	N/A						
<p><i>Maintain the current start date which is 2 weeks earlier than Council's other pools.</i></p> <p><i>Begin the extended season mid April and close mid May (extra 4 weeks ONLY).</i></p> <p><i>During the extended season the hours of operation would be 6:00- 9:00am and 3:00- 5:00pm.</i></p> <p><i>Increase the South and West Tamworth Memorial Pool 2010/2011 budget allocations by \$11,015 as follows:</i></p> <table style="margin-left: 40px;"> <tr> <td><i>Overtime & penalties</i></td> <td style="text-align: right;"><i>\$1,430</i></td> </tr> <tr> <td><i>Materials (gas, water, electricity, chemicals)</i></td> <td style="text-align: right;"><i>\$9,585</i></td> </tr> </table> <p><i>Introduce new fees for the shoulder season use. Existing season tickets will not cover the season extension. Expected income from the new fees would be \$2,000.</i></p> <table style="margin-left: 40px;"> <tr> <td><i>Single entry swim- Adult</i></td> <td style="text-align: right;"><i>\$5</i></td> </tr> </table>	<i>Overtime & penalties</i>	<i>\$1,430</i>	<i>Materials (gas, water, electricity, chemicals)</i>	<i>\$9,585</i>	<i>Single entry swim- Adult</i>	<i>\$5</i>	\$9,015	Deficit
<i>Overtime & penalties</i>	<i>\$1,430</i>							
<i>Materials (gas, water, electricity, chemicals)</i>	<i>\$9,585</i>							
<i>Single entry swim- Adult</i>	<i>\$5</i>							

<p><i>Single Entry- Child</i> \$4 <i>Extended season ticket- Adult</i> \$50 <i>Extended season ticket- Child</i> \$45</p> <p>Record daily attendances and income separately to the traditional season so that Council can accurately review the extended season.</p>		
Revised 2010/2011 Budget Projected Cash Result	\$1,059,748	Deficit

(c) Water Fund Budget

Draft 2010/2011 Budget Projected Cash Result	\$317,329	Surplus
Changes:		
Revised 2010/2011 Budget Projected Cash Result	\$317,329	Surplus

(d) Sewer Fund Budget

Draft 2010/2011 Budget Projected Cash Result	\$375,497	Surplus
Changes:		
Revised 2010/2011 Budget Projected Cash Result	\$375,497	Surplus

(e) PRINCIPAL ACTIVITIES AND KEY DIRECTIONS

	Directorate	Action	Performance Outcomes
Existing:			
3.1.2.1	Regional Services	Maintain and improve the provision of safe aquatic services in the region at Tamworth (2), Manilla (1), Kootingal (1), Nundle (1) and Barraba (1) and hydrotherapy pool in Barraba.	Prepare Business Plans and design plans for the proposed Aquatic Centre by 30 June 2011.
3.1.2.2	Regional Services	Develop and construct a regional Aquatic Centre in Tamworth	Investigate new business models including determination of stakeholders needs by February 2011

	Directorate	Action	Performance Outcomes
Change:			
3.1.2.2	Regional Services	Develop and construct a regional Aquatic Centre in Tamworth	Investigate stakeholder needs in consultation with TADAC and prepare design plans and business plans by 31 December 2010
Explanation: Consolidate and amend performance measures to reflect a timeframe to allow consideration of the project in the 2011/2012 budget.			
New:			
3.1.2.3	Regional Services	Provide and plan for well developed sporting and recreation facilities for the benefit and enjoyment of all member of the community.	Finalise directional opportunities from Sports Development Audit 2009 for adoption by 30 September 2010.
Explanation: Additional performance measure to provide a future pathway for implementing strategies from the Sports Development Audit 2009.			
New:			
7.1.1.1	Corporate and Governance	Support and enhance the role of the Tamworth Regional Airport.	Finalise airport terminal modifications and security upgrade plans including a financing strategy for adoption by 30 September 2010.
Explanation: Additional performance measure to undertake terminal modifications and security upgrades to meet federal government airport security legislation.			
New:			
13.1.1.3	Office of the General Manager	Finalise essential components for an effective internal audit function pursuant to Division Local Government guidelines.	Adoption of internal audit structure and resourcing requirements by 31 December 2010.
Explanation: New action and performance measure for internal audit requirements.			

- (ii) In accordance with Part 9, Division 5, clause 211(2) of the Local Government (General) Regulation 2005, Council approve expenditure and vote funds as detailed in the 2010/2013 Draft Management Plan subject to the amendments as outlined in the body of the report and annexures and clause (i) of this resolution;

- (iii) Council authorise the affixing of the Seal of the Council to all Loan Documents relating to 2010/2013 loan funding as detailed in the 2010/2013 Management Plan and Budget; -
- (iv) Submissions received in relation to the 2010/2013 Draft Management Plan and Budget be received and noted and that replies be made in relation to the submissions.

ORDINARY RATES

- (v) in accordance with Section 494 of the Local Government Act 1993, Council make and levy the following ordinary rates for the year 1 July 2010 to 30 June 2011:

Residential Rate

Levied on all property that comply with the definition of residential contained in Section 516 of the Local Government Act 1993;

Ordinary Rate Category	Ordinary Rate Sub-category	Ordinary Rate Sub-category definition	Base Amount \$	Ad Valorem rate in \$
Residential - Section 516 (LGA)			124.00	0.409224
	Tamworth	Former Tamworth LGA	124.00	0.811680
	Barraba	Within the Town of Barraba	124.00	1.878512
	Manilla	Within the town of Manilla	124.00	0.924211
	Kootingal/ Moonbi	Within the towns of Kootingal and Moonbi	124.00	0.352828
	Village	Within the Villages of Attunga, Bendemeer and Nundle	124.00	0.771347

Business Rate

Levied on all property that comply with the definition of business contained in Section 518 of the Local Government Act 1993;

Ordinary Rate Category	Ordinary Rate Sub-category	Ordinary Rate Sub-category definition	Base Amount \$	Ad Valorem rate in \$
Business -Section 518 (LGA)			124.00	1.057965

Ordinary Rate Category	Ordinary Rate Sub-category	Ordinary Rate Sub-category definition	Base Amount \$	Ad Valorem rate in \$
	Tamworth	Former Tamworth LGA	124.00	1.076707
	Barraba	Within the Town of Barraba	124.00	3.414280
	Manilla	Within the town of Manilla	124.00	2.087509
	Kootingal/ Moonbi	Within the towns of Kootingal and Moonbi	124.00	0.573656
	Village	Within the Villages of Attunga, Bendemeer and Nundle	124.00	0.932800

Farmland Rate

Levied on all property within the Tamworth Regional Council Area complying with the definition of farmland contained in Section 515 of the Local Government Act 1993;

Ordinary Rate Category	Ordinary Rate Sub-category	Ordinary Rate Sub-category definition	Base Amount \$	Ad Valorem rate in \$
Farmland – Section 515 (LGA)			124.00	0.289223

Mining Rate

Levied on all property within the Tamworth Regional Council Area complying with the definition of mining contained in Section 517 of the Local Government Act 1993;

Ordinary Rate Category	Ordinary Rate Sub-category	Ordinary Rate Sub-category definition	Base Amount \$	Ad Valorem rate in \$
Mining – Section 517 (LGA)			124.00	3.270684

WATER SUPPLY CHARGES

- (vi) In accordance with Section 501 and Section 502 of the Local Government Act 1993 Council make and impose the following charges for Water Supply Services in 2010/2011 :

Service Availability Charges

Multiple Occupancy	2010/2011 Charge \$
Strata Lots	136.00
Residential Units (Non Strata Lots) – per unit	136.00
Service Size per Connection	2010/2011 Charge \$
20mm or ¾" or meter not connected	204.00
25mm or 1"	320.00
25mm or 1" - Reduced Pressure	204.00
30/32mm or 1.24"	526.00
40mm or 1.5"	822.00
50/65mm or 2"	1,284.00
80mm	3,286.00
100mm	5,135.00
150mm	11,554.00
Dungowan Dam Main – Traversing Property	50% (rounded) of the applicable service availability charge

Consumption Charges

	Charge Per Kilolitre
<u>All residential properties except where home dialysis patients reside(per annum)</u>	
<u>1st Tier</u>	\$1.16 0 to 400kls
<u>2nd Tier</u>	\$1.74 401 – 800kls
<u>3rd Tier</u>	\$2.61 above 800kls

	Charge Per Kilolitre
<u>All residential properties where home dialysis patients reside(per annum)</u>	
<u>1st Tier</u>	\$1.16 0 to 400kls
<u>2nd Tier</u>	\$1.16 401 – 800kls
<u>3rd Tier</u>	\$1.16 above 800kls
<u>All non residential properties except food processors(per annum)</u>	
<u>1st Tier</u>	\$1.16 0 to 400kls
<u>2nd Tier</u>	\$1.28 401 – 800kls
<u>3rd Tier</u>	\$1.41 above 800kls
<u>Food Processors (per account)</u>	
Charge per kl	\$0.88 each kl
<u>Calala Backwash Water</u>	\$0.27 per kl
<u>Longyard Precinct Backwash and Water Harvesting Scheme Treated Water</u>	\$0.98 per kl
<u>Raw Water (per annum)</u>	
<u>1st Tier</u>	\$0.80 0 to 400kls
<u>2nd Tier</u>	\$0.88 401 – 800kls
<u>3rd Tier</u>	\$0.98 above 800kls
<u>Dungowan Dam Raw Water – Main Traversing Property(per annum)</u>	
<u>1st Tier</u>	\$0.40 0 to 400kls
<u>2nd Tier</u>	\$0.88 401 – 800kls

	Charge Per Kilolitre
<u>3rd Tier</u>	\$0.98 above 800kls
<u>Hydrants and Standpipes</u>	\$1.46 per kl
<u>Bulk Water Towers</u>	\$1.46 per kl

In accordance with section 93 of the Strata Schemes (Freehold Development) Act 1973, water supply consumption charges for strata lots not separately metered will be levied on the Body Corporate and not individual strata lot owners.

SEWERAGE SERVICE CHARGES

- (vii) In accordance with Section 501 and Section 502 of the Local Government Act 1993 Council make and impose the following charges for Sewerage Services in 2010/2011:

Service Availability Charges

Category	Charge \$
Residential	
Availability	695.00
Strata Lot Availability	695.00
Additional Residential Unit	695.00
Non residential	
Availability (meter not connected)	695.00
Strata Lot Availability	695.00
Availability Charge per Connection	
20mm or ¾"	510.00
25mm or 1"	677.50
25mm or 1" - Reduced Pressure	510.00
30/32mm or 1.24"	910.00

40mm or 1.5"	1,523.80
50/65mm or 2"	2,314.80
80mm	5,735.20
100mm	8,893.00
150mm	19,856.80
Sewer Usage Charge	0.83 per kl

Business categorised properties are subject to the following provisions:

In accordance with section 93 of the Strata Schemes (Freehold Development) Act 1973, strata lot charges will only be levied on a strata lot that has water supply facilities exclusively for its use and benefit that discharge wastewater to the sewerage system.

The Body Corporate of a business strata scheme that has sewerage service facilities on common (body corporate) property will be levied strata lot charges and sewer usage charges.

Trade Waste Charges

Charge and Fee Descriptions	2010/2011 Charges \$
<u>Application Fee</u>	<u>Charge/Application</u>
All Classifications	90.00
<u>Application Withdrawal or Modification Fee</u>	<u>Charge/Withdrawal or Modification</u>
All Classifications	Based on work completed prior to withdrawal. (percentage of application fee)
<u>Annual Trade Waste Fee</u>	<u>Charge/Annum</u>
Category 1	128.00
Category 2	128.00
Category 3	567.00
<u>Discharge of Stormwater, Surface or Subsoil Water to Sewer</u>	<u>Unit Charge/kl</u>

Charge and Fee Descriptions	2010/2011 Charges \$
All Categories	15.00
<u>Food Waste Disposal Charge</u>	<u>Unit Charge/bed</u>
All Categories	26.00/bed
<u>Trade Waste Usage Charge (Category 2 Dischargers)</u>	<u>Unit Charge/kl</u>
Compliant	1.24
Non-compliant	14.15
<u>Re-inspection Fee</u>	<u>Charge/Inspection</u>
All Categories	83.00
<u>Approval Renewal Fee (5 Yearly)</u>	<u>Charge/Renewal</u>
All Categories	90.00
<u>Application for Exception of Installing Standard Pre-treatment Equipment</u>	<u>Charge/Exception</u>
All categories	90.00
<u>Application for Sewer Discharge Factor Variation</u>	<u>Charge/Application</u>
All Categories	90.00
<u>Application for Trade Waste Discharge Factor Variation</u>	<u>Charge/Application</u>
All Categories	90.00

Excess Mass and Non-compliant Excess Mass Charge (Category 3 Dischargers)	
<u>Substance</u>	<u>Unit Charge \$/kg</u>
Aluminum	0.71
Ammonia	2.11

Excess Mass and Non-compliant Excess Mass Charge (Category 3 Dischargers)	
<u>Substance</u>	<u>Unit Charge \$/kg</u>
Arsenic	71.00
Barium	36.00
Biological Oxygen Demand (BOD)	0.71
Boron	0.71
Bromine	14.30
Cadmium	328.00
Chloride	0.00
Chlorinated Hydrocarbons	36.00
Chlorinated Phenolics	1,423.00
Chlorine	1.45
Chromium	24.00
Cobalt	14.50
Copper	14.50
Cyanide	71.00
Fluoride	3.55
Formaldehyde	1.45
Oil & Grease	1.28
Herbicides/defoliants	711.00
Iron	1.45
Lead	35.90
Lithium	7.10
Manganese	7.10
Mercaptans	71.20
Mercury	2,367.00

Excess Mass and Non-compliant Excess Mass Charge (Category 3 Dischargers)	
<u>Substance</u>	<u>Unit Charge \$/kg</u>
Methylene Blue Active Substance (MBAS)	0.72
Molybdenum	0.72
Nickel	24.00
Nitrogen (Total Kjeldahl Nitrogen - TKN)	0.19
Organic compounds	711.00
Pesticides General (excludes organochlorines and organophosphates)	711.00
Petroleum Hydrocarbons (non-flammable)	2.36
pH Coefficient	0.39
Phenolic Compounds (non-chlorinated)	7.11
Total Phosphorus	1.45
Poly Aromatic Hydrocarbons	14.50
Selenium	50.00
Silver	1.32
Sulfate	0.15
Sulfide	1.45
Sulphite	1.57
Suspended Solids	0.91
Thiosulfate	0.25
Tin	7.10

Excess Mass and Non-compliant Excess Mass Charge (Category 3 Dischargers)	
<u>Substance</u>	<u>Unit Charge \$/kg</u>
Total Dissolved Solids	0.05
Zinc	14.50

WASTE MANAGEMENT CHARGES

- (viii) In accordance with Section 496 and Section 501 and Section 502 of the Local Government Act 1993 Council make and impose the following charges for Waste Management Services in 2010/2011:

Category	Waste Service Definition	Charge \$
Domestic Waste – Section 496 (LGA)		
Domestic Waste Management Service Charge – Category 1	Domestic waste and recycling collection service to all developed properties not categorised 2 or 3 that receive a collection service.	235.00
Domestic Waste Management Service Charge – Category 2	Domestic waste, recycling and bulky goods collection service to all developed properties within the townships of Barraba, Manilla and Nundle that receive a collection service.	240.00
Domestic Waste Management Service Charge – Category 3	Domestic waste, recycling, bulky goods and organics collection service to all developed properties within the City of Tamworth and the townships of Kootingal and Moonbi that receive a collection service.	251.00
Domestic Waste Management Charge	A domestic waste management charge will be levied on all undeveloped and vacant rateable land within the waste service areas categorised 1, 2 and 3.	73.00
Non-Domestic Waste – Section 501 & 502 (LGA)		
Non-Domestic Waste Management Service	A non-domestic property receiving a Council waste management collection	235.00

Category	Waste Service Definition	Charge \$
Charge	service.	
Non-Domestic Waste Management Charge – Approved Alternative	Non-domestic properties using an approved alternative collection service.	73.00
Non-Domestic Waste Management Charge	A non-domestic waste management charge will be levied on all undeveloped and vacant rateable land within the waste collection areas.	73.00
Non-Domestic Waste Management Charge	A non-domestic waste management charge will be levied on all rateable land that does not receive a collection service and is outside of the waste collection areas.	106.00

STORMWATER MANAGEMENT SERVICE CHARGES

- (ix) In accordance with Section 496A of the Local Government Act 1993 Council make and impose the following charges for the purpose of construction of Stormwater Management Services identified in the Tamworth Urban Area Stormwater Management Plan for 2010/2011:

Category	Stormwater Management Service Definition	Charge \$
Stormwater Management Charge – Section 496A (LGA)		
Stormwater Management Service Charge	Developed rateable land categorised as Residential within the Tamworth Urban Area	\$25.00 per property
Stormwater Management Service Charge	Developed rateable land categorised as business within the Tamworth Urban area.	\$25.00 per 350 sq m of impervious surface area or part thereof per property

INTEREST OVERDUE RATES AND CHARGES

- (x) Council make and impose a charge for interest on overdue rates and charges of 9%, in accordance with Section 566 (3) of the Local Government Act 1993.

FEES AND CHARGES

- (xi) Fees and Charges for the actual use of services provided by the Council as detailed in the 2010/2011 Revenue Policy within the 2010/2013 Draft Management Plan (and as amended in this report) be adopted in accordance with Section 502 of the Local Government Act 1993.

SMALL COMMUNITY AND CULTURAL ORGANISATIONS

- (xii) establish additional allocations to cultural organisations as; Tamworth Conservatorium of Music \$26,000 (from \$3,000 to \$29,000), Tamworth RSL Brass Band \$4,000 (from \$1,000 to \$5,000), Tamworth District Highland Society Pipe Band \$4,000 (from \$3,000 to \$7,000), Manilla Caledonian Pipe Band \$2,000 (from \$0 to \$2,000), Barraba Brass Band \$1,000 (from \$2,000 to \$3,000).

8.2 COUNCIL INVESTMENTS MAY 2010 - FILE No SF3455

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Mark Crompton, Finance & Information Technology Manager

MOTION

Moved Cr Russell Webb/Cr Paul Durant

211/10 RESOLVED

That the report on Council Investments for the month of May 2010 be received and noted.

9 REPORTS FROM DELEGATES

Nil.

10 QUESTIONS AND MATTERS OF URGENCY

10.1 RIVERSIDE PLAYING FIELDS VANDALISATION – FILE No PF73

Cr Paul Durant referred to the damage to the Riverside Sporting Fields caused by vandals and requested an update on the progress of investigations. The Director Regional Services advised that a report was being written and would be submitted to Council.

10.2 VIDEO RECORD OF THE TAMINDA LEVEE CONSTRUCTION – FILE No SF110

Cr Ray Tait referred to his previous request for the General Manager to compile a profile and history of the Taminda Levee Project to create awareness within the local community and State and Federal political ranks of the sustainable social, economic and environmental benefits generated by the Tamworth Flood Protection Levee Project which justify the capital value of the project and continuation of Australian Government Natural Disaster Flood Mitigation Program.

The Director Regional Services advised that the assignment was in progress and the result would be made available to councillors as soon as practicable.

10.3 TRAFFIC – THE HEIGHTS FILE NO RF1254

Cr Helen Tickle advised that she had received submissions from local residents in relation to the use of residential roads as access to a new development in *The Heights* area. The Director Regional Services advised that the current access to the development is the only access available to traffic at this stage.

10.4 WOOLBROOK BRIDGE - FILE NO SF2401

Cr Helen Tickle advised that she had been requested to investigate whether Council was aware that the bridge in the Village of Woolbrook required maintenance. The Director Regional Services advised that all bridges in the Region had a conditional assessment undertaken and were maintained on a priority basis.

10.5 INCREASE IN WATER PRICES IPART DETERMINATION– FILE NO SF2229

Cr Warren Woodley asked when does the new water pricing take effect. The General Manager advised that the proposed increase of 62% over 4 years commences 1 July 2010. The General Manager further advised that in addition to the bulk water price increase, IPART was making a determination on the New South Wales Office of Water planning and management charges.

10.6 TAMINDA LEVEE AND ALTERATION TO ACCESS – FILE NO SF110

Cr Russell Webb requested an update on the access for property owners affected by the proposed alterations to the Taminda Levee. The Director Regional Services advised that a Deed of Release had been prepared and would be forwarded to all affected property owners and following further consultation a determination on the most effective solution would be reported to Council.

At **7:54pm**, 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 LF2092 AND LF14463

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

MOTION

Moved Cr Warren Woodley/Cr Russell Webb

212/10 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 13 DP 1088427 under the terms and conditions detailed in this confidential report;
- (ii) authorise the acquisition of a 6 metre wide and variable easement through property Lot 14 DP 753848 under the terms and conditions detailed in this confidential report; and
- (iii) authorise the affixing of the Council seal for the creation of an easement over the land and associated documents.

11.2 BRIDGE STREET AND PHILIP STREET INTERSECTION – PROPOSED ROUNDABOUT. FILE NO SF4650

As a matter of urgency, Cr James Treloar advised the Council that information had been received from the NSW Roads and Traffic Authority (RTA) about the proposed roundabout at the intersection of Bridge and Philip Streets Tamworth adjacent to the new West Tamworth McDonalds Development. He stated the RTA advised that it did not consider a roundabout appropriate for this intersection and urged Council to undertake the approved intersection works as soon as possible. The General Manager was requested to make representations to the Minister for Roads, the Hon David Borger MP, seeking approval for the construction of a roundabout at the intersection of Phillip and Bridge Streets, West Tamworth as the safest option for management of traffic at the intersection and advise all affected property owners of the current situation and Council's proposed course of action.

12 RESOLUTIONS PASSED IN CLOSED COUNCIL

At 8:10pm 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 8:11pm.
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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