

ORDINARY COUNCIL



MINUTES

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

TUESDAY 8 FEBRUARY 2011 at 6:30pm

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Minutes

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

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

1 APOLOGIES

Nil

2 COMMUNITY CONSULTATION

2.1 PRESENTATION BY DANIEL MURPHY AND DI CRANDELL

Tamworth Regional Council staff members Daniel Murphy and Dianne Crandell addressed Council regarding their trip to Papua New Guinea to provide professional expertise to the Magisterial Services of the Justice Department in relation to Councils electronic document management system, TRIM. The Magisterial Services of Justice Department of Papua New Guinea offered both Daniel Murphy and Dianne Crandell a gift of appreciation which they presented to the Mayor.

2.2 REFER ITEM 7.12 – TAMWORTH REGIONAL COUNCIL WASTE MANAGEMENT WORKING GROUP MINUTES - FILE NO SF3101

Mr Robert Warren, resident of Limbri addressed Council and stated that he had not made any political donation or gift to any councillor or Council employee. He raised the issues of the lack of consultation with the Limbri community and the distance these people would now have to travel to access a landfill.

Mr Bruce Crossing, resident of Attunga addressed Council and stated that he had made a political donation of \$50 to Cr Helen Tickle. He advised that he was representing the residents of Attunga and stated that the decision to close the Attunga tip was taken despite a petition handed to Council with 300 signatures against the closure. He requested that Council refer the matter to the Waste Management Committee for further consultation with the community and to allow examination of alternatives for the operation of waste collection.

Mr Geoff Webster, convenor of the Attunga Tip Working Group, stated he represented Mr John Toulmin who was unable to attend the meeting. Mr Webster addressed Council and stated that he had not made any political donation or gift to any councillor or Council employee. He read from a statement prepared by John Toulmin which referred to the lack of consultation in relation to suggested alternatives, the fact that the Attunga Tip serviced rural properties within a 200 sq.km area and that the proposed roadside bin service only provided for household waste, not off farm waste.

Mr Lex Wiseman stated he represented Mr Vince O'Shea who was unable to attend the meeting. Mr Wiseman addressed Council and stated that he had not made any political donation or gift to any councillor or Council employee. He endorsed the comments that Mr

Bruce Crossing made earlier and stated that his main concern was in respect to the off farm waste such as wire, tin etc. He stated that removal of this type of waste to the closest available landfill would be costly for farmers.

2.3 REFER ITEM 7.6 – BARRABA GROUND WATER NINE MONTH PUMPING TRIAL AND FURTHER GROUNDWATER INVESTIGATIONS - FILE NO SF188

Mrs Shirley Close, resident of Barraba addressed Council and stated that she had not made any political donation or gift to any councillor or Council employee. She raised a number of concerns in relation to Barraba Ground Water and further Groundwater Pumping Investigations stating that Council's, previously stated preferred option, is the pipeline from Split Rock Dam to Barraba, yet no funding application had been submitted to the Federal Government. Mrs Close wanted to know why Council is accepting and supporting more drilling of bores, when the preferred option for a secure quality water supply for Barraba is the pipeline from Split Rock Dam to Barraba.

Ms Linda Boyland, resident of Barraba addressed Council and stated that she had not made any political donation or gift to any councillor or Council employee. Ms Boyland raised concerns of the impact on the river at Barraba by the continuing bore trials and questioned the data used in the compilation of the report. She requested that the data used for the SKM report be made available to the community before any decision to continue the bore trials is made.

Ms Sarah Marrett resident of Barraba addressed Council and stated that she had not made any political donation or gift to any councillor or Council employee. Ms Marrett advised that a number of industry groups have shown interest in locating businesses in the Barraba area, however, reliable secure water is a major concern. She stated that the Split Rock pipeline is the only viable option to secure the future of Barraba.

Mr Adrian Spencer, resident of Barraba addressed Council and stated that he had not made any political donation or gift to any councillor or Council employee. Mr Spencer advised that the Barraba Township needs industry to survive and that the current major commerce is agriculture and it depends on water (not bore water). He stated that continued bore drilling and testing would be detrimental to the sustainability of farming in the area.

MOTION

Moved Cr Durant/Cr Betts

01/11 RESOLVED

That the period set aside for Community Consultation be extended to allow further debate.

Mr Danny Ballard, resident of Barraba and Chairman of the Community Development Committee addressed Council and stated that he had not made any political donation or gift to any councillor or Council employee. Mr Ballard stated that neither he nor the Barraba community wanted continuing bore trials because of the negative effect on surrounding bores, the river system and the community. He requested that Council defer the decision on the Barraba water supply until after the next election.

2.4 REFER ITEM 7.12 – TAMWORTH REGIONAL COUNCIL WASTE MANAGEMENT WORKING GROUP MINUTES - FILE NO SF3101

Mr Phillip Gaynor, resident of Limbri addressed Council and stated that he had not made any political donation or gift to any councillor or Council employee. Mr Gaynor raised the issues of the lack of consultation with the Limbri community and the distance these people would now have to travel to access a landfill. He also stated that other small, remote communities in the region had a roadside service and requested that Council investigate alternatives for waste collection for this community.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

Moved Cr Betts/Cr Webb

02/11 RESOLVED

That the Minutes of the Ordinary Meeting of the Council held on Tuesday 14 December 2010, copies of which were circulated be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 DISCLOSURE OF INTEREST

Mayor, Cr Col Murray declared a Non Pecuniary Conflict of Interest in Item 6.2 - Proposed Dwelling on Lot 2 DP 593778 Never Never Road, Halls Creek for the reason that he is an immediate neighbour and that he would leave the room during discussion and voting on the item.

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - 51ST ANNUAL FMA FLOOD CONFERENCE - FILE NO SF4083

MOTION

Moved Cr Durant/Cr Tickle

03/11 RESOLVED

That Council nominate Crs Tait and Webb as voting delegates to attend the 51st Annual FMA Floodplain Management Conference and FMA Annual General Meeting to be held in Tamworth 22 February to 25 February 2011.

SUSPENSION OF STANDING ORDERS

MOTION

Moved Cr Tait/Cr Woodley

04/11 RESOLVED

That Items 7.6 Barraba Groundwater Nine Month Pumping Trial and Further Groundwater Investigations - File No SF188, 7.11 Split Rock Dam to Barraba Pipeline Feasibility Study Progress - File No SF1884 and 7.12 Tamworth Regional Council Waste Management Working Group Minutes - File No SF310 be dealt with as the first items of the meeting.

OPEN COUNCIL REPORTS

7.6 BARRABA GROUNDWATER NINE MONTH PUMPING TRIAL AND FURTHER GROUNDWATER INVESTIGATIONS - FILE NO SF188

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Ian Cross – Technical Officer - Water

MOTION

Moved Cr Woodley/Cr Betts

05/11 RESOLVED

That in relation to a secure water supply for Barraba, Council:

- (i) forward a copy of the Draft Final Report titled “Evaluation of Nine Month Pumping Trial on Bores GW2 and GW6” to the NSW Office of Water and Federal Government hydrogeologists for review and comment;
- (ii) forward a copy of the Draft Final Report titled “Evaluation of Nine Month Pumping Trial on Bores GW2 and GW6” to the Barraba Community Development Committee and request the Committee liaise with Council to organise a community meeting to be held in Barraba to discuss the findings of the Nine Month Pumping Trial, once comments have been received from the NSW Office of Water and the report finalised;
- (iii) formally request funding from the Federal Government for a share of the costs of the Split Rock Pipeline; and
- (iv) request the General Manager develop a schedule showing the timeframe and events since Council’s initial determination to secure a water supply for Barraba for the information of councillors and the community.

7.11 SPLIT ROCK DAM TO BARRABA PIPELINE FEASIBILITY STUDY PROGRESS - FILE NO SF1884

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Bruce Logan – Director, Water Enterprises

MOTION

Moved Cr Tait/Cr Woodley

06/11 RESOLVED

That in relation to the report Split Rock Dam to Barraba Pipeline Feasibility Study Progress, Council:

- (i) note the report;
- (ii) agree to move forward with Option C as recommended by the Consultants Hunter Water Australia and the Country Towns Water Supply and Sewage Steering Committee; and
- (iii) provide a copy of the Preliminary Feasibility Study and Options Assessment Report to the Barraba Community Development Committee and the NSW Office of Water.

7.12 TAMWORTH REGIONAL COUNCIL WASTE MANAGEMENT WORKING GROUP MINUTES - FILE NO SF3101

DIRECTORATE: REGIONAL SERVICES

AUTHOR: John Davis, Manager Waste and Cleaning Services

MOTION

Moved Cr Tait/Cr Woodley

07/11 RESOLVED

That in relation to the report Tamworth Regional Council Waste Management Working Group Minutes, Council:

- (i) receive and note the minutes of the Waste Management Working Group meeting held on 25 January 2011;
- (ii) note the information regarding the proposed Memorandum of Understanding (MOU) between Council and Challenge Disability Services to accommodate the proposed relocation of the Buy Back Centre from the Forest Road Landfill onto land adjoining the Challenge Disability Services- Materials Recovery Facility and authorise the General Manager to finalise the MOU;
- (iii) endorse extension of waste collection service routes and waste collection points to the various localities in the Attunga area as outlined in the report;
- (iv) place the draft policy "Waste Collection Services – Multiple Unit Residential Developments" on exhibition and invite public comment for a period of 28 days; and

- (v) continue further consultation with Attunga, Kootingal and Limbri communities to discuss alternatives for waste collection.

6 ENVIRONMENT & PLANNING

6.1 BRAND TAMWORTH - FILE NO SF5058

DIRECTORATE: ENVIRONMENT AND PLANNING
AUTHOR: Director, Environment and Planning

MOTION

Moved Cr Tait/Cr Durant

08/11 RESOLVED

That, in relation to the Brand Tamworth initiative, Council endorse the Brand Identity and Visual Language Guide and request that Tamworth Regional Development Corporation proceed to organise an appropriate function to launch the Brand.

At 7.57pm Cr Betts left the Chambers returning at 7.59pm.

6.2 PROPOSED DWELLING ON LOT 2 DP 593778 NEVER NEVER ROAD, HALLS CREEK - FILE NO DA0193/2011

DIRECTORATE: ENVIRONMENT AND PLANNING
AUTHOR: Abbey Baldwin, Building Inspector

Cr Col Murray declared a pecuniary interest in Item 6.2 Proposed Dwelling on Lot 2 DP 593778 Never Never Road, Halls Creek for the reason that he is an immediate neighbour and left the chamber at 7.58pm. The Deputy Mayor Cr Webb chaired this item.

MOTION

Moved Cr Woodley/Cr Tickle

09/11 RESOLVED

That in relation to Development Application No. DA0193/2011 for a Dwelling on Lot 2 DP 593778 Never Never Road, Halls Creek, development consent be refused for the following reasons:

- (i) The access to the proposed dwelling relies on Never Never Road which will not provide satisfactory safe and practical access to the property for fire fighting vehicles and which does not provide a safe evacuation route for residents of the property during bushfire conditions; and
- (ii) The proposed dwelling site and the access to it does not provide adequate protection for occupants of the proposed dwelling under bushfire conditions due to the slope of the site and the proposed access.

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 Russell Webb, Deputy 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

Cr Murray did not vote on this item, returned to the chambers at 8.02pm and resumed the Chair.

6.3 SUBMISSION TO HOUSING NSW: REVIEW OF CAR PARKING POLICY FOR HOUSING NSW PROJECTS - FILE No: SF1390

DIRECTORATE: ENVIRONMENT AND PLANNING
AUTHOR: David Koppers, Senior Development Assessment Planner

MOTION

Moved Cr Woodley/Cr Tait

10/11

RESOLVED

That Council make a submission to Housing NSW regarding its review of its car parking policy for Housing NSW public housing projects on the issues as outlined in this report.

6.4 PROPOSED LOCALITY NAME CHANGE – LONGYARD LOCALITY - FILE No SF2450

DIRECTORATE: ENVIRONMENT AND PLANNING
AUTHOR: Carolyn Tickle, Development Assistant

MOTION

Moved Cr Webb/Cr Durant

That in relation to the request to consider renaming part of the Hillvue locality as “Longyard” Council exhibit the proposal for public comment, subject to the amendments outlined in the report, in accordance with the Geographical Names Board guidelines.

MOTION WITHDRAWN

MOTION

Moved Cr Treloar/Cr Betts

11/11 RESOLVED

That in relation to the request to consider renaming part of the Hillvue locality as "Longyard" as outlined in the report, in accordance with the Geographical Names Board guidelines, the report be deferred for further investigation and consideration of boundaries.

6.5 PUBLICATION OF TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 - FILE NO SF 5115

DIRECTORATE: ENVIRONMENT AND PLANNING

AUTHOR: Genevieve Harrison, Manager Strategic Planning

MOTION

Moved Cr Woodley/Cr Webb

12/11 RESOLVED

That in relation to the report, Publication of Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010), Council:

- (i) receive and note the publication of the TRLEP 2010 on Friday 21 January 2011;
- (ii) write to the Minister for Planning, The Hon. Tony Kelly MLC seeking a detailed rationale for each amendment included in the published Plan;
- (iii) take the opportunity to outline Council's concerns with the new flood Clause TRLEP 2010 at the Australian Floodplain Management Authorities Conference to be held in Tamworth 22-25 February 2011; and
- (iv) continue to review the TRLEP 2010 and provide a further report identifying the full implication of the Minister's changes together with any potential planning proposals required to achieve Council's strategic planning outcomes.

6.6 DEVELOPMENT APPLICATION NO DA0286/2010 – ERECTION OF SHED – 91 FIONA DRIVE, MOORE CREEK - FILE NO DA0286/2010

DIRECTORATE: ENVIRONMENT AND PLANNING

AUTHOR: Sam Roche, Senior Building Inspector

MOTION

Moved Cr Betts/Cr Durant

13/11 RESOLVED

That in relation to Development Application No DA0286/2010 for the erection of a shed at 91 Fiona Drive, Moore Creek, Council note that the Principal Certifying Authority

(PCA) acted within the statutory powers available to the PCA concerning the identified non-compliance with the Development Consent and take no further action.

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 Russell Webb, Deputy Mayor 3. Cr Phil Betts 4. Cr Paul Durant 5. Cr Ray Tait 6. Cr Helen Tickle 7. Cr James Treloar 8. Cr Juanita Wilson 9. Cr Warren Woodley	Nil.

6.7 AMENDMENTS TO TAMWORTH REGIONAL DEVELOPMENT CONTROL PLAN 2010 - FILE NO SF5116

DIRECTORATE: ENVIRONMENT AND PLANNING

AUTHOR: David Lewis, Manager Development and Approvals

Reference: Item 7.13 of this Business Paper – Review of Council’s Engineering Design Guidelines for Subdivision and Development – File No SF2758

MOTION

Moved Cr Webb/Cr Woodley

14/11 RESOLVED

That the proposed amendments to the Tamworth Regional Development Control Plan 2010, as outlined in this report, be exhibited for public comment in accordance with requirements of the Environmental Planning and Assessment Regulation 2000 and that a further report be submitted to Council to consider any submissions made.

7 INFRASTRUCTURE AND SERVICES

7.1 CRIME PREVENTION WORKING GROUP - FILE NO SF2300

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Bruce Mercer, Manager Cultural and Community Services

MOTION

Moved Cr Wilson/Cr Tait

15/11 RESOLVED

That in relation to the Crime Prevention Working Group report, Council:

- (i) receive and note the minutes of the Crime Prevention Working Group meeting held on 17 December 2010; and
- (ii) request the Director of Regional Services, in consultation with the Local Traffic Committee, the Crime Prevention Working Group, the Tamworth Liquor Accord and key stakeholders, to undertake a review of public transport operations during the Country Music Festival and, if required, submit an application for funding to the Ministry of Transport for improved services at future festivals.

7.2 NEW RURAL FIRE SERVICE (RFS) FIRE CONTROL AND EMERGENCY OPERATIONS CENTRE - FILE NO SF4941

DIRECTORATE: REGIONAL SERVICES

AUTHOR: John Davis, Manager Waste and Cleaning Services

MOTION

Moved Cr Durant/Cr Betts

16/11 RESOLVED

That in relation to the report, NEW Rural Fire Service (RFS) Fire Control & Emergency Operations Centre, Council:

- (i) acknowledge the NSW RFS' intent to suspend works on the existing proposal to upgrade the current Fire Control Centre located in Lockheed Street Tamworth;
- (ii) endorse commencement of investigations which would aim to identify Council owned land parcels, within the general proximity of Tamworth, that may be suited to development of a NEW Fire Control & Emergency Operations Centre;
- (iii) notify the NSW Rural Fire Service that Tamworth Regional Council will only support a NEW Fire Control Centre if the facility incorporates / integrates an Emergency Operations Centre that can be utilised by Council and other emergency services when required; and
- (iv) request the RFS to submit a detailed proposal for development of a NEW Fire Control and Emergency Operations Centre, for consideration by Council, which addresses the following matters:
 - i) all opportunities to relocate the existing RFS and SES operations from the Lockheed Street facility to the proposed new location, such that Council can consider sale or alternative uses of the Lockheed Street parcel;
 - ii) consideration of full re-development upon the current site; and
 - iii) opportunities to utilise other Council facilities / buildings if / when major operational needs arise, in lieu of construction of permanent operations rooms etc which might otherwise be underutilised.

7.3 PROPOSED HMAS TAMWORTH MEMORIAL – BICENTENNIAL PARK - FILE NO SF3888

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

MOTION

Moved Cr Woodley/Cr Tickle

17/11 RESOLVED

That in relation to the report 'Proposed HMAS Tamworth Memorial – Bicentennial Park', Council approve the location of the HMAS Tamworth Memorial as shown in memorial precinct plan.

7.4 TAMWORTH POWERSTATION MUSEUM - FILE NO SF803

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

MOTION

Moved Cr Webb/Cr Woodley

18/11 RESOLVED

That in relation to the Tamworth PowerStation Museum, Council receive and note the report.

7.5 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING- DECEMBER 2010 - FILE NO SF1387

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

MOTION

Moved Cr Tait/Cr Webb

19/11 RESOLVED

That Council endorse the following recommendations of the Tamworth Regional Local Traffic Committee meeting held on 7 December 2010:

61/2010 That with regard to the proposed amendment to the existing parking restrictions in Johnston Street at the intersection with Barton Lane adjacent to the Tamwell Medical Centre in Tamworth:

- (i) the existing disabled parking zone be reduced from 15 to 10 metres and the correct signposting installed; and
- (ii) a No Parking zone, 7am to 7pm Monday to Friday and 7am to 1pm Saturday be imposed immediately east of the disabled parking zone for a distance of 15 metres.

62/2010 That with regard to the minor amendments to the 2011 Tamworth Country Music Festival Traffic Management Plan (TMP) note the following:

- (i) only one (1) Variable Message Sign (VMS) was used to advise motorists of traffic conditions associated with the temporary closure (between 6am and 6pm) of Brisbane St at Marius Street during the Festival period;
- (ii) the cost of the VMS including freight to and from the will be paid by the management of the Centrepont Shopping Centre;
- (iii) Corflute signs were used at various advanced warning sites on approach to the intersection to augment the VMS;
- (iv) shopping centre vehicular patronage egress from Cooper Lane was permitted over Brisbane Street and east along Brisbane Street between 6am and 6pm; and
- (v) egress of shopping centre patrons was monitored closely and is included in the festival traffic report.

63/2010 That with regard to the proposed improvements to the Wallamore Road on approach to the Goddard Lane intersection in Tamworth Council:

- (i) note that the Traffic Committee reviewed the contents of the draft road safety audit of Wallamore Rd/Goddard Lane intersection;
- (ii) approve the immediate implementation of the short term recommendations in the draft road safety audit; and
- (iii) request that the final audit report be tabled for consideration upon completion at a future Traffic Committee meeting.

7.6 BARRABA GROUNDWATER NINE MONTH PUMPING TRIAL AND FURTHER GROUNDWATER INVESTIGATIONS – FILE NO SF188

This matter was dealt with as the first item of the business paper.

7.7 CALCLEAR TRIAL ON BARRABA WATER - FILE NO SF 4847

DIRECTORATE: WATER ENTERPRISES

AUTHOR: Bruce Logan – Director Water Enterprises

MOTION

Moved Cr Webb/Cr Betts

20/11 RESOLVED

That in relation to the report CalcLEAR Trial on Barraba Water, Council not proceed with the permanent installation of the CalcLEAR system on the Barraba water reticulation.

7.8 CONTINUATION OF RESIDENTIAL WATER SAVING REBATE SCHEME – FILE NO SF3219

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Ian Lobban, Water Sustainability Officer

MOTION

Moved Cr Woodley/Cr Tickle

21/11 RESOLVED

That in relation to the report for the continuation of the Residential Water Saving Rebate Scheme, Council:

- (i) extend the current scheme on all products for another three years to 28 February 2014; and
- (ii) add 4-star Water Efficient Labelling and Standards (WELS) rated dishwashers to the list of eligible products under the scheme with a rebate amount of \$100.

7.9 WESTDALE ALLIANCE UPDATE - FILE NO SF3216

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Nigel Thompson – Manager Water Augmentation

MOTION

Moved Cr Woodley/Cr Durant

22/11 RESOLVED

That in relation to the Report Westdale Alliance Update Council:

- (i) receive and note the report; and
- (ii) concur with deferring of proposed work associated with the placement of additional rip rap protection on the embankments at Maturation Ponds 1 & 2 until after commissioning completion of the new works.

7.10 EFFLUENT REUSE FARM PROGRESS - FILE NO SF3217

DIRECTORATE: WATER ENTERPRISES
AUTHOR: Nigel Thompson – Manager Water Augmentation

MOTION

Moved Cr Woodley/Cr Tait

23/11 RESOLVED

That in relation to the Effluent Reuse Farm Progress Council receive and note the report.

**7.11 SPLIT ROCK DAM TO BARRABA PIPELINE FEASIBILITY STUDY
PROGRESS - FILE NO SF1884**

This matter was dealt with as the second item of the business paper.

**7.12 TAMWORTH REGIONAL COUNCIL WASTE MANAGEMENT WORKING
GROUP MINUTES - FILE NO SF3101**

This matter was dealt with as the third item of the business paper.

**7.13 A REVIEW OF COUNCIL'S ENGINEERING DESIGN GUIDELINES FOR
SUBDIVISION AND DEVELOPMENT – FILE NO SF2758**

**DIRECTORATE: REGIONAL SERVICES ENVIRONMENT, PLANNING &
ECONOMIC DEVELOPMENT WATER ENTERPRISES**
AUTHOR: Bruce Logan Director Water Enterprises

MOTION

Moved Cr Betts/Cr Treloar

24/11

RESOLVED

That in relation to the report Review of Council's Engineering Design Guidelines for Subdivision and Development, Council:

- (i) make copies of the draft document available to the local Developers and Development Industry Consultants seeking feedback and comments generally in accordance with the strategy detailed within the report; and
- (ii) request the Director Water Enterprises submit a further report to Council following the completion of the consultation process.

**7.14 MOORE PARK ESTATE STAGE 5 WATER MAIN CONSTRUCTION -
FILE NO DA735/2005**

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

MOTION

Moved Cr Durant/Cr Webb

25/11

RESOLVED

That in relation to the report Moore Park Estate Stage 5 Water Main Construction, Council waive the requirement for the Developer to construct the additional length of 250 mm diameter water main as detailed within the report and Council fund this construction if and when it becomes necessary.

8 CORPORATE & GOVERNANCE

8.1 CHANGE OF COUNCIL MEETING DATES – APRIL 2011 - FILE No SF809

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

MOTION

Moved Cr Woodley/Cr Tait

26/11 RESOLVED

That the Ordinary Council Meeting dates for April 2011 be rescheduled to, Wednesday 13 April and Wednesday 27 April.

8.2 AMERICANA MUSIC FESTIVAL AND CONFERENCE - FILE No SF4810

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

MOTION

Moved Cr Durant/Cr Tickle

27/11 RESOLVED

That the report Americana Music Festival and Conference be received and noted.

8.3 PARLIAMENTARY JOINT STANDING COMMITTEE ON ELECTORAL MATTERS REPORT - FILE No SF3310

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Robert Charlesworth – Administration & Governance Manager

MOTION

Moved Cr Webb/Cr Tait

28/11 RESOLVED

That the report Parliamentary Joint Standing Committee on Electoral Matters be received and noted.

8.4 TASTE COMMITTEE TAMWORTH INC LONG LUNCH EVENT - FILE No SF628 COMMUNITY DEVELOPMENT COMMITTEE - MINUTES - FILE No SF1907, SF2965, SF2586 & SF 2664

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Robert Charlesworth – Administration & Governance Manager

MOTION

Moved Cr Woodley/Cr Tickle

29/11 RESOLVED

That in accordance with Section 645 of the Local Government Act 1993, Council approve the application by TASTE and suspend the Tamworth Central Business District Alcohol Free Zone between the hours of 11.00am to 4.00pm on 3 April 2011 within that part of Peel Street between Brisbane and Fitzroy for the purpose of allowing the service and consumption of alcohol at the proposed Long Lunch event subject to compliance with the following conditions:

- (i) Compliance with the conditions of development consent imposed in respect of the event;
- (ii) Compliance with the conditions of road closure of Peel Street between Brisbane and Fitzroy Streets imposed by the City of Tamworth Traffic Committee;
- (iii) Compliance with the licensing conditions imposed by Tamworth Licensing Police for the responsible service and consumption of alcohol for the event; and
- (iv) Provision of adequate security, supervision and responsible service of alcohol for the event within a public place.

8.5 2011 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – CALL FOR MOTIONS - FILE No SF1385

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

MOTION

Moved Cr Webb/Cr Tait

30/11 RESOLVED

- i) That Cr Murray be authorised to attend the 2011 National General Assembly of Local Government in Canberra from 19 – 22 June 2011 as voting delegate and Crs, Tickle, Betts, and Wilson be authorised to attend the 2011 National General Assembly of Local Government in Canberra from 19 – 22 June 2011 as observers; and
- ii) That the General Manager prepare a draft motion to the National General Assembly recommending the establishment of a growth revenue stream for Local Government via a portion of the fuel levy, and that this motion be referred to Council before submission.

8.6 HEAD OF THE PEEL ROAD NUNDLE – LAND ACQUISITION FOR ROAD REALIGNMENT AND TRANSFER OF CLOSED ROAD - FILE NO SF1847

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

MOTION

Moved Cr Woodley/Cr Durant

31/11 RESOLVED

That in relation to the acquisition of land for road purposes to accommodate the realignment of Head of the Peel Road Nundle, and associated closure of unnecessary road reserve, Council:

- (i) authorise the acquisition of Lots 4, 5, 6 and 7 in DP 1120827 for dedication as public road;
- (ii) authorise the transfer of Lots 1, 2 and 3 in DP 1120827 to the owner of the land recommended for acquisition for road in (i) above as compensation for the land being dedicated as public road; and
- (iii) authorise the affixing of the seal of Council to the land transfer documents and the Request document for the issue of Certificates of Title following closure of the road.

8.7 NSW GOVERNMENT DEPARTMENT OF PREMIER AND CABINET – TAMWORTH COUNTRY MUSIC FESTIVAL HALLMARK STATUS - FILE NO SF622

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Robert Charlesworth – Administration and Governance Manager

MOTION

Moved Cr Woodley/Cr Tait

32/11 RESOLVED

That in relation to the report NSW Government Department of Premier and Cabinet Tamworth Country Music Festival Hallmark Status, Council receive and note the report.

9 REPORTS FROM DELEGATES

9.1 AUSTRALIA DAY ACTIVITIES AT BENDEMEER - SF1907

Cr James Treloar reported that he attended the Australia Day activities at Bendemeer and was given a book titled "Hope Happens" which he presented to the Mayor.

9.2 LOCAL HEALTH ADVISORY COMMITTEE - SF1636

Cr Helen Tickle advised that she attended the Local Health Advisory Committee and that work on the new cancer section at the Tamworth Base Hospital was underway.

10 QUESTIONS AND MATTERS OF CONCERN

10.1 BELMORE PARK – EQUIPMENT STORAGE - PF12

Cr Juanita Wilson stated that she had received a number of enquiries from concerned citizens about the storage of equipment at Belmore Park. She requested the Director Regional Services advise on the timeframe for removal of this equipment.

10.2 SCULLY PARK – EQUIPMENT STORAGE - SF5041

Cr Juanita Wilson advised that the Scully Park storage area at the corner of the park was very unsightly and requested the Director Regional Services investigate an alternate solution.

10.3 JEWRY STREET – PARKING - SF469

Cr Jaunita Wilson requested the Director Regional Services investigate options to overcome the lack of parking in Jewry Street during sporting events.

10.4 RIVERSIDE PARK - SF1173

Cr Jaunita Wilson advised that she had received complaints from the Cricket Association regarding shopping trolleys filled with rubbish and requested the Director Regional Services investigate.

10.5 REGIONAL AIRPORT CONFERENCE - SF441

Cr Treloar sought permission to attend the Regional Airport Conference in Sydney as he is presenting a paper.

MOTION

Moved Cr Durant/Cr Betts

33/11 RESOLVED

That Cr Treloar be authorised to attend the Regional Airport Conference in Sydney.

10.6 SOUTH TAMWORTH ANIMAL HOSPITAL - SF4919

Cr Bett's advised Council that he had received correspondence from the South Tamworth Animal Hospital stating that Tamworth Regional Council pound had acted in breach of the laws set out by the Companion Animals Act. The General Manager advised that a response had been sent.

10.7 AUSTRALIA DAY HONOURS – SF790

Cr Tait requested that Council determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (a) of the Local Government Act 1993 on the grounds that the matter and information is personnel matters concerning particular individuals other than Councillors.

10.8 PIPER STREET TENNIS CLUB AND CLUBHOUSE - SF58

Cr Tickle advised Council of the condition of the Piper Street Tennis Club and Clubhouse and requested that the Director Regional Services investigate alternative uses for the facility.

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

MOTION

Moved Cr Webb/Cr Woodley

34/11 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 LAND ACQUISITION – LOT 31 IN DP 1128390 AND LOT 41 IN DP 719185 FOREST ROAD NORTH TAMWORTH – FILE NO LF9597

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

MOTION

Moved Cr Woodley/Cr Webb

35/11 RESOLVED

That Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d) of the Local Government Act 1993 on the grounds that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

At 8.51pm, 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 LAND ACQUISITION – LOT 31 IN DP 1128390 AND LOT 41 IN DP 719185 FOREST ROAD NORTH TAMWORTH – FILE NO LF9597

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

MOTION

Moved Cr Woodley/Cr Webb

36/11 RESOLVED

That in relation to the acquisition of Lot 31 in DP 1128390 and Lot 41 in DP 719185, Forest Road North Tamworth, Council:

- (i) authorise the acquisition of the land under terms as detailed in confidence in the report;
- (ii) authorise the General Manager to enter into an Occupation Licence Agreement with the current owner of the land under terms as detailed in confidence in the report;
- (iii) authorise the affixing of the Seal of Council to the Contract for the purchase of the land, the Transfer documents, and all associated land exchange documents;
- (iv) upon acquisition classify the land as Operational land pursuant to section 31 of the Local Government Act 1993; and
- (v) give public notice of the classification of the land in accordance with Section 34 of the Local Government Act 1993.

12.2 AUSTRALIA DAY HONOURS 2012 – FILE No 790

Cr Tait requested the General Manager investigate the procedure for nominating a local resident for an Australia Day honour in 2012.

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

At 9.00pm 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 9.35pm.

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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