

ORDINARY COUNCIL MINUTES

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

TUESDAY 14 JUNE 2011 at 6:30pm

Table of Contents

1	APOLOGIES.....	4
138/11	RESOLVED.....	4
2	COMMUNITY CONSULTATION	4
2.1	MODIFICATION TO DEVELOPMENT CONSENT FOR CONSTRUCTION OF A CLUB HOUSE AT BARRABA RUGBY CLUB, LOT 186 DP41679 TREVALLYN ROAD, BARRABA – FILE NO DA0163/2006.....	4
2.2	DRAFT MANAGEMENT PLAN 2011/2014 - FILE NO SF5104.....	4
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
139/11	RESOLVED.....	5
4	DISCLOSURE OF INTEREST	5
5	MAYORAL MINUTE	5
	COUNCIL REPORTS	5
	OPEN COUNCIL REPORTS	5
6	ENVIRONMENT & PLANNING	5
6.1	AMENDMENTS TO TAMWORTH REGIONAL DEVELOPMENT CONTROL PLAN 2010 - FILE NO SF4939	5
140/11	RESOLVED.....	5
6.2	CENTRAL NORTHERN REGIONAL LIBRARY (CNRL) - FILE NO SF2712	6
141/11	RESOLVED.....	6
6.3	CRIME PREVENTION WORKING GROUP - FILE NO SF2264.....	6
142/11	RESOLVED.....	6
6.4	MODIFICATION TO DEVELOPMENT CONSENT FOR CONSTRUCTION OF A CLUB HOUSE AT BARRABA RUGBY CLUB, LOT 186 DP 41679 TREVALLYN ROAD, BARRABA.....	7
143/11	RESOLVED.....	7
6.5	MODIFICATION TO DEVELOPMENT CONSENT FOR DELETION OF CONDITION NO.12 RELATING TO MINOR ROAD WORKS FOR TWO (2) REFRIGERATED STORAGE UNITS FOR WILD GAME MEAT AND ASSOCIATED VEHICLE WASH BAY, 175 TREVALLYN ROAD BARRABA - FILE NO DA0034/2008(MOD 0037/2010).....	8
144/11	RESOLVED.....	8

7	INFRASTRUCTURE AND SERVICES	9
	7.1 SECURITY FENCING OF PARRY STREET AND MATHEWS STREET WATER RESERVOIRS - FILE NO SF713	9
145/11	RESOLVED	9
	7.2 ELECTRICITY SUPPLY TO CALALA WATER TREATMENT PLANT AND PEEL RIVER RAW WATER PUMPING STATION - FILE NO SF761	9
146/11	RESOLVED	9
	7.3 BARRABA WATER SUPPLY - WATER ACCESS LICENCE FROM SPLIT ROCK DAM FILE NO SF1884	10
147/11	RESOLVED	10
	7.4 BARRABA GOLF CLUB – LONG TERM WATER SUPPLY FOR IRRIGATION - FILE NO SF1884	10
148/11	RESOLVED	10
	7.5 CENTENARY OF RUGBY LEAGUE MEMORIAL, NO 1 OVAL TAMWORTH - FILE NO PF6011	11
149/11	RESOLVED	11
	7.6 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - MAY 2011- FILE NO SF1387	11
150/11	RESOLVED	11
	7.7 REQUEST FOR CLOSURE OF TWO UNFORMED SECTIONS OF COUNCIL PUBLIC ROADS IN BARRABA – FILE NO LF19484	12
151/11	RESOLVED	12
	7.8 PROPOSED JEWRY STREET CARPARK – RIVERSIDE SPORTS FIELDS - FILE NO SF4766	12
152/11	RESOLVED	12
	7.9 REQUEST FOR REIMBURSEMENT OF EXPENSES BY MANILLA SHOW SOCIETY INC. - FILE NO SF2561	13
153/11	RESOLVED	13
	7.10 MID NORTH WEIGHT OF LOADS - FILE NO SF1366	13
154/11	RESOLVED	13
	7.11 CBD PARKING STUDY - FILE NO Q038/2010	13
155/11	RESOLVED	13
8	CORPORATE & GOVERNANCE	14
	8.1 REGISTRATION OF THE PLAN OF SUBDIVISION OF (AUSTRALIAN EQUINE LIVESTOCK AND EVENTS CENTRE (AELEC) CORPORATE PRECINCT – FILE NO SF3293	14
156/11	RESOLVED	14
	8.2 DRAFT MANAGEMENT PLAN 2011/2014 - FILE NO SF5104	15
157/11	RESOLVED	15
	8.3 COMMUNITY DEVELOPMENT COMMITTEES - MINUTES - FILE NO SF1907, SF2965, SF2586 & SF2664	28
158/11	RESOLVED	28
	8.4 ESTABLISHMENT OF COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE - FILE NO SF5163	29
159/11	RESOLVED	29
	8.5 COUNCILLOR ANNUAL FEES FOR THE 2011/2012 FINANCIAL YEAR- FILE NO SF82830	30
160/11	RESOLVED	30
9	REPORTS FROM DELEGATES	30

NIL 30

10	QUESTIONS AND MATTERS OF CONCERN.....	30
10.1	THE QUEEN'S BIRTHDAY 2011 HONOURS LIST - FILE NO SF790	30
10.2	ST ANDREWS HERITAGE CHURCH – MARIUS STREET, TAMWORTH – FILE NO LF4035	30
10.3	TREES MARIUS STREET – FILE NO RF580.....	30
10.4	PEDESTRIAN CROSSINGS IN PEEL STREET – FILE NO SF90	30
10.5	IPADS – FILE NO SF5066.....	31
10.6	TRAVELLING STOCK ROUTES – FILE NO SF1422	31
10.7	LIGHTS IN PEEL STREET TREES – FILE NO RF444.....	31
10.8	PLANE TREES – KABLE AVENUE BORDERING NO 1 OVAL – FILE NO RF307.....	31
11	REPORTS TO BE CONSIDERED IN CLOSED COUNCIL.....	31
161/11	RESOLVED.....	31
11.1	TENDER NO T053/2011 WORKERS' COMPENSATION INSURANCE - FILE NO T053/201132	
11.2	1-9 HALL STREET, TAMWORTH SEWER REHABILITATION – ACQUISITION OF 4M WIDE SEWER EASEMENT- FILE NO LF7688.....	32
11.3	LEASE OF TAMWORTH REGIONAL LIVESTOCK MARKETING CENTRE/SALE OF LAND/CONSTRUCTION OF NEW REGIONAL LIVESTOCK MARKETING FACILITY - FILE NO SF3290	32
11.4	CBD PARKING STUDY - FILE NO Q038/2010.....	32
11.5	PROPOSED CONTRACT EXTENSION - NORTHERN INLAND REGIONAL WASTE COLLECTIVE CONTRACT FOR THE COLLECTION OF SCRAP FERROUS METAL AND LEAD-ACID BATTERIES – FILE NO T050/2010.....	33
11.6	SUBDIVISION DEVELOPMENT OF COUNCIL LAND LOT 3 IN DP217032 AT LOCKHEED STREET TAMINDA - FILE NO SF4286.....	33
12	CLOSED COUNCIL REPORTS	34
162/11	RESOLVED.....	34
12.1	TENDER NO T053/2011 WORKERS' COMPENSATION INSURANCE - FILE NO T053/201134	
12.2	1-9 HALL STREET, TAMWORTH SEWER REHABILITATION – ACQUISITION OF 4M WIDE SEWER EASEMENT- FILE NO LF7688.....	34
163/11	RESOLVED.....	34
12.3	LEASE OF TAMWORTH REGIONAL LIVESTOCK MARKETING CENTRE/SALE OF LAND/CONSTRUCTION OF NEW REGIONAL LIVESTOCK MARKETING FACILITY - FILE NO SF3290	35
164/11	RESOLVED.....	35
12.4	CBD PARKING STUDY - FILE NO Q038/2010.....	35
165/11	RESOLVED.....	35
12.5	PROPOSED CONTRACT EXTENSION - NORTHERN INLAND REGIONAL WASTE COLLECTIVE CONTRACT FOR THE COLLECTION OF SCRAP FERROUS METAL AND LEAD ACID BATTERIES – FILE NO T050/2010.....	36
166/11	RESOLVED.....	36
12.6	SUBDIVISION DEVELOPMENT OF COUNCIL LAND LOT 3 IN DP217032 LOCKHEED STREET TAMINDA - FILE NO SF4286.....	36
167/11	RESOLVED.....	36
13	RESOLUTIONS PASSED IN CLOSED COUNCIL.....	37

PRESENT: Cr Col Murray (Mayor), Cr Phil Betts, Cr Paul Durant, Cr Ray Tait, Cr Helen Tickle, Cr James Treloar, Cr Juanita Wilson and Cr Warren Woodley.

IN ATTENDANCE: The General Manager, Director Water Enterprises, Director Corporate and Governance, Director Commercial and Community Enterprises, Director Environment and Planning and Director Regional Services.

1 APOLOGIES

An Apology was announced as having been received from Cr Russell Webb who was unable to attend the Meeting due to personal business.

MOTION

Moved Cr Tickle/Cr Woodley

138/11 RESOLVED

That the apology be accepted from Cr Russell Webb and leave of absence granted.

2 COMMUNITY CONSULTATION

2.1 MODIFICATION TO DEVELOPMENT CONSENT FOR CONSTRUCTION OF A CLUB HOUSE AT BARRABA RUGBY CLUB, LOT 186 DP41679 TREVALLYN ROAD, BARRABA – FILE NO DA0163/2006

(Reference: Item 6.4 of the Business Paper)

Mr Sinclair Hughson addressed Council and advised that he had not made any political donation or gift to any councillor or Council employee. Mr Hughson represented the Barraba Rugby Club in regard to Condition 7 of the original Development Application of the Club. He stated that they were just trying to simplify the liquor licence, so there is less work for their voluntary committee, less red tape at the beginning of each year and to make sure operations are within the law. Mr Hughson stated that the Club had no desire to open the clubhouse other than for Rugby, community and sporting functions, and to provide a service, if needed, for any of the sporting bodies that use the grounds.

2.2 DRAFT MANAGEMENT PLAN 2011/2014 - FILE NO SF5104

(Reference: Item 8.2 of the Business Paper)

Mr Alan James addressed Council and advised that he had not made any political donation or gift to any councillor or Council employee. Mr James stated that in February this year he made an application to have 150 metres of road in front of his house in Spains Lane sealed under Council's Resident Funded Sealing Works Policy.

He advised since the amalgamation in March 2004 and the expansion of the Spains Lane quarry, the number of truck movements had increased along the western end of Spains Lane which had significantly increased the dust and noise from the road.

Mr Jones asked Council to support the 150 metres of road outside his house to be sealed under Council's Resident Funded Sealing Works Policy to suppress dust and noise in particular as a result of increasing heavy vehicle movements.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

Moved Cr Woodley/Cr Wilson

139/11 RESOLVED

That the Minutes of the Ordinary Meeting of the Council held on Tuesday 24 May 2011, 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

COUNCIL REPORTS

OPEN COUNCIL REPORTS

6 ENVIRONMENT & PLANNING

6.1 AMENDMENTS TO TAMWORTH REGIONAL DEVELOPMENT CONTROL PLAN 2010 - FILE No SF4939

DIRECTORATE: ENVIRONMENT AND PLANNING

AUTHOR: Genevieve Harrison, Manager Strategic Planning

MOTION

Moved Cr Betts/Cr Durant

140/11 RESOLVED

That the exhibited amendments to the Tamworth Regional Development Control Plan 2010 be adopted, to commence following publication of notice of adoption.

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 Col Murray, Mayor 2. Cr Phil Betts 3. Cr Paul Durant 4. Cr Ray Tait 5. Cr Helen Tickle 6. Cr James Treloar 7. Cr Juanita Wilson 8. Cr Warren Woodley	NIL

6.2 CENTRAL NORTHERN REGIONAL LIBRARY (CNRL) - FILE No SF2712

DIRECTORATE: ENVIRONMENT AND PLANNING
AUTHOR: Kay Delahunt, Library Services Manager

MOTION

Moved Cr Tait/Cr Wilson

141/11

RESOLVED

That Council:

- (i) receive and note the minutes from the CNRL Ordinary Meeting held 11 May 2011;
- (ii) send a letter to the Hon George Souris, Minister for Tourism, Major Events, Hospitality & Racing, and Minister for the Arts urging the Coalition Government to honour its pre-election commitment to immediately review State Government funding for public libraries in NSW, with a view to significantly increasing the State contribution; and
- (iii) send a copy of the above letter to Mr Kevin Anderson MP Member for Tamworth.

6.3 CRIME PREVENTION WORKING GROUP - FILE No SF2264

DIRECTORATE: ENVIRONMENT AND PLANNING
AUTHOR: Petria Jukes, Community Planning and Development Officer

MOTION

Moved Cr Tait/Cr Betts

142/11

RESOLVED

That Council receive and note the minutes of the Crime Prevention Working Group meeting held on 15 April 2011.

6.4 MODIFICATION TO DEVELOPMENT CONSENT FOR CONSTRUCTION OF A CLUB HOUSE AT BARRABA RUGBY CLUB, LOT 186 DP 41679 TREVALLYN ROAD, BARRABA

DIRECTORATE: ENVIRONMENT AND PLANNING

AUTHOR: Lucy Walker, Senior Development Assessment Planner

MOTION

Moved Cr Woodley/Cr Tait

143/11 RESOLVED

That in relation to the application to modify Development Consent No. 0163/2006 for a Club House at Barraba Rugby Club, Lot 186 DP 41679 Trevallyn Road, Barraba, the consent be modified as follows:

(i) Alteration to condition 7:

To confirm and clarify Council's terms of approval, this consent provides for the club to be allowed to be open for the purpose of sale and consumption of alcohol for rugby related purposes.

In this condition "rugby related purposes" means those activities conducted by a rugby club including but not limited to the hosting of rugby matches (including post match speeches and hospitality), training and after training activities, socialising by supporters, presentation events, fundraising activities, the viewing of rugby matches either domestic or international, committee meetings, private functions of members and on occasion hosting of other sporting events.

The consent shall not permit the club to open at any time other than for a rugby related purpose.

This consent does not permit the club to install or operate approved gaming machines as defined under the Gaming Machines Act 2001.

(ii) Addition of condition 12(a):

To ensure that waste does not impact on the amenity of the area, all rubbish generated by the operations of the club shall be collected and placed in the waste facilities required by condition 12 of this consent. The waste storage facilities must be emptied following each sporting event and/or function.

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 Col Murray, Mayor 2. Cr Phil Betts 3. Cr Paul Durant 4. Cr Ray Tait 5. Cr Helen Tickle 6. Cr James Treloar 7. Cr Juanita Wilson 8. Cr Warren Woodley	NIL

6.5 MODIFICATION TO DEVELOPMENT CONSENT FOR DELETION OF CONDITION No.12 RELATING TO MINOR ROAD WORKS FOR TWO (2) REFRIGERATED STORAGE UNITS FOR WILD GAME MEAT AND ASSOCIATED VEHICLE WASH BAY, 175 TREVALLYN ROAD BARRABA - FILE No DA0034/2008(MOD 0037/2010)

DIRECTORATE: ENVIRONMENT AND PLANNING

AUTHOR: Susan Whitwell, Senior Development Assessment Planner

MOTION

Moved Cr Wilson/Cr Tait

144/11

RESOLVED

That in relation to Modification No 0037/2010 to Development Consent No.0034/2008 for two (2) refrigerated storage units for wild game meat and an associated vehicle wash bay at 175 Trevallyn Road Barraba, that condition 12 be deleted from the development consent.

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 Col Murray, Mayor 2. Cr Phil Betts 3. Cr Paul Durant 4. Cr Ray Tait 5. Cr Helen Tickle 6. Cr James Treloar 7. Cr Juanita Wilson 8. Cr Warren Woodley	NIL

7 INFRASTRUCTURE AND SERVICES

7.1 SECURITY FENCING OF PARRY STREET AND MATHEWS STREET WATER RESERVOIRS - FILE NO SF713

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Daniel Coe, Water Engineer

MOTION

Moved Cr Tait/Cr Woodley

145/11 RESOLVED

That in relation to the report "Security Fencing of Parry Street and Mathews Street Water Reservoirs", Council approve the construction of security fencing at both the Parry Street and Mathews Street reservoirs to minimise graffiti and vandalism at the sites.

7.2 ELECTRICITY SUPPLY TO CALALA WATER TREATMENT PLANT AND PEEL RIVER RAW WATER PUMPING STATION - FILE NO SF761

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Mick McGufficke, Manager Water Operations

Cr James Treloar requested the Director Water Enterprises liaise with Essential Energy to evaluate the feasibility of having one dedicated power line for distribution of supply along King George V Avenue.

MOTION

Moved Cr Tait/Cr Tickle

146/11 RESOLVED

That in relation to the report, Council:

- (i) endorse the proposal to replace the single electricity metering point for both the Calala Water Treatment Plant and Peel River Raw Water Pumping Station located on King George V Avenue by establishing a new High Voltage metering point at Calala Water Treatment Plant and a new Low Voltage metering point at the Peel River Pumping Station; and
- (ii) note the benefit that relocation of electricity metering points may provide to future development in the Calala area and consider this when negotiating with developers.

7.3 BARRABA WATER SUPPLY - WATER ACCESS LICENCE FROM SPLIT ROCK DAM FILE NO SF1884

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Ian Cross, Technical Officer Augmentation

MOTION

Moved Cr Tait/Cr Treloar

147/11 RESOLVED

That the report "Barraba Water Supply – Water Access License from Split Rock Dam", be received and noted.

7.4 BARRABA GOLF CLUB – LONG TERM WATER SUPPLY FOR IRRIGATION - FILE NO SF1884

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Bruce Logan, Director Water Enterprises

MOTION

Moved Cr Durant/Cr Wilson

148/11 RESOLVED

That in relation to the report Barraba Golf Club – Long Term Water Supply for Irrigation, Council:

- (i) not make a decision on a long term solution to possible problems with the Barraba Golf Club's bores related to the use of the James Street Bores during the design and construction period of the Split Rock Dam to Barraba Pipeline until sufficient funding for the pipeline, from both the State and Australian Governments, has been formally advised and accepted by Council; and
- (ii) in the interim approach the NSW Office of Water seeking an extension until 30 December 2011 to the existing licence allowing the use of TB8 for the purposes of irrigating the Barraba Golf Course and if approved allow the Barraba Golf Club access to TB8 for the period under the following conditions:
 - Any conditions imposed by the NSW Office of Water;
 - Council continue to supply treated water to the Golf Course to assist in the operation of the irrigation system;
 - Council 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; and
 - Council reserve the right to restrict the Golf Club's access to treated water if Level 4 water restrictions are introduced in Barraba.

7.5 CENTENARY OF RUGBY LEAGUE MEMORIAL, No 1 OVAL TAMWORTH - FILE No PF60

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Brian Sheedy, Acting Parks and Horticultural Services Manager

MOTION

Moved Cr Tait/Cr Woodley

149/11 RESOLVED

That in relation to the proposed memorial to commemorate the Centenary of Rugby League at No 1 Oval Tamworth, Council endorse Option 3 as the preferred memorial design for installation at No 1 Oval, namely:

The design to consist of three pillars, each representing an era of the North Tamworth Rugby League Football Club.

The design to be set in a paved area with compact landscape plantings to complement the memorial. It is proposed to tile the memorial in the colours of the North Tamworth Rugby League Club (i.e. Black and Red).

7.6 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - MAY 2011- FILE No SF1387

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Civil Construction and Engineering Services

MOTION

Moved Cr Tait/Cr Durant

150/11 RESOLVED

That in relation to the report Tamworth Regional Local Traffic Committee Meeting – May 2011, Council endorse the following recommendations of the Tamworth Regional Local Traffic Committee held on 11 May 2011:

21/2011 That with regard to the proposed Restricted Access Vehicle (RAV) gazettal of Ponda Rosa Road between Goddard Lane and Armstrong Street in Tamworth, Council request the RTA to gazette the road for 25 metre B-Double usage.

22/2011 Note that the matter of proposed “No Parking” in the vicinity of the racecourse on the shoulders of Britten Road, will be carried over to future Local Traffic Committee meeting for further consideration.

23/2011 That with regard to Event Approvals being conducted during July 2011, no objections be raised subject to written Police approval.

7.7 REQUEST FOR CLOSURE OF TWO UNFORMED SECTIONS OF COUNCIL PUBLIC ROADS IN BARRABA – FILE NO LF19484

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Warren Faulkner, Manager Works and Asset Services

MOTION

Moved Cr Wilson/Cr Betts

151/11 RESOLVED

That in relation to the report proposing the closure of two unformed sections of Council public roads in Barraba, Council:

- (i) consent to the closing of the unused Council Public Road(s) between Lots 66-71, 73, 75, 77 and 79 in DP 752197, Parish of North Barraba, County of Darling and to the west of Lots 72, 74, 76, 78 and 80 in DP 752197, Parish of North Barraba, County of Darling;
- (ii) lodge a road closure application on behalf of Mr Trevor Irving with the Land & Property Management Authority; and
- (iii) require all costs for this road closure application to be borne by Mr Trevor Irving.

7.8 PROPOSED JEWRY STREET CARPARK – RIVERSIDE SPORTS FIELDS - FILE NO SF4766

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Civil Construction and Engineering Services

MOTION

Moved Cr Woodley/Cr Tait

152/11 RESOLVED

That in relation to the proposed Jewry Street Carpark servicing the Riverside Sports Fields, Council:

- (i) endorse the attached concept plan for construction of the Jewry Street Carpark servicing the Riverside Sports Fields; and
- (ii) endorse the allocation of funds for the project from within the existing budget allocation for the redevelopment of the Riverside Sporting Complex and the Gipps Street Sporting Complex.

7.9 REQUEST FOR REIMBURSEMENT OF EXPENSES BY MANILLA SHOW SOCIETY INC. - FILE NO SF2561

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Brian Sheedy, Acting Manager Parks and Horticultural Services

MOTION

Moved Cr Tickle/Cr Betts

153/11 RESOLVED

That in relation to the request from the Manilla Show Society Inc. for the reimbursement of \$13,000.00 for expenses in upgrading the Cattle and Sheep Yards at the Manilla Showground to meet OH&S requirements, Council agree to reimburse this amount to the Society with funding to be provided from Council's Local Works Reserve in 2010/2011.

7.10 MID NORTH WEIGHT OF LOADS - FILE NO SF1366

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Civil Construction and Engineering Services

MOTION

Moved Cr Woodley/Cr Tait

154/11 RESOLVED

That in relation to Council's membership of the Mid North Weight of Loads, Council agree to jointly employ Ordinance Inspectors with other councils currently participating in the Mid North Weight of Loads Group for a further term of four years effective on and from 1 July 2011.

7.11 CBD PARKING STUDY - FILE NO Q038/2010

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Civil Construction and Engineering Services

MOTION

Moved Cr Durant/Cr Betts

155/11 RESOLVED

That in relation to the CBD Parking Study, Council:

- (i) request the Director Regional Services to investigate locations in close proximity to the CBD for suitability as temporary long vehicle parking and provide a further report on this matter;

- (ii) request the Director Regional Services upgrade Council's Bike Plan to include proposals for improved access to the Tamworth CBD for cyclists, including 'end of trip' parking facilities, and submit the updated Bike Plan for Council's consideration;
- (iii) request the Director Regional Services consult with the Tamworth Access Group and Local Traffic Committee and submit a further report to Council regarding the number and location of disabled parking spaces in the Tamworth and West Tamworth CBD's;
- (iv) impose a 3 hour restriction on 30 parking spaces in the Community Centre carpark;
- (v) install additional parking meters at the following locations within the Tamworth CBD:
 - on the southern side of White Street (between Peel and Marius)
 - on both sides of White Street (between Peel and Kable)
 - on both sides of Kable Avenue (between Bourke and Brisbane)
 - on both sides of Bourke Street (between Peel and Kable).
- (vi) request the Director Regional Services provide adequate notice to the relevant businesses within the CBD and the general public prior to implementing (iv) and (v) above; and
- (vii) confirm the allocation of net revenue from parking management and enforcement toward the future development and maintenance of parking infrastructure.

8 CORPORATE & GOVERNANCE

8.1 REGISTRATION OF THE PLAN OF SUBDIVISION OF (AUSTRALIAN EQUINE LIVESTOCK AND EVENTS CENTRE (AELEC) CORPORATE PRECINCT – FILE NO SF3293

DIRECTORATE: CORPORATE & GOVERNANCE
AUTHOR: Sylvia Elliott, Commercial Property Officer

MOTION

Moved Cr Woodley/Cr Tait

156/11 RESOLVED

That in relation to the Registration of the Plan of Subdivision of the AELEC Corporate Precinct, Tamworth, Council authorise the affixing of the Seal of Council to the Plan of Subdivision and associated documents.

8.2 DRAFT MANAGEMENT PLAN 2011/2014 - FILE NO SF5104

DIRECTORATE: GENERAL MANAGER
AUTHOR: General Manager
Rick Sanderson, Acting Manager Financial Services

Cr Warren Woodley requested that the General Manager provide a further report to Council on the Resident Funded Sealing Works Policy.

MOTION

Moved Cr Wilson/Cr Tait

157/11 RESOLVED

That in relation to the Draft Management Plan 2011/2014 the following determinations be made:

- (i) In accordance with Section 406 of the Local Government Act 1993, Council adopt the 2011/2014 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 2010/2011 \$	Exhibited Fee/Charge 2011/2012 \$	Changed Proposed Fee/Charge 2011/2012 \$
COMMERCIAL AND COMMUNITY ENTERPRISES			
Swimming Pools – Tamworth			
Discounted South Tamworth Pool Extended Heated Season - Per Shoulder Sept- Oct Or Apr-May			
Adult	24.00	25.00	N/A
Children (2-18yrs)	19.00	20.00	N/A
Family	36.00	37.00	N/A
Explanation: Fee created primarily for season ticket holders from areas outside of the Tamworth City. Fee removed due to minimal use since inception and season tickets for all pools will now include the extended season.			
REGIONAL SERVICES			
Cemeteries			
Lawn Section			
(b) Barraba Lawn Cemetery			
Plaque	344.00	353.00	At Cost on application
Explanation: Change in fee description to cover cost changes to plaques as advised by supplier.			
Columbarium			
Plaque	172.00	176.00	At cost on application
Explanation: Change in fee description to cover cost changes to plaques as advised by supplier.			
Waste Disposal Sites – Fees and Charges			
Additional Waste Management Charges			
Waste Collection Service outside defined waste collection area (Annual) – (when approved by Council for collection of bins from authorised common collection point)	N/A	185.00	N/A
Explanation: Proposed new fee related to a garbage service extension to Limbri area after a possible closure of Kootingal Landfill. Fee now not required as Council resolved to keep Kootingal Landfill open.			
Parking			
On/Off Street Parking (per day) Authorised unmetered restricted	11.00	2.00	11.00
Explanation: Incorrect Fee exhibited in Draft Management Plan 2011/2014.			
On/Off Street Parking (per day) – In	2.00	N/A	2.00

Title Of Fee/Charge	Fee/Charge for 2010/2011 \$	Exhibited Fee/Charge 2011/2012 \$	Changed Proposed Fee/Charge 2011/2012 \$
bays so marked			
Explanation: Fee incorrectly omitted from Draft Management Plan 2011/2014.			

In addition to the above, amendments also include minor wording changes to ensure that fees are interpreted correctly.

(b) General Fund Budget

Draft 2011/2012 Budget Projected Cash Result	\$62,081	Surplus
Changes:		
Increase contribution to Evocities program per advice from Evocities Steering Committee delegate	\$20,000	Deficit
Remove Non Recurrent Project – Manilla Mechanics Institute – Replace Air Conditioning, as project completed in 2010/2011 (\$15,000 funded by Council Buildings Reserve)	\$0	N/A
Add Non Recurrent Project – Manilla Memorial Town Hall Upgrade (\$15,000 funded by Council Buildings Reserve)	\$0	N/A
Reduce Budget for Capital Project – Tamworth Urban S94 – Catchment 1 to match latest available s94 funding estimates (\$18,000 funded by s94 Developer Contributions – Tamworth Urban s94)	\$0	N/A
Revised 2011/2012 Budget Projected Cash Result	\$42,081	Surplus

(c) Water Fund Budget

Draft 2011/2012 Budget Projected Cash Result	\$220,724	Surplus
Changes:		
Revised 2011/2012 Budget Projected Cash Result	\$220,724	Surplus

(d) Sewer Fund Budget

Draft 2010/2011 Budget Projected Cash Result	\$212,833	Surplus
Changes:		
Revised 2011/2012 Budget Projected Cash Result	\$212,833	Surplus

The above amendments will require relevant changes to the three year Forecast Budget Results, Forecasted Budget Results by Cost Centre, 2011/2012 Estimated Consolidated Operating Statement by Type (including internal eliminations), 2011/2012 Estimated Consolidated Operating Statement by Principal Activity (including internal eliminations).

In addition, applicable financial tables within the Draft Management Plan 2011/2014 will be updated to reflect the estimated 2010/2011 Opening Unrestricted and Restricted Cash Balances as reported in the 31st March 2011 Quarterly Budget Review results.

(e) Principal Activities and Key Directions

	Directorate	Action	Performance Outcomes
Existing:			
1.1.1.1	Environment and Planning	Improve access for all residents and people with a disability to the broad range of facilities that Council delivers throughout the region by implementing priority actions in the Tamworth Regional Council's Disability Action Plan 2010/2014.	No complaints from Tamworth Access Group on progress and implementation of the Disability Action Plan.
New:			
1.1.1.1	Environment and Planning	Improve access for all residents and people with a disability to the broad range of facilities that Council delivers throughout the region by implementing priority actions in the Tamworth Regional Council's Disability Action Plan 2010/2014.	No complaints from Access Groups on progress and implementation of the Disability Action Plan.
Change: Explanation: Change to Performance Outcome from referencing only the Tamworth Access Group to a generic Access Groups reference to recognise the existence of Access Groups in both Barraba and Nundle and the possible future formation of Access Groups in other local centres.			
New:			
1.1.4.3	Corporate and Governance	Advocate on behalf of the community for the expansion of digital television services to include known blackspot areas.	Letters of support sent to Commonwealth and State Government Ministers and Local Members of Parliament by 30 September 2011.
Explanation: New strategy to support the expansion of digital television services to known blackspot areas such as Nundle.			

(f) Revenue Policy

For reasons of completeness and transparency, it is recommended to include the Water Consumption Charge for Cargill Australia Limited in the Water Consumption Tariffs – Charge Per Kilolitre table within the Revenue Policy. In addition, it is recommended to include the following wording to further explain the charge:

On 14 September 1998, Tamworth City Council and Cargill Australia Limited signed a Heads of Agreement relating to, amongst other things, the sale of the Tamworth City Abattoir, formerly owned by Tamworth City Council to Cargill Australia Limited.

Included in the Heads of Agreement are provisions relating to the price of water for use at the Abattoir over the life of the 20 year Agreement. One of those provisions was that the price of water would only be reviewed every 5 years and could only then be adjusted in line with movements in the consumer price index for the preceding five year period.

Council last reviewed the price of water for use at the Abattoir at its meeting of 12 October 2010 and resolved to increase the water consumption charge to 66 cents/kilolitre for:

- the remainder of the 2010/2011 financial year;
- for the financial years 2011/2012 and 2012/2013;
- up to and including October 2013 in the 2013/2014 financial year; and

then to review the charge for water consumed by Cargill Beef Australia at its Phoenix Street Abattoir in October 2013 in accordance with the provisions of the original Heads of Agreement.

- (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 2011/2014 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 2011/2014 loan funding as detailed in the 2011/2014 Management Plan and Budget;
- (iv) Submissions received in relation to the 2011/2014 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 2011 to 30 June 2012:

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)			125.00	0.392277
	Tamworth	Within the City area of Tamworth	125.00	0.826245
	Barraba	Within the Town of Barraba	125.00	2.262910
	Manilla	Within the Town of Manilla	125.00	0.690577
	Kootingal/ Moonbi	Within the Towns of Kootingal and Moonbi	125.00	0.347761
	Village	Within the Villages of Attunga, Bendemeer and Nundle	125.00	0.679854

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)			125.00	0.949391
	Tamworth	Within the City area of Tamworth	125.00	0.999508
	Barraba	Within the Town of Barraba	125.00	3.833082
	Manilla	Within the Town of Manilla	125.00	1.911744
	Kootingal/ Moonbi	Within the Towns of Kootingal and Moonbi	125.00	0.529637
	Village	Within the Villages of Attunga, Bendemeer and Nundle	125.00	0.832146

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)			125.00	0.253253

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)			125.00	3.362881

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 2011/2012:

Service Availability Charges

Multiple Occupancy	2011/2012 Charge \$
Strata Lots	148.00
Residential Units (Non Strata Lots) – per unit	148.00
Service Size per Connection	2011/2012 Charge \$
20mm or ¾” or meter not connected	222.00
25mm or 1”	349.00
25mm or 1” - Reduced Pressure	222.00
30/32mm or 1.24”	573.00
40mm or 1.5”	896.00
50/65mm or 2”	1,400.00
80mm	3,582.00
100mm	5,597.00
150mm	12,594.00
Dungowan Dam Main – Traversing Property	50% (rounded) of the applicable service availability charge

Consumption Charges

	Charge Per Kilotitre
All residential properties except where home dialysis patients reside (per annum)	
1st Tier	\$1.26 0 to 400kls
2nd Tier	\$1.89 401 – 800kls
3rd Tier	\$2.84 above 800kls
All residential properties where home dialysis patients reside (per annum)	
1st Tier	\$1.26 0 to 400kls
2nd Tier	\$1.26 401 – 800kls
3rd Tier	\$1.26 above 800kls
All non residential properties except food processors (per annum)	
1st Tier	\$1.26 0 to 400kls
2nd Tier	\$1.39 401 – 800kls
3rd Tier	\$1.53 above 800kls

	Charge Per Kilotre
Food Processors (per account)	
Charge per kl	\$0.96 each kl
Food Processors – Cargill Australia Limited (per account)-in accordance with Heads of Agreement	
Charge per kl	\$0.66 each kl
Calala Backwash Water	\$0.29 per kl
Longyard Precinct Backwash and Water Harvesting Scheme Treated Water	\$1.07 per kl
Raw Water (per annum)	
1st Tier	\$0.87 0 to 400kls
2nd Tier	\$0.96 401 – 800kls
3rd Tier	\$1.06 above 800kls
Dungowan Dam Raw Water – Main Traversing Property(per annum)	
1st Tier	\$0.44 0 to 400kls
2nd Tier	\$0.96 401 – 800kls
3rd Tier	\$1.06 above 800kls
Hydrants and Standpipes	\$1.59 per kl
Bulk Water Towers	\$1.59 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 2011/2012:

Service Availability Charges

Category	Charge \$
Residential	
Availability	716.00
Strata Lot Availability	716.00
Additional Residential Unit	716.00

Non residential	
Availability (meter not connected)	716.00
Strata Lot Availability	716.00
Availability Charge per Connection	
20mm or ¾"	462.00
25mm or 1"	722.00
25mm or 1" - Reduced Pressure	462.00
30/32mm or 1.24"	1,039.00
40mm or 1.5"	1,848.00
50/65mm or 2"	2,889.00
80mm	7,395.00
100mm	11,555.00
150mm	25,997.00
Sewer Usage Charge – per kl	1.09

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 - Standard

Charge and Fee Descriptions	2011/2012 Charges \$
<u>Application Fee</u>	<u>Charge/Application</u>
All Classifications	92.00
<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)

Charge and Fee Descriptions	2011/2012 Charges \$
<u>Annual Trade Waste Fee</u>	<u>Charge/Annum</u>
Category 1	132.00
Category 2	132.00
Category 3	584.00
<u>Discharge of Stormwater, Surface or Subsoil Water to Sewer</u>	<u>Unit Charge/kl</u>
All Categories	15.50
<u>Food Waste Disposal Charge</u>	<u>Unit Charge/bed</u>
All Categories	27.00
<u>Trade Waste Usage Charge (Category 2 Dischargers)</u>	<u>Unit Charge/kl</u>
Compliant	1.63
Non-compliant	14.57
<u>Re-inspection Fee</u>	<u>Charge/Inspection</u>
All Categories	85.00
<u>Approval Renewal Fee (5 Yearly)</u>	<u>Charge/Renewal</u>
All Categories	92.00
<u>Application for Exception of Installing Standard Pre-treatment Equipment</u>	<u>Charge/Exception</u>
All Categories	92.00
<u>Application for Sewer Discharge Factor Variation</u>	<u>Charge/Application</u>
All Categories	92.00
<u>Application for Trade Waste Discharge Factor Variation</u>	<u>Charge/Application</u>
All Categories	92.00

Trade Waste Charges - Excess Mass and Non-compliant Excess Mass Charge (Category 3 Dischargers)

Charge and Fee Descriptions	2011/2012 Charges \$
Substance	Unit Charge/per kg
Aluminum	0.73
Ammonia	2.20
Arsenic	73.00
Barium	37.00
Biological Oxygen Demand (BOD)	0.73
Boron	0.73
Bromine	14.70
Cadmium	338.00
Chloride	0.00
Chlorinated Hydrocarbons	37.10
Chlorinated Phenolics	1,466.00
Chlorine	1.50
Chromium	24.70
Cobalt	14.90
Copper	14.90
Cyanide	73.00
Fluoride	3.70
Formaldehyde	1.50
Oil & Grease	1.32
Herbicides/defoliant	732.00
Iron	1.50
Lead	37.00
Lithium	7.30
Manganese	7.30
Mercaptans	73.00
Mercury	2,438.00

Charge and Fee Descriptions	2011/2012 Charges \$
Methylene Blue Active Substance (MBAS)	0.74
Molybdenum	0.74
Nickel	25.00
Nitrogen (Total Kjeldahl Nitrogen - TKN)	0.20
Organic Compounds	732.00
Pesticides General (excludes organochlorines and organophosphates)	732.00
Petroleum Hydrocarbons (non-flammable)	2.43
pH Coefficient	0.40
Phenolic Compounds (non-chlorinated)	7.30
Total Phosphorus	1.50
Poly Aromatic Hydrocarbons	14.90
Selenium	52.00
Silver	1.40
Sulfate	0.15
Sulfide	1.50
Sulphite	1.60
Suspended Solids	0.94
Thiosulfate	0.26
Tin	7.30
Total Dissolved Solids	0.05
Zinc	15.00

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 2011/2012:

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.	242.00
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.	247.00
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.	259.00
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.	76.00
Non-Domestic Waste – Section 501 & 502 (LGA)		
Non-Domestic Waste Management Service Charge	A non-domestic property receiving a Council waste management collection service.	242.00
Non-Domestic Waste Management Charge – Approved Alternative	Non-domestic properties using an approved alternative collection service.	76.00
Non-Domestic Waste Management Charge – Collection Area	A non-domestic waste management charge will be levied on all undeveloped and vacant rateable land within the waste collection areas.	76.00
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.	128.00

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 2011/2012:

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 – per property	25.00
Stormwater Management Service Charge	Developed rateable land categorised as business within the Tamworth Urban area – per 350 sq m of impervious surface area or part thereof per property	25.00

INTEREST OVERDUE RATES AND CHARGES

- (x) Council make and impose the maximum charge for interest on overdue rates and charges as determined by the Minister for Local Government, 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 2011/2012 Revenue Policy within the 2011/2014 Draft Management Plan (and as amended in this report) be adopted in accordance with Section 502 of the Local Government Act 1993.

8.3 COMMUNITY DEVELOPMENT COMMITTEES - MINUTES - FILE NO SF1907, SF2965, SF2586 & SF2664

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

MOTION

Moved Cr Tait/Cr Durant

158/11 RESOLVED

- (i) That Council receive and note the minutes of the following Community Development Committee meetings:

<u>Committee</u>	<u>Date</u>
Bendemeer Community Development Committee	20 April 2011
Barraba Community Development Committee	2 May 2011
Manilla Community Development Committee	4 May 2011
Kootingal Community Development Committee	9 May 2011

- (ii) That Council adopt the recommendation of the Barraba Community Development Committee at its meeting held 2 May 2011 to accept Pam Laundry and Dallas Laundry as members of the Barraba Community Development Committee;
- (iii) That Council adopt the recommendation of the Manilla Community Development Committee at its meeting held 4 May 2011 to accept Col Spruce, Mervyn Withers and Judy McNamara as members of the Manilla Community Development Committee; and

- (iv) That Council adopt the recommendation of the Kootingal Community Development Committee at its meeting held 9 May 2011 to accept Phil Betts, Ron Stoltenburg, Paul Summers and David Emmanuel as members of the Kootingal Australia Day Sub-Committee.

8.4 ESTABLISHMENT OF COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE - FILE NO SF5163

DIRECTORATE: COMMERCIAL AND COMMUNITY ENTERPRISES
AUTHOR: Paul Sullivan, Director Community & Commercial Enterprises

MOTION

Moved Cr Tait/Cr Wilson

159/11 RESOLVED

- (i) That Council establish the Tamworth Country Music Festival Advisory Committee under Section 355 of the Local Government Act and delegate the following functions under Section 377 of the Act:
- Submit recommendations and advice to Council and the community, in respect of the conduct and development of the Tamworth Country Music Festival
- (ii) That the Tamworth Country Music Festival Advisory Committee Constitution and Operating Guidelines be adopted; and
- (iii) That the members of the Tamworth Country Music Festival Advisory Committee be confirmed as;
- Tamworth Regional Council
 - Mayor (Chairperson) – Councillor Col Murray
 - General Manager or Nominee – Commercial & Community Enterprises Director, Mr Paul Sullivan
 - Tourism Tamworth – 2 Board Members
 - Country Music Association of Australia – 2 Board Members
 - NSW Police Oxley LAC or nominee
 - Tamworth Liquor Accord representative
 - Festival Heritage representative
 - Country Music Artists/Promoters/Industry Sector
 - Community representative

Cr James Treloar requested the Motion be amended, with the approval of the mover and seconder, to remove the word “Board” from both the Tourism Tamworth and Country Music Association of Australia membership.

Following debate, Cr James Treloar requested that the Motion to include “...to remove the word “Board” from both the Tourism Tamworth and Country Music Association of Australia membership...” be withdrawn and that the original Motion stand.

8.5 COUNCILLOR ANNUAL FEES FOR THE 2011/2012 FINANCIAL YEAR- FILE No SF828

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Robert Charlesworth, Manager Governance & Citizen Services

MOTION

Moved Cr Woodley/Cr Durant

160/11 RESOLVED

That Council fix and adopt the maximum annual fee payable to Councillors and Mayor under a Regional Rural Council for the 2011/2012 financial year effective from 1 July 2011, namely, Councillors - \$16,640 and Mayor - \$36,320.

9 REPORTS FROM DELEGATES

NIL

10 QUESTIONS AND MATTERS OF CONCERN

10.1 THE QUEEN’S BIRTHDAY 2011 HONOURS LIST - FILE No SF790

Cr Woodley requested the General Manager write to all recipients in the Tamworth Region, that received the award of Medal of the Order of Australia in the recent Queen’s Birthday 2011 Honours List.

10.2 ST ANDREWS HERITAGE CHURCH – MARIUS STREET, TAMWORTH – FILE No LF4035

Cr Woodley requested the General Manager write to Lou and Lucy Haslim congratulating them on the manner in which they have restored the former St Andrews Heritage Church in Marius Street, Tamworth, and creating a business venture now known as “The Old Bell Tower”.

10.3 TREES MARIUS STREET – FILE No RF580

Cr Woodley requested the Director Regional Services investigate the continuing problem of trees dying in Marius Street.

10.4 PEDESTRIAN CROSSINGS IN PEEL STREET – FILE No SF90

Cr Tait drew attention to the poor state of the pedestrian crossing markings in the Central Business District and requested the Director Regional Services inspect and re-instate these pedestrian crossings according to Standards.

10.5 IPADS – FILE No SF5066

Cr Tait requested a status report on the delivery of Ipads for Councillors. The Director Corporate and Governance advised that they would be arriving at the end of July.

10.6 TRAVELLING STOCK ROUTES – FILE No SF1422

Cr Wilson drew attention to a push by the Mining Industry to utilise Travelling Stock Routes (TSR's) in New South Wales as corridors for proposed natural gas pipelines. Cr Wilson supported the call for TSR's to be protected from coal seam gas projects in NSW.

Cr Wilson requested the General Manager to write to the Minister for Primary Industries, the Hon Katrina Hodgkison, supporting farmers' interests and adding Council's voice to impose an indefinite moratorium on the use of TSR's for such purpose until further research is carried out.

Cr Wilson requested a report to Council on this matter in anticipation of a reply from the Minister.

10.7 LIGHTS IN PEEL STREET TREES – FILE No RF444

Cr Wilson asked the Director Regional Services to investigate the removal of the fairy lights in trees in Peel Street as they have become dated.

10.8 PLANE TREES – KABLE AVENUE BORDERING No 1 OVAL – FILE No RF307

Cr Wilson commented that several Plane Trees along Kable Avenue bordering No 1 Oval appear to be in a state of decline and requested that the Director Regional Services investigate this matter.

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

MOTION

Moved Cr Durant/Cr Woodley

161/11 RESOLVED

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

11.1 TENDER No T053/2011 WORKERS' COMPENSATION INSURANCE - FILE No T053/2011

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Robert Charlesworth, Manager Governance & Citizen Services
Tony Dean, Manager Risk Management
Fiona Brooks, Senior Injury Management Officer
Margaret Noonan, Senior Injury Management Officer

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2)(c) & (d) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.2 1-9 HALL STREET, TAMWORTH SEWER REHABILITATION – ACQUISITION OF 4M WIDE SEWER EASEMENT- FILE No LF7688

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

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.3 LEASE OF TAMWORTH REGIONAL LIVESTOCK MARKETING CENTRE/SALE OF LAND/CONSTRUCTION OF NEW REGIONAL LIVESTOCK MARKETING FACILITY - FILE No SF3290

DIRECTORATE: COMMERCIAL AND COMMUNITY ENTERPRISES
AUTHOR: Michael Dubois, Business Manager

The Council will 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, is information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.4 CBD PARKING STUDY - FILE No Q038/2010

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Civil Construction and Engineering Services

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2)(c) & (d) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.5 PROPOSED CONTRACT EXTENSION - NORTHERN INLAND REGIONAL WASTE COLLECTIVE CONTRACT FOR THE COLLECTION OF SCRAP FERROUS METAL AND LEAD ACID BATTERIES – FILE NO T050/2010

DIRECTORATE: REGIONAL SERVICES
AUTHOR: John Davis, Manager Waste and Cleaning Services
(Executive Officer, Northern Inland Regional Waste)

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2)(c) & (d) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.6 SUBDIVISION DEVELOPMENT OF COUNCIL LAND LOT 3 IN DP217032 AT LOCKHEED STREET TAMINDA - FILE NO SF4286

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Warren Stubbs, Director Corporate and Governance
Peter Thompson, General Counsel

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

* * * * *

Council recognised Thomas Grimmond of the Tamworth Oxley Scout Group who had attended the Meeting with members of the Scout Group as part of his attainment of the Scouts Medallion.

At 7.36pm, 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.

12 CLOSED COUNCIL REPORTS

12.1 TENDER No T053/2011 WORKERS' COMPENSATION INSURANCE - FILE No T053/2011

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Robert Charlesworth, Manager Governance & Citizen Services
Tony Dean, Manager Risk Management
Fiona Brooks, Senior Injury Management Officer
Margaret Noonan, Senior Injury Management Officer

MOTION

Moved Cr Tait/Cr Woodley

162/11 RESOLVED

That in relation to the Report "Tender No T053/2011 Workers' Compensation Insurance", Council:

- (i) accept the tender of GIO Workers' Compensation NSW (GIO); and
- (ii) authorise the Seal of Council to be affixed to the Contract Documents between GIO Workers Compensation NSW (GIO) and Council.

12.2 1-9 HALL STREET, TAMWORTH SEWER REHABILITATION – ACQUISITION OF 4M WIDE SEWER EASEMENT- FILE No LF7688

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

MOTION

Moved Cr Woodley/Cr Tickle

163/11 RESOLVED

That in relation to the report "1-9 Hall Street, Tamworth Sewer Rehabilitation Acquisition of 4m wide Sewer Easement", Council:

- (i) authorise the signing of an Agreement between Council and the property owner of Lot 1 DP1088797 in relation to the creation of a 4m wide sewer easement through Lot 1 DP1088797 under the terms and conditions detailed in this confidential report and; and
- (ii) authorise the affixing of the Council Seal for the creation of an easement over the land and associated documents.

12.3 LEASE OF TAMWORTH REGIONAL LIVESTOCK MARKETING CENTRE/SALE OF LAND/CONSTRUCTION OF NEW REGIONAL LIVESTOCK MARKETING FACILITY - FILE NO SF3290

DIRECTORATE: COMMERCIAL AND COMMUNITY ENTERPRISES

AUTHOR: Michael Dubois, Business Manager

MOTION

Moved Cr Woodley/Cr Wilson

164/11 RESOLVED

That in relation to the lease of the current Tamworth Regional Marketing Centre and the construction of a new Regional Livestock Marketing Centre, Council

- (i) approve a twelve month lease of the existing Tamworth Regional Livestock Marketing Centre to Regional Livestock Exchange (RLX) Investment Company Pty Limited from 1 July 2011 to 30 June 2012, with an option for a further twelve (12) months period;
- (ii) approve the sale of the land being Lot 17 DP865930 to RLX Investment Company Pty Limited as trustee of the RLX Investment Trust for an amount of \$380,000.00 exclusive of GST;
- (iii) approve the amendments to the Contract of Sale of Land and Lease document as detailed in confidence in the body of the report;
- (iv) approve expenditure of funds by Council for the upgrading of Phoenix Street as part of this development;
- (v) provide assistance to Regional Livestock Exchange in seeking grant funding for the modification works to the Oxley Highway and Wallamore Road intersections;
- (vi) note that Palisade Investments Pty Ltd is seeking to undertake a staged construction of the new Regional Livestock Marketing Centre; and
- (vii) authorise the fixing of the Common Seal of Council to the lease document and the contract for the sale of land.

12.4 CBD PARKING STUDY - FILE NO Q038/2010

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Civil Construction and Engineering Services

MOTION

Moved Cr Woodley/Cr Durant

165/11 RESOLVED

That in relation to the proposed purchase of land for car parking within the Tamworth CBD, Council:

- (i) authorise the Mayor and General Manager to negotiate the purchase of the parcel of land identified as Property 1 in this report, up to the maximum limit, also identified in confidence in this report;
- (ii) authorise the affixing of Council's Seal to the sale documents required to give affect to the purchase of Property 1, including the Contract of Sale and Property Transfer;
- (iii) authorise the Mayor and General Manager to negotiate the purchase of Property 2 as identified in this report, and provide a further report for Council's consideration; and
- (iv) request the Director Regional Services to provide a further report on the Medium and Long Term strategies for car parking in the Tamworth CBD, following the completion of the negotiations identified at (ii) and (iii) above.

12.5 PROPOSED CONTRACT EXTENSION - NORTHERN INLAND REGIONAL WASTE COLLECTIVE CONTRACT FOR THE COLLECTION OF SCRAP FERROUS METAL AND LEAD ACID BATTERIES – FILE NO T050/2010

DIRECTORATE: REGIONAL SERVICES
AUTHOR: John Davis, Manager Waste and Cleaning Services
(Executive Officer, Northern Inland Regional Waste)

MOTION

Moved Cr Woodley/Cr Tait

166/11

RESOLVED

That in relation to Council's current Contract for Scrap Ferrous Metal and Lead Acid Battery Collection Services, Council extend the term of the Contract with Onesteel Recycling Pty Ltd in accordance with the Option available to Council and agree to a change in Contract conditions to cater for the amended financial terms set out in this report.

12.6 SUBDIVISION DEVELOPMENT OF COUNCIL LAND LOT 3 IN DP217032 LOCKHEED STREET TAMINDA - FILE NO SF4286

DIRECTORATE: CORPORATE & GOVERNANCE
AUTHOR: Warren Stubbs, Director Corporate and Governance
Peter Thompson, General Counsel

MOTION

Moved Cr Betts/Cr Woodley

167/11

RESOLVED

That in relation to the subdivision development of Lot 3 in DP217032, Lockheed Street Taminda, Council:

- (i) authorise the additional subdivision costs of \$1,955,060 to be funded from the Property Acquisition and Development Reserve; and

- (ii) approve the construction of kerb and gutter in Beaufort Street at an estimated cost of \$125,000, to be funded by the Local Works Reserve.

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

At 7.59 pm 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 8.00pm.

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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