

ORDINARY COUNCIL MINUTES

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

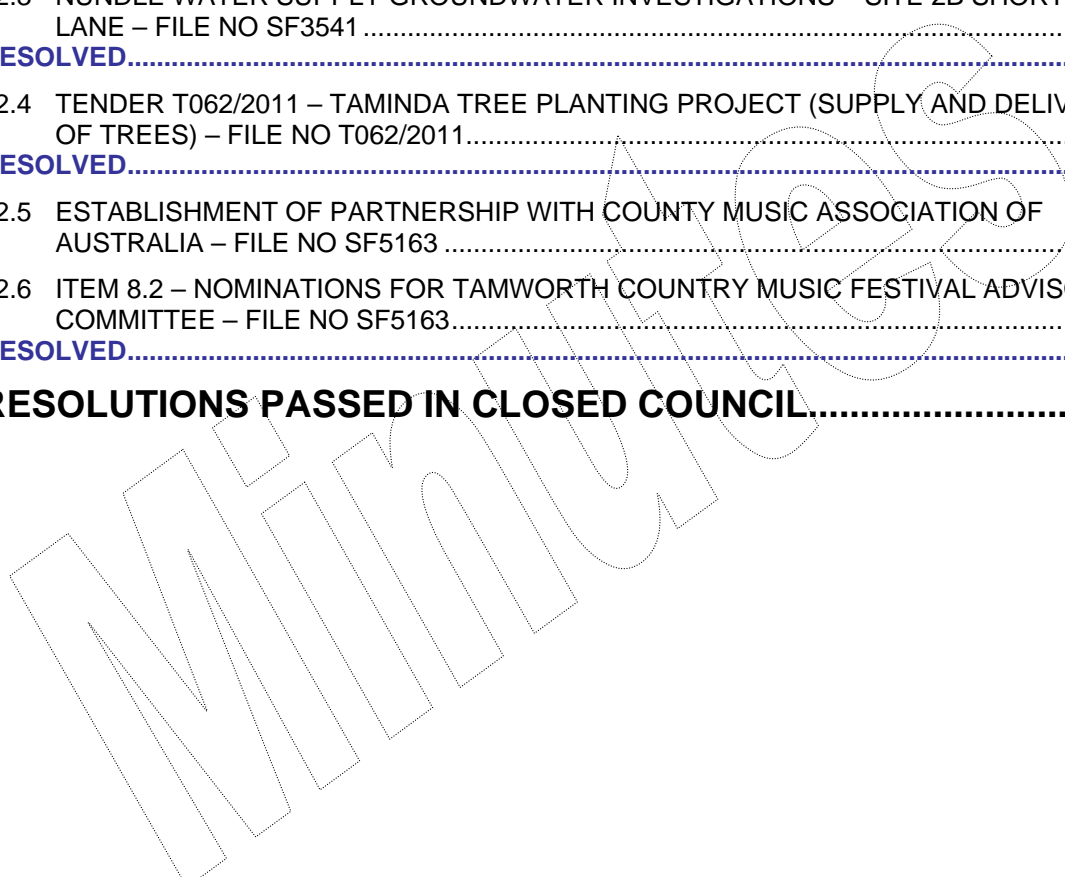
TUESDAY 23 AUGUST 2011 at 6:30pm

Table of Contents

1	APOLOGIES	4
236/11	RESOLVED.....	4
2	COMMUNITY CONSULTATION	4
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
237/11	RESOLVED.....	4
4	DISCLOSURE OF INTEREST	4
5	MAYORAL MINUTE	4
	COUNCIL REPORTS OPEN COUNCIL REPORTS	5
6	ENVIRONMENT & PLANNING	5
	6.1 TAMWORTH REGIONAL DEVELOPMENT CONTROL PLAN 2010 ANNUAL REVIEW – FILE NO SF4939	5
238/11	RESOLVED.....	5
	6.2 DEVELOPMENT APPLICATION NO 0496/2011 FOR A DUAL OCCUPANCY AND STRATA SUBDIVISION ON LOT 2 IN DP 346463 AT 142 NORTH STREET, EAST TAMWORTH – FILE NO DA0496/2011	5
239/11	RESOLVED.....	5
7	INFRASTRUCTURE AND SERVICES	12
	7.1 WESTDALE RECYCLED WATER POLICY – FILE NO SF3216	12
240/11	RESOLVED.....	12
	7.2 NUNDLE, BENDEMEER, MANILLA AND KOOTINGAL/MOONBI GROUNDWATER INVESTIGATIONS – FILE NO SF3541, SF3542, SF3543, SF3544 AND SF515.....	13
241/11	RESOLVED.....	13
	7.3 USE OF RECYCLED EFFLUENT TO OFFSET POTABLE WATER USE IN INDUSTRY AND FOR GREEN SPACES IN TAMWORTH – FILE NO SF3119	14
242/11	RESOLVED.....	14
	7.4 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING – AUGUST 2011 – FILE NO SF1387	15
243/11	RESOLVED.....	15

8	CORPORATE AND GOVERNANCE.....	16
	8.1 ALTERATION OF COMPOSITION OF TAMWORTH COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE – FILE NO SF5163	16
244/11	RESOLVED.....	16
	8.2 NOMINATIONS FOR TAMWORTH COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE – FILE NO SF5163	16
245/11	RESOLVED.....	16
	8.3 COUNCIL INVESTMENTS JULY 2011 – FILE NO SF4917	16
246/11	RESOLVED.....	16
	8.4 MANAGEMENT PLAN QUARTERLY PERFORMANCE AND BUDGET REVIEW TO 30 JUNE 2011 – FILE NO SF4653	17
247/11	RESOLVED.....	17
	8.5 COMMUNITY DEVELOPMENT COMMITTEES – MINUTES – FILE NO SF2637, SF1907, SF2732, SF2965, SF2586 AND SF2664.....	17
248/11	RESOLVED.....	17
	8.6 SECTION 355 COMMITTEES – MINUTES– FILE NO SF2256.....	18
249/11	RESOLVED.....	18
9	REPORTS FROM DELEGATES	19
	9.1 DESTINATION 2036 WORKSHOP, DUBBO, 17 AND 18 AUGUST 2011 – FILE NO SF531219	
10	QUESTIONS AND MATTERS OF CONCERN.....	19
	10.1 WHITE STREET EXIT FROM COLES SUPERMARKET – FILE NO RF482.....	19
	10.2 TRIBE STREET AND PEEL STREET INTERSECTION – FILE NO RF444	19
	10.3 COUNCILLOR CORRESPONDENCE – FILE NO SF809.....	19
	10.4 TAMWORTH CORRECTIONAL CENTRE – FILE NO LF4431	19
	10.5 SECURITY ISSUES AT THE SPORTS DOME PRECINCT – FILE NO SF218.....	20
	10.6 PEDESTRIAN CROSSINGS IN PEEL STREET – FILE NO SF90	20
	10.7 BARRABA PIPELINE – FILE NO SF1884.....	20
	10.8 SEPTEMBER ORDINARY COUNCIL MEETING – FILE NO SF809	20
250/11	RESOLVED.....	20
11	REPORTS TO BE CONSIDERED IN CLOSED COUNCIL	20
251/11	RESOLVED.....	20
	11.1 AUSTRALIAN EQUINE & LIVESTOCK EVENTS CENTRE – MANAGEMENT COMMITTEE REPORT FOR THE PERIOD 1 JULY 2010 TO 30 JUNE 2011 INCORPORATING THE UPDATED MASTERPLAN – FILE NO SF3680 AND SF5135	21
	11.2 EXPRESSIONS OF INTEREST NO EO64/2011 – TAMWORTH REGIONAL AIRPORT – PASSENGER TERMINAL BUILDING EXTENSION DESIGN AND CONSTRUCTION SERVICES – FILE NO EO64/2011	21
	11.3 NUNDE WATER SUPPLY GROUNDWATER INVESTIGATIONS – SITE 2B SHORTENS LANE – FILE NO SF3541	21
	11.4 TENDER T062/2011 – TAMINDA TREE PLANTING PROJECT (SUPPLY AND DELIVERY OF TREES) – FILE NO T062/2011.....	21
	11.5 ESTABLISHMENT OF PARTNERSHIP WITH COUNTRY MUSIC ASSOCIATION OF AUSTRALIA – FILE NO SF5163	22
12	CLOSED COUNCIL REPORTS	22

12.1	AUSTRALIAN EQUINE & LIVESTOCK EVENTS CENTRE – MANAGEMENT COMMITTEE REPORT FOR THE PERIOD 1 JULY 2010 TO 30 JUNE 2011, INCORPORATING THE UPDATED MASTERPLAN – FILE NO SF3680 & SF5135	22
252/11	RESOLVED	22
12.2	EXPRESSIONS OF INTEREST – EO64/2011 – TAMWORTH REGIONAL AIRPORT – PASSENGER TERMINAL BUILDING EXTENSIONS – DESIGN AND CONSTRUCTION SERVICES – FILE NO EO64/2011	23
253/11	RESOLVED	23
12.3	NUNDLE WATER SUPPLY GROUNDWATER INVESTIGATIONS – SITE 2B SHORTENS LANE – FILE NO SF3541	23
254/11	RESOLVED	23
12.4	TENDER T062/2011 – TAMINDA TREE PLANTING PROJECT (SUPPLY AND DELIVERY OF TREES) – FILE NO T062/2011.....	24
255/11	RESOLVED	24
12.5	ESTABLISHMENT OF PARTNERSHIP WITH COUNTY MUSIC ASSOCIATION OF AUSTRALIA – FILE NO SF5163	24
12.6	ITEM 8.2 – NOMINATIONS FOR TAMWORTH COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE – FILE NO SF5163.....	24
256/11	RESOLVED	24
13	RESOLUTIONS PASSED IN CLOSED COUNCIL.....	25



PRESENT: Cr Col Murray (Mayor), Cr Ray Tait, Cr Paul Durant, Cr James Treloar, Cr Russell Webb, Cr Juanita Wilson and Cr Warren Woodley.

IN ATTENDANCE: Acting General Manager/Director Planning and Community Services Manager, Director Water Enterprises, Acting Director Corporate and Governance, Director Business and Economic Development, and Director Regional Services.

1 APOLOGIES

Apologies were announced as having been received from Cr Tickle who was unable to attend the Meeting due to personal business and Cr Betts who was unable to attend the Meeting due to health reasons, refer Ordinary Council Meeting 9 August 2011 – Minute No 222/11.

MOTION

Moved Cr Tait/Cr Durant

236/11 RESOLVED

That apologies be accepted from Cr Tickle and Cr Betts and leave of absence be granted from the Meeting.

2 COMMUNITY CONSULTATION

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

Moved Cr Webb/Cr Tait

237/11 RESOLVED

That the Minutes of the Ordinary Meeting of the Council held on Tuesday 9 August 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 TAMWORTH REGIONAL DEVELOPMENT CONTROL PLAN 2010 ANNUAL REVIEW – FILE NO SF4939

DIRECTORATE: PLANNING AND COMMUNITY SERVICES
AUTHOR: Catherine Pyne, Team Leader Development Assessment

MOTION

Moved Cr Woodley/Cr Webb

238/11 RESOLVED

That in relation to the annual review of the Tamworth Regional Development Control Plan 2010, Council:

- (i) endorse the timetable for the planned review; and
- (ii) note that a further report identifying specific amendments proposed for exhibition will be submitted for consideration at the Council meeting scheduled for 27 September 2011.

6.2 DEVELOPMENT APPLICATION NO 0496/2011 FOR A DUAL OCCUPANCY AND STRATA SUBDIVISION ON LOT 2 IN DP 346463 AT 142 NORTH STREET, EAST TAMWORTH – FILE NO DA0496/2011

DIRECTORATE: PLANNING AND COMMUNITY SERVICES
AUTHOR: Emma Briggs, Senior Development Assessment Planner

MOTION

Moved Cr Wilson/Cr Webb

239/11 RESOLVED

That in relation to Development Application No 0496/2011 for a dual occupancy and strata subdivision on Lot 2 in DP 346463 at 142 North Street, East Tamworth, Council approve the application, subject to the following conditions:

PRIOR TO WORK COMMENCING

- 1) Pursuant to s.81A of the Act, the following matters must be satisfied prior to the commencement of work:
 - obtain a Construction Certificate for the building works from either Council or an Accredited Certifier;
 - appoint a Principal Certifying Authority for the building works (and advise Council of the appointment, if it is not the Council); and

- give at least 2 days notice to Council of the intention to commence building work.
- 2) Erosion and sediment controls for the construction works are to be installed and approved by the Principal Certifying Authority before any site works begin, and maintained effectively for the duration of the construction works.
 - 3) The Contractors engaged to work on Council infrastructure must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
 - 4) A sign is to be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out stating:
 - (i) unauthorised entry to the work site is prohibited;
 - (ii) the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours; and
 - (iii) the name, address and phone number of the PCA by the owner

The sign is to be removed when the work has been completed.

This condition does not apply to building work carried on inside an existing building, or building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is carried out.

- 5) Toilet facilities are to be provided, prior to the commencement of work, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out. Facilities are to be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be a standard flushing toilet, and must be connected to:

- a public sewer;
- if connection to a public sewer is not practicable, then the toilet is to be connected to an accredited sewage management facility approved by the council; and
- if connection to a public sewer or an accredited sewage management facility is not practicable, then connection to some other sewage management facility approved by the council is required.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- 6) Prior to the release of a Construction Certificate, a plan of the sediment and erosion control measures for the construction site is to be submitted to the Principal Certifying Authority. These measures are to be approved and installed for the duration of the construction works.
- 7) External lighting shall be designed and installed in Australian Standard AS4282 - The Control of the Obtrusive Effects of Outdoor Lighting to avoid light spill and prevent contribution to sky glow. Certification that the external lighting meets the relevant requirements is to be submitted to the PCA prior to the issue of a Construction Certificate.
- 8) A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the local water supply authority). All payments must be made and works undertaken prior to the issue of a Construction Certificate.

Water

- A single water service shall serve the development.
- The existing 20mm service is to be removed and disconnected from the water main. An appropriately sized water service is to be installed to suit the development located as per Council's guidelines by underboring from the water main on the opposite side of North Street.
- All work on live water mains is to be carried out by Council at full cost to the developer.

Sewer

- The existing sewer connection may serve the development.
- A 3.0m easement centrally located over the existing sewer main in favour of Tamworth Regional Council is required.

Headworks

- Sewer Headworks Contribution is \$1,334.00.
- Water Headworks Contributions is \$1,708.00.

The above contributions have been adopted under the 2011/2012 Council Management Plan. Revised rates adopted in subsequent Management Plans will apply to payments made in later financial years.

- 9) Council is satisfied that the proposed development is likely to increase the demand for the following public amenities and public services within the area:
 - open space embellishment;
 - community facilities;
 - cycleway network; and
 - urban roads (catchment no.2).

Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 Council requires the payment of a monetary contribution of:

- (i) \$1,382.00 towards the provision and embellishment of open space;
- (ii) \$326.00 towards the provision community facilities;
- (iii) \$178.00 towards the provision of cycleway network;
- (iv) \$994.00 towards the provision of urban roads (catchment no.2); and
- (v) \$74.88 towards the recoument of costs associated with administration studies.

The contributions shall be paid prior to release of the Construction Certificate.

The contributions required by this condition are allowed by and determined in accordance with the Tamworth Urban Section 94 Contributions Plan 2006-2011 commencing on 01 August 2005, a copy of which may be inspected at the office of the Council.

Note: The above contributions have been adopted under the 2011/2012 Council Management Plan. Revised rates adopted in subsequent Management Plans will apply to lots released in later financial years.

- 10) Pursuant to Section 68 of the Local Government Act 1993, the following approvals must be obtained from Council prior to the issue of a Construction Certificate:
 - (i) carry out water supply work;
 - (ii) carry out sewer work; and
 - (iii) carry out stormwater work.

GENERAL

- 11) 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. Any amendment to the development or to these conditions will require the consent of the Council.
- 12) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- 13) Pursuant to Section 97A(2) of the Environmental Planning & Assessment Regulation 2000, all the commitments listed in the relevant BASIX Certificate for the development shall be fulfilled at the milestones listed.

Stormwater

- 14) All roof water discharging for the proposed development site, buildings and works must be conveyed to the rain water tanks as indicated on the design drawings. All over-flow from the rain water tanks is to be directed to the kerb and gutter in Janison Street by underground pipe drains complying with AS3500.3 (as amended) to the satisfaction of Council and as shown on the drawings. The connection to the kerb shall be constructed to the satisfaction of Council.

- 15) A separate connection to the kerb and gutter in Janison Street is required for Units 1 and 2.
- 16) All surface water from hardstand areas is to be directed to collector sumps and piped to Janison Street as shown on the drawings. The hardstand areas shall be graded such that the following conditions are met:
 - approximately half of the surface water from the driveway area is directed to each collector sump;
 - flows are directed away from the building towards the collector sumps; and
 - surcharge flows from the collector sumps during major events are directed along the driveway to North Street.
- 17) A permanent barrier (such as a concrete kerb or similar) shall be constructed along the western and northern boundaries of the driveway area to prevent stormwater discharge to adjoining properties and to direct surcharge flows from the collector sumps to North Street.
- 18) Additionally, the stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:
 - (i) all plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage;
 - (ii) temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
 - (iii) any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted; and
 - (iv) no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

TRAFFIC AND PARKING

- 19) All internal driveways and parking areas to be constructed with a base course of adequate depth to suit design traffic, being sealed with either asphaltic concrete, concrete or interlocking pavers.
- 20) Vehicle crossings shall be constructed in accordance with Council's current Engineering Guidelines for Subdivisions and Developments before the use is commenced or building occupied and shall comply with the following:
 - (i) the alignment of the driveway across the verge shall be at right angles to the kerb;
 - (ii) any proposed vehicular crossing shall have satisfactory clearance to any drainage pit, power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer's expense;
 - (iii) the vehicle crossing shall have adequate pavement depth to accommodate the likely traffic generated on the lot and shall be paved. The paving shall consist of either asphaltic concrete, concrete or interlocking pavers;

- (iv) the footpath shall not be altered in any form and the cross-fall from the back of the kerb and gutter to the property boundary shall be between 2% and 6% falling to the kerb line; and
- (v) the design of the driveway shall be undertaken to ensure that the access is accessible to all types of vehicles.

DURING CONSTRUCTION

- 21) The Developer shall ensure that dust suppression is undertaken in the form of regular water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving within the site does not cause a nuisance to surrounding properties.
- 22) Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movements of sediment in accordance with the approved erosion and sediment control management plan.
- 23) All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
- 24) Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
- 25) The footpath and/or road reserve are not to be used for construction purposes or placing of building materials (without Council's prior consent) to ensure safe and unobstructed access for pedestrians. Where necessary, application may be made by contacting Council's Development Services Division.
- 26) Any damage caused to the road pavement, kerb and guttering and/or footpath during building operations shall be rectified by the Developer or the builder to the satisfaction of Council to ensure the integrity of Council's road infrastructure is maintained in an acceptable standard.
- 27) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in public space to be obstructed or rendered inconvenient, or involves the closure of a public space, a hoarding or fence must be erected between the work site and the public place.
- 28) Any redundant laybacks located in North Street or Janison Street fronting the development site shall be removed and replaced with concrete barrier kerb and gutter to match existing.
- 29) The Developer is responsible for any costs relating to minor alterations and extensions of existing roads, drainage and Council services for the development.
- 30) Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:

Monday to Friday - 7.00am to 5.00pm;

Saturday - 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm; and

No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

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

INSPECTIONS

- 31) It is required that a Principal Certifying Authority (PCA) be appointed to undertake all critical stage inspections as prescribed under the Environmental Planning and Assessment Regulation 2000. The owner may appoint either the Council or an accredited certifier to be the PCA.
- 32) As a consent authority under the Water Management Act 2000, the following inspections are required to be carried out by Council. Where Council is not the Principal Certifying Authority, an additional fee for each inspection will apply:
 - (i) underfloor drainage under hydrostatic test prior to covering;
 - (ii) hot and cold water plumbing under pressure test prior to covering stackwork;
 - (iii) sanitary drainage (under hydrostatic test) prior to backfilling trenches or covering; and
 - (iv) final inspection of all plumbing and drainage works.

PRIOR TO OCCUPATION

- 33) To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by the occupants, the building (or part of the building in the case of alterations and additions) shall not be occupied or used until:
 - (i) it is completed in accordance with the approval and the principal certifying authority has completed a satisfactory final inspection; or
 - (ii) the principal certifying authority gives written permission to allow the building to be occupied or used before it is completed.

CONTINUED OPERATIONS

- 34) The landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan.
- 35) The sealing to all vehicular parking and manoeuvring areas is to be maintained at all times.
- 36) To ensure that the required parking and associated driveways are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and be used exclusively for the purposes of car parking and vehicle access respectively.

PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE

- 37) Notification being provided that satisfactory arrangements have been made with an electricity supply authority to ensure that electricity supply infrastructure is available for each dwelling in accordance with community expectations.
- 38) Notification being provided that satisfactory arrangements have been made with a telecommunications supply authority to ensure that telecommunication infrastructure is available for each dwelling in accordance with community expectations.
- 39) To confirm and clarify the terms of Council's approval, a Subdivision Certificate may not be issued until the development is completed in accordance with Development Application No 0496/2011 and an Occupation Certificate has been issued in respect to each dwelling in the strata scheme.

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 Paul Durant 3. Cr Ray Tait 4. Cr James Treloar 5. Cr Russell Webb 6. Cr Juanita Wilson 7. Cr Warren Woodley	NIL

7 INFRASTRUCTURE AND SERVICES

7.1 WESTDALE RECYCLED WATER POLICY – FILE No SF3216

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Kylie Evans, Augmentation Engineer

MOTION
 Moved Cr Webb /Cr Tait

240/11 RESOLVED

That Council adopt the Westdale Recycled Water Policy.

7.2 NUNDLE, BENDEMEER, MANILLA AND KOOTINGAL/MOONBI GROUNDWATER INVESTIGATIONS – FILE NO SF3541, SF3542, SF3543, SF3544 AND SF515

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Michael Bryant, Water Executive Services Manager

MOTION

Moved Cr Durant/Cr Tait

241/11 RESOLVED

That in relation to the report “Nundle, Bendemeer, Manilla and Kootingal/Moonbi Groundwater Investigations”, Council:

- (i) receive and note the report; and
- (ii) apply to the NSW Office of Water (NOW) to have the test bores approved for the following uses:
 - (1) Nundle - Site 1A – Oakenville Street - 90BL254870 – Licence as TRC Monitoring Bore;
 - (2) Nundle – Site 2B Road Reserve off Shortens Road – 90BL254874 – Subject to a separate confidential report to Closed Council Meeting 23 August 2011, regarding land matters;
 - (3) Nundle – Site 3A Road Reserve off Crawney Road – 90BL254893 - Apply to NOW for more time to investigate;
 - (4) Nundle – Site 3B Crawney Road – 90BL254876 – Licence as Town Water Supply Bore;
 - (5) Bendemeer – Site 1 Bendemeer Station Road – 90BL254891 - Offer to NOW for use as a NOW Monitoring Bore;
 - (6) Bendemeer - Site 2 Bendemeer Rodeo Ground – 90BL254892 - Licence as TRC Monitoring Bore;
 - (7) Bendemeer – Site 3A Airlie Road - 90BL254893 – Licence as Town Water Supply Bore;
 - (8) Bendemeer – Site 3B Selina Street – 90BL 254894 – apply to NOW for more time to investigate;
 - (9) Kootingal/Moonbi – Site 1B Road Reserve South of Kootingal – 90BL254923 – Licence as TRC Monitoring Bore;
 - (10) Kootingal/Moonbi – Site 3 Ormans Lane – 90BL254880 – Licence as TRC Monitoring Bore;
 - (11) Manilla – Site 1A Corra Linn Road – 90BL254881 – Licence as TRC Monitoring Bore;

(12) Manilla – Site 2 Higgins Avenue – 90BL254889 Licence as TRC Monitoring Bore; and

(13) Manilla – Site 3 Barraba Street – 90BL254895 - Licence as TRC Monitoring Bore.

7.3 USE OF RECYCLED EFFLUENT TO OFFSET POTABLE WATER USE IN INDUSTRY AND FOR GREEN SPACES IN TAMWORTH – FILE NO SF3119

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Bruce Logan, Director Water Enterprises

MOTION

Moved Cr Tait/Cr Wilson

That in relation to the report “Use of Recycled Effluent to Offset Potable Water Use in Industry and for Green Spaces in Tamworth”, Council:

- (i) allocate \$475,000 from the Wastewater Reserve to prepare a concept design and Review of Environmental Factors for the proposed recycled effluent scheme to offset potable water use in industry and for green space in Tamworth; and
- (ii) proceed to prepare tender documentation to allow the calling of tenders for this work.

AMENDMENT

Moved Cr Treloar/Cr Woodley

AMENDMENT PASSED

THE AMENDMENT BECAME THE MOTION

242/11 RESOLVED

That in relation to the report “Use of Recycled Effluent to Offset Potable Water Use in Industry and for Green Spaces in Tamworth”, Council:

- (i) request the Director Water Enterprises review the use of recycled water within the City in consultation with Hunter Water Australia; and
- (ii) request a further report be submitted detailing, if possible, a further breakup of the steps involved and estimates of each step to prepare a concept design and and Review of Environmental Factors (including consideration of using in house resources where appropriate) for this project.

7.4 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING – AUGUST 2011 – FILE NO SF1387

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Warren Faulkner, Manager Infrastructure Planning

MOTION

Moved Cr Webb/Cr Durant

243/11 RESOLVED

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – August 2011”, Council endorse the following recommendations:

30/2011 That with regard to the recent advertising of the 2012 Tamworth Country Music Festival draft Traffic Management Plan (TMP) it be noted that:

- (i) council has received no comments or objections to the draft 2012 TMP from the public consultation undertaken during July 2011,
- (ii) that the Local Traffic Committee (LTC) is currently reviewing the draft plan as a framework for the development of the 2012 TMP; and
- (iii) subsequent to further review, the draft TMP will be placed before Council at a later meeting for final approval.

31/2011 With regard to the request for line marking on the approaches to the bridge over Tangaratta Creek on the Old Winton Road approximately 2 kilometres west of the Oxley Highway in Tamworth, the following be endorsed:

- (i) 700 metres in total of double barrier (BB) line be marked on both the north western and south eastern approaches; and
- (ii) 200 metres of single barrier (BS) lines be marked on approach to the BB lines.

32/2011 With regard to the request for line marking on Moore Creek Road at the T-intersection with Verdelho Drive approximately 3 kilometres north of Tamworth, the following be endorsed:

- (i) 76 metres of double barrier (BB) line be marked from Verdelho Drive to the north; and
- (ii) 96 metres of double barrier (BB) line be marked from Verdelho Drive to the south.

33/2011 With regard to the proposed Event Approvals for August 2011 (Young Drivers Expo and Tamworth Ten), no objections be raised.

8 CORPORATE AND GOVERNANCE

8.1 ALTERATION OF COMPOSITION OF TAMWORTH COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE – FILE No SF5163

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT

AUTHOR: Mark Crompton, Manager Business Strategy and Operations

MOTION

Moved Cr Woodley/Cr Wilson

244/11 RESOLVED

That in relation to the composition of the Tamworth Country Music Festival Advisory Committee, Council:

- (i) replace the two Tourism Tamworth Board Members with two Tourism Industry representatives; and
- (ii) confirm that there are two representatives from the Country Music Artists/Promoters/Industry Sector.

8.2 NOMINATIONS FOR TAMWORTH COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE – FILE No SF5163

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT

AUTHOR: Mark Crompton, Manager Business Strategy and Operations

MOTION

Moved Cr Durant/Cr Tait

245/11 RESOLVED

That Council determine this Item in Closed Council in accordance with Section 10A(2)(a) of the Local Government Act 1993 on the grounds that the matter and information are personnel matters concerning particular individuals other than Councillors.

8.3 COUNCIL INVESTMENTS JULY 2011 – FILE No SF4917

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Rick Sanderson, Acting Manager Financial Services

MOTION

Moved Cr Woodley/Cr Webb

246/11 RESOLVED

That the report on Council's Investments for the month of July 2011, be received and noted.

8.4 MANAGEMENT PLAN QUARTERLY PERFORMANCE AND BUDGET REVIEW TO 30 JUNE 2011 – FILE NO SF4653

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Rick Sanderson, Acting Financial Services Manager
Michael Gould, Management Accountant

MOTION

Moved Cr Webb/Cr Durant

247/11 RESOLVED

That in relation to the report “Management Plan Quarterly Performance and Budget Review to 30 June 2011”, Council:

- (i) receive and note the report; and
- (ii) approve the variations as listed in the ANNEXURE.

8.5 COMMUNITY DEVELOPMENT COMMITTEES – MINUTES – FILE No SF2637, SF1907, SF2732, SF2965, SF2586 AND SF2664

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

MOTION

Moved Cr Wilson/Cr Tait

248/11 RESOLVED

That in relation to the report “Community Development Committees – Minutes”, Council:

- (i) receive and note the minutes of the Community Development Committees listed below:

<u>Committee</u>	<u>Date</u>
Nundle Community Development Committee	9 May 2011
Bendemeer Community Development Committee	21 June 2011
Attunga Community Development Committee - AGM	23 June 2011
Attunga Community Development Committee	23 June 2011
Nundle Community Development Committee - AGM	4 July 2011
Nundle Community Development Committee	4 July 2011
Barraba Community Development Committee	4 July 2011
Manilla Community Development Committee	6 July 2011
Kootingal Community Development Committee - AGM	11 July 2011
Kootingal Community Development Committee	11 July 2011

- (ii) adopt the recommendation of the Attunga Community Development Committee at its Inaugural Meeting held 23 June 2011, to appoint the following persons as Office Bearers of the Attunga Community Development Committee:

Chairperson: Geoff Webster;
Secretary/ Treasurer: John Toulmin; and
Booking Officer: Lyn Arnold;

- (iii) adopt the recommendation of the Nundle Community Development Committee at its Annual General Meeting held 4 July 2011, to appoint the following persons as Office Bearers of the Nundle Community Development Committee:

Chairperson: Geoff Cummins;
Vice Chairperson: Russell Sydenham; and
Secretary/ Treasurer: Jim Aspinall;

- (iv) adopt the recommendation of the Barraba Community Development Committee at its meeting held 4 July 2011, to accept Melissa Bowman and Susan Abrahams as members of the Barraba Community Development Committee;

- (v) adopt the recommendation of the Manilla Community Development Committee at its meeting held 6 July 2011, to accept Judy McNamara, Shane McNamara, Paul Gray, Sheree Gray, Steve Moore, Col Spruce and Merv Withers as members of the Manilla Community Development Committee; and

- (vi) adopt the recommendation of the Kootingal Community Development Committee at its Annual General Meeting held 11 July 2011, to appoint the following persons as Office Bearers of the Kootingal Community Development Committee:

Chairperson: Norm Maher;
Vice Chairperson: Joe Foley;
Secretary/ Treasurer: Lynne Hofman; and
Newsletter/ Publicity: Lynne Hofman.

8.6 SECTION 355 COMMITTEES – MINUTES– FILE No SF2256

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Jodie Archer, Section 355 Coordinator

MOTION

Moved Cr Durant/Cr Webb

249/11 RESOLVED

That in relation to the report “Section 355 Committees – Minutes”, Council receive and note the minutes of the Section 355 Committee listed below:

<u>Committee</u>	<u>Date</u>
Tamworth Regional Tidy Towns Committee	18 April 2011
Tamworth Regional Tidy Towns Committee	16 May 2011
Grey Fergie Tractor Muster Committee	18 May 2011
Tamworth Sister City Committee	8 June 2011
Tamworth Regional Tidy Towns Committee	20 June 2011
Kootingal Recreational Reserve Committee	20 June 2011
Tamworth Sister City Committee	13 July 2011
Tamworth Regional Tidy Towns Committee	18 July 2011

9 REPORTS FROM DELEGATES

9.1 DESTINATION 2036 WORKSHOP, DUBBO, 17 AND 18 AUGUST 2011 – FILE No SF5312

Cr Murray reported that he had attended the Destination 2036 Workshop with the General Manager, held in Dubbo on the 17 and 18 August 2011. Cr Murray advised that 151 Councils were represented from the 152 Local Government Areas in NSW with over 350 delegates in total. The Minister for Local Government, The Hon. Don Page was in attendance for the two day workshop which focussed on creating a strong and viable local government sector by reviewing the Local Government Act and funding for local government. The workshop was a first step to move forward with the Minister possibly taking recommendations for improvements to the State Government in December 2011.

10 QUESTIONS AND MATTERS OF CONCERN

10.1 WHITE STREET EXIT FROM COLES SUPERMARKET – FILE No RF482

Cr Wilson raised concern over the exit from Coles into White Street becoming increasingly dangerous with the service station exit and the pedestrian crossing in close proximity. Cr Wilson also stated that drivers attempting to turn right from the carpark are creating traffic problems and requested the Director Regional Services undertake a road safety audit with a future report to be submitted to Council.

10.2 TRIBE STREET AND PEEL STREET INTERSECTION – FILE No RF444

Cr Wilson observed glass at the intersection of Tribe and Peel Street on three separate occasions in the last week and expressed concern over the safety of this intersection. Cr Wilson requested the Director Regional Services investigate this issue through the Tamworth Regional Local Traffic Committee, potentially seeking support from Calrossy Anglican School and McCarthy Catholic College in making further representations to the Roads and Traffic Authority to bring forward funding for an upgrade of the intersection.

10.3 COUNCILLOR CORRESPONDENCE – FILE No SF809

Cr Wilson advised that she had received a copy of the correspondence sent by Council in relation to an issue she had raised. Cr Wilson requested that copies of correspondence sent by Council should be forwarded to Councillors in all instances where Councillors had raised concern over the particular issue.

10.4 TAMWORTH CORRECTIONAL CENTRE – FILE No LF4431

Cr Tait raised concern over the recent article in The Sunday Telegraph regarding the Tamworth Correctional Centre and the alleged misuse of the Block Release Program. The Mayor advised that he and the General Manager had attended a meeting with the Assistant Commissioner and other representatives from Corrective Services NSW to discuss the program. The discussion focussed on the process to move forward by way of a consultative committee involving stakeholders and Council with a view to broadening the opportunities in our community and possibly expanding the services provided.

10.5 SECURITY ISSUES AT THE SPORTS DOME PRECINCT – FILE NO SF218

Cr Tait raised concerns over security at the Sports Domes Precinct particularly when the facility closes at night. Cr Tait requested the General Manager investigate the cost and feasibility of installing a CCTV camera possibly near the AELEC roundabout with a link back to Ray Walsh House to capture information on inappropriate social behaviour.

Cr Webb also stated that he supports a camera being installed at the site.

10.6 PEDESTRIAN CROSSINGS IN PEEL STREET – FILE NO SF90

Cr Tait referred to the matter raised at the Ordinary Meeting of Council on 14 June 2011, in relation to re-instatement of the pedestrian crossing markings in the Central Business District.

The Director Regional Services stated that investigations had been completed and advised that budget approval has been granted and the re-instatement of the pedestrian crossing should be completed by January 2012.

10.7 BARRABA PIPELINE – FILE NO SF1884

Cr Webb raised concerns regarding confirmation for Federal and State funding of the Barraba Pipeline. Cr Webb requested the General Manager write to the State and Federal Government requesting confirmation of funding being one-third of the cost from each level of Government.

10.8 SEPTEMBER ORDINARY COUNCIL MEETING – FILE NO SF809

MOTION

Moved Cr Wilson/Cr Tait

250/11 **RESOLVED**

That the Ordinary Council Meeting scheduled for Tuesday 13 September 2011, will be held on Monday 12 September 2011.

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

MOTION

Moved Cr Durant/Cr Wilson

251/11 **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, save and accept for Item 11.5 which was withdrawn for reason that further investigation was required prior to submission to Council for determination.

11.1 AUSTRALIAN EQUINE & LIVESTOCK EVENTS CENTRE – MANAGEMENT COMMITTEE REPORT FOR THE PERIOD 1 JULY 2010 TO 30 JUNE 2011 INCORPORATING THE UPDATED MASTERPLAN – FILE NO SF3680 AND SF5135

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT
AUTHOR: Mark Crompton, Manager Business Strategy and Operations

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

11.2 EXPRESSIONS OF INTEREST NO EO64/2011 – TAMWORTH REGIONAL AIRPORT – PASSENGER TERMINAL BUILDING EXTENSION DESIGN AND CONSTRUCTION SERVICES – FILE NO EO64/2011

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT
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.

11.3 NUNDLE WATER SUPPLY GROUNDWATER INVESTIGATIONS – SITE 2B SHORTENS LANE – FILE NO SF3541

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Michael Bryant, Water Executive Services Manager

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

11.4 TENDER T062/2011 – TAMINDA TREE PLANTING PROJECT (SUPPLY AND DELIVERY OF TREES) – FILE NO T062/2011

DIRECTORATE: PLANNING AND COMMUNITY SERVICES
AUTHOR: Nathan Bartlett, Strategic Planner

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.

11.5 ESTABLISHMENT OF PARTNERSHIP WITH COUNTRY MUSIC ASSOCIATION OF AUSTRALIA – FILE NO SF5163

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT
AUTHOR: Paul Sullivan, Director Business and Economic Development

The Mayor sought leave from Council to **WITHDRAW** this report, for reason that further investigation was required prior to submission to Council for determination.

* * * * *

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 AUSTRALIAN EQUINE & LIVESTOCK EVENTS CENTRE – MANAGEMENT COMMITTEE REPORT FOR THE PERIOD 1 JULY 2010 TO 30 JUNE 2011, INCORPORATING THE UPDATED MASTERPLAN – FILE NO SF3680 & SF5135

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT
AUTHOR: Mark Crompton, Manager Business Strategy and Operations

MOTION

Moved Cr Webb/Cr Tait

252/11 RESOLVED

That in relation to the report “Australian Equine & Livestock Events Centre – Management Committee Report for the period 1 July 2010 to 30 June 2011, Incorporating the Updated Masterplan”, Council:

- (i) receive and note the contents of the report;
- (ii) adopt the Masterplan in principal as a guiding document with any proposed alterations or amendments to the Masterplan to be endorsed by Council; and
- (iii) authorise the Mayor and General Manager to enter into negotiations for the purchase of the land detailed in the body of the report.

12.2 EXPRESSIONS OF INTEREST – EO64/2011 – TAMWORTH REGIONAL AIRPORT – PASSENGER TERMINAL BUILDING EXTENSIONS – DESIGN AND CONSTRUCTION SERVICES – FILE NO EO64/2011

DIRECTORATE: Business and Economic Development
AUTHOR: Michael Dubois, Business Manager

MOTION

Moved Cr Tait/Cr Durant

253/11 RESOLVED

That in relation to the Expressions of Interest for the design and construction services associated with the Tamworth Regional Airport, Passenger Terminal Building Extensions, Council:

- (i) seek a formal tender submission for the design and construction of the passenger terminal building extensions, from the following companies:
 - New England Constructions;
 - Wollam Constructions;
 - Hansen and Yuncken Pty Ltd;
 - National Buildplan Group;
 - Inaphase Pty Ltd; and
- (ii) request a further report be submitted to Council at the completion of the tender submission period.

12.3 NUNDLE WATER SUPPLY GROUNDWATER INVESTIGATIONS – SITE 2B SHORTENS LANE – FILE NO SF3541

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Michael Bryant, Water Executive Services Manager

MOTION

Moved Cr Woodley/Cr Tait

254/11 RESOLVED

That in relation to the report “Nundle Water Supply Groundwater Investigations - Site 2B Shortens Lane”, Council:

- (i) receive and note the report;
- (ii) advise Mr Stanley Shorten that the test bore Site 2B drilled on his property by Council was found to be not suitable for town water supply use and as per his request Council is prepared to transfer the groundwater licence over to him at no cost to Council; and
- (iii) request the Director of Water Enterprises prepare a further report to Council should the offer not be accepted.

12.4 TENDER T062/2011 – TAMINDA TREE PLANTING PROJECT (SUPPLY AND DELIVERY OF TREES) – FILE No T062/2011

DIRECTORATE: PLANNING AND COMMUNITY SERVICES

AUTHOR: Nathan Bartlett, Strategic Planner

MOTION

Moved Cr Tait/Cr Treloar

255/11 RESOLVED

That in relation to the report “Tender T062/2011 – Taminda Tree Planting Project (Supply and Delivery of Trees)”, Council:

- (i) decline to accept any tender on the basis that none of the tree suppliers for the Project are able to conform to the requirements of the Tender Documents; and
- (ii) enter into negotiations with the tenderer who is able to supply alternative species within the required timeframe stipulated for the Project.

12.5 ESTABLISHMENT OF PARTNERSHIP WITH COUNTY MUSIC ASSOCIATION OF AUSTRALIA – FILE No SF5163

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT

AUTHOR: Paul Sullivan, Director Business and Economic Development

The Mayor sought leave from Council to **WITHDRAW** this report, for reason that further investigation was required prior to submission to Council for determination.

12.6 ITEM 8.2 – NOMINATIONS FOR TAMWORTH COUNTRY MUSIC FESTIVAL ADVISORY COMMITTEE – FILE No SF5163

DIRECTORATE: BUSINESS AND ECONOMIC DEVELOPMENT

AUTHOR: Mark Crompton, Manager Business Strategy and Operations

MOTION

Moved Cr Woodley/Cr Webb

256/11 RESOLVED

That in relation to the Tamworth Country Music Festival Advisory Committee established under section 355 of the Local Government Act 1993 to exercise the function of providing recommendations and advice to Council and the community, in respect of the conduct and development of the Tamworth Country Music Festival, Council appoint the following community members to the Tamworth Country Music Festival Advisory Committee:

Tourism Industry (2)	Jye Segboer Rod Laing
Country Music Association of Australia (2 Board Members)	Chairperson or nominee Cheryl Burns
NSW Police Oxley LAC or nominee	Jeff Budd
Tamworth Liquor Accord representative	Alternate Delegates – John Begley and Roger Rumble
Festival Heritage representative	Tim Coates
Country Music Artists/Promoters/Industry Sector (2 representatives)	Barry Harley Gavin Flanagan
Community representative	Geoff Thrift

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

At 8.09pm 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 8.12pm.

Chairperson

- oOo -