



# TAMWORTH REGIONAL COUNCIL

## ORDINARY COUNCIL MINUTES

of the **Meeting of Tamworth Regional Council** held in the **Council Chambers**,  
**4th Floor Ray Walsh House, 437 Peel Street, Tamworth**

**17 NOVEMBER 2020**

**PAUL BENNETT**  
**GENERAL MANAGER**

# ORDINARY COUNCIL MINUTES

Meeting of Tamworth Regional Council held in the Council Chambers,  
4th Floor Ray Walsh House, 437 Peel Street, Tamworth  
TUESDAY 17 NOVEMBER 2020 at 6:30PM

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Minutes

**PRESENT:** Cr Phil Betts (Acting Mayor), Cr Charles Impey, Cr Glenn Inglis, Cr Mark Rodda, Cr Russell Webb and Cr Juanita Wilson.

**IN ATTENDANCE:** The General Manager, Director Corporate and Governance, Acting Director Planning and Compliance, Acting Director Growth and Prosperity, Director Regional Services, Director Water and Waste and Executive Manager Strategy and Performance.

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## **1 APOLOGIES AND LEAVE OF ABSENCE**

Apologies were announced as having been received from Cr Col Murray who is unable to attend the Meeting due to personal reasons, Cr Jim Maxwell who is unable to attend the Meeting due to being out of the City on Council business, and Cr Helen Tickle due to being out of the City on personal business.

### **MOTION**

**Moved Cr Impey/Cr Wilson**

That the apologies be accepted and Cr Murray, Cr Maxwell, and Cr Tickle be granted leave of absence from the Meeting.

**340/20 RESOLVED**

## **2 COMMUNITY CONSULTATION**

**2.1 ITEM 6.1 - NOTICE OF MOTION - CR MARK RODDA - REQUEST FOR NSW GOVERNMENT SUPPORT TO CONSIDER AND PUMPSITE FROM PEEL RIVER TO KEEPIT DAM TO ENHANCE TAMWORTH/NORTH-WEST WATER SUPPLIES**

Mr James Treloar addressed Council in support of the recommendation.

## **3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL**

### **MOTION**

**Moved Cr Inglis/Cr Rodda**

That the Minutes of the Ordinary Meeting held on Tuesday, 27 October 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

**341/20 RESOLVED**

## **4 DISCLOSURE OF INTEREST**

Cr Mark Rodda declared a conflict of interest in Item 12.1 "Proposal to Close Locks Lane, South Tamworth" of the Business Paper, for the reason that he is employed by the Department of Trade and Investment Crown Lands Division. Cr Rodda further stated that it was a less than significant non pecuniary interest and that he would remain in the Chamber and participate in the debate.

**5 MAYORAL MINUTE**

Nil

**6 NOTICE OF MOTION**

**6.1 NOTICE OF MOTION – CR MARK RODDA - REQUEST FOR NSW GOVERNMENT SUPPORT TO CONSIDER AND PUMPSITE FROM PEEL RIVER TO KEEPIT DAM TO ENHANCE TAMWORTH/NORTH-WEST WATER SUPPLIES**

**MOTION**

**Moved Cr Rodda/Cr Impey**

That Council:

- (i) write to the NSW Government to investigate the feasibility of a pipeline and pump site between the Peel River near Carroll Gap Bridge to Keepit Dam; and
- (ii) seek the Government's in principle support for and funding of a pipeline and pump site between the Peel River near Carroll Gap Bridge to Keepit Dam should it be feasible, to bolster the storage of Keepit Dam and enhance the Tamworth and North-West water supplies.

**THE MOTION WAS LOST**

**OPEN COUNCIL REPORTS**

**7 ENVIRONMENT AND PLANNING**

Nil

**8 INFRASTRUCTURE AND SERVICES**

**8.1 CSIRO PROPOSAL FOR A TRIAL WASTEWATER TREATMENT SYSTEM**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager - Water Operations**

**MOTION**

**Moved Cr Rodda/Cr Webb**

That in relation to the report "CSIRO Proposal for a Trial Wastewater Treatment System", Council:

- (i) agree to participate in the CSIRO Pilot Integrated Forward Osmosis – Reverse Osmosis wastewater treatment system;
- (ii) allocate \$140,000 from the Wastewater Reserve to fund the project;
- (iii) request the Director Water and Waste to seek funding assistance from the NSW Government for the project; and
- (iv) request the Director Water and Waste to prepare a further report for Council consideration once the CSIRO report on the trial is finalised.

**342/20 RESOLVED**

## **8.2 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE - GENERAL MEETING - 4 NOVEMBER 2020**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Michael Hazelwood, Acting Manager Infrastructure and Works

### **MOTION**

#### **Moved Cr Inglis/Cr Impey**

That in relation to the report “Tamworth Regional Local Traffic Committee – General Meeting – 4 November 2020”, Council:

- (i) approve the installation of the following changes at Nemingha Public School, Nundle Road:
  - install a solid edge line south of the driveway entrance;
  - install a 10 metre no stopping zone south of the driveway entrance with painted median; and
  - install a no stopping zone north of the driveway exit from the exit to the power pole, approximately 3 metres;
- (ii) approve the installation of edge lines for parking on Dowe Street and Council to then monitor the parking behaviour;
- (iii) approve the restriction on the district nurse parking space to Monday to Friday, with an updated sign; and
- (iv) approve the installation of a keep clear zone on Charles Street Moonbi, at Gill Street, Moonbi.

**343/20 RESOLVED**

## **8.3 AUSTRALIAN EQUINE AND LIVESTOCK EVENTS CENTRE (AELEC) SOLAR PHOTOVOLTAIC OPTIONS**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Tim Hurcum, Sustainability Officer  
**Reference:** Item 7.7 to Ordinary Council 18 December 2018 - Minute No 330/18

### **MOTION**

#### **Moved Cr Wilson/Cr Webb**

That in relation to the report “Australian Equine and Livestock Events Centre (AELEC) Solar Photovoltaic Options”, Council:

- (i) not proceed with the installation of a solar system at AELEC;
- (ii) upgrade electricity meters to smart meters at suitable sites where there will be no upfront cost to Council; and
- (iii) request the Director Water and Waste continue to review options for solar installations at other Council owned sites, and report to Council where suitable sites are identified.

**344/20 RESOLVED**

#### **8.4 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Louise Cadell, Sustainability Officer - Water  
**Reference:** Item 8.4 to Ordinary Council 13 October 2020 - Minute No 308/20

#### **MOTION**

**Moved Cr Wilson/Cr Impey**

That in relation to the report “Regular Update on Drought Response and Water Sustainability”, Council receive and note the report.

**345/20 RESOLVED**

#### **8.5 GRANTING OF EASEMENT TO ESSENTIAL ENERGY FOR UNDERGROUND POWER AT CALALA WATER TREATMENT PLANT**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager - Water Operations

#### **MOTION**

**Moved Cr Webb/Cr Rodda**

That in relation to the report “Granting of Easement to Essential Energy for Underground Power at Calala Water Treatment Plant”, Council:

- (i) grant an easement in favour of Essential Energy for underground powerlines over part of the land described as Lot 2 in Deposited Plan 12113699, in favour of Essential Energy for the protection of electrical infrastructure on terms detailed in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the documentation creating the easement and any associated documentation.

**346/20 RESOLVED**

## **9 GOVERNANCE, STRATEGY AND FINANCE**

#### **9.1 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicole Hunter, Coordinator Executive Services  
**Reference:** Item 9.2 to Ordinary Council 22 September 2020 - Minute No 287/20

#### **MOTION**

**Moved Cr Inglis/Cr Impey**

That in relation to the report “Councillor Induction and Professional Development Policy”, Council approve the Councillor Induction and Professional Development Policy.



**347/20 RESOLVED**

**9.2 TAMWORTH REGIONAL COUNCIL 2019/2020 ANNUAL REPORT**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Jodie McMahon, Finance Officer

**MOTION**

**Moved Cr Inglis/Cr Impey**

That in relation to the report “Tamworth Regional Council 2019/2020”, Council receive and note the Annual Report and make it available to the public.

**348/20 RESOLVED**

**9.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES - 20 OCTOBER 2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Karen Litchfield, Internal Auditor

**MOTION**

**Moved Cr Inglis/Cr Impey**

That in relation to the report “Audit, Risk and Improvement Committee Meeting Minutes – 20 October 2020”, Council receive and note the Minutes.

**349/20 RESOLVED**

**9.4 TAMWORTH REGIONAL COUNCIL CONSOLIDATED FINANCIAL REPORTS FOR PERIOD ENDED 30 JUNE 2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Sherrill Young, Manager Financial Services

**Reference:** Tabled document

**MOTION**

**Moved Cr Inglis/Cr Rodda**

That in relation to the report “Tamworth Regional Council Consolidated Financial Reports for Period Ended 30 June 2020”, Council:

- (i) receive and note the reports as presented; and
- (ii) adopt the proposed allocation of unrestricted cash results to Reserves.

**350/20 RESOLVED**

**9.5 COUNCIL INVESTMENTS OCTOBER 2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Sherrill Young, Manager Financial Services

**MOTION**

**Moved Cr Webb/Cr Impey**

That in relation to the report “Council Investments October 2020”, Council receive and note the report.

**351/20 RESOLVED**

**9.6 2020/2021 QUARTERLY BUDGET REVIEW STATEMENTS TO 30 SEPTEMBER 2020**

**DIRECTORATE: CORPORATE AND GOVERNANCE**  
**AUTHOR: Sherrill Young, Manager Financial Services**

**MOTION**

**Moved Cr Inglis/Cr Wilson**

That in relation to the report “2020/2021 Quarterly Budget Review Statements to 30 September 2020”, Council receive and note the report and related statements.

**352/20 RESOLVED**

**9.7 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - OCTOBER 2020**

**DIRECTORATE: CORPORATE AND GOVERNANCE**  
**AUTHOR: Sherrill Young, Manager Financial Services**

**Reference: Item 9.3 to Ordinary Council 23 June 2020 - Minute No 173/20**

**MOTION**

**Moved Cr Wilson/Cr Impey**

That in relation to the report “Annual Operational Plan 2020/2021 Budget Variation Report – October 2020”, Council note and approve the variations to the existing budget included in the attached Annexures.

**353/20 RESOLVED**

**9.8 TAMWORTH REGIONAL AVIATION STRATEGIC DEVELOPMENT WORKING GROUP MINUTES - 27 OCTOBER 2020**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**  
**AUTHOR: John Sommerlad, Commercial Director - Airport and Aviation Development**

**MOTION**

**Moved Cr Wilson/Cr Rodda**

That in relation to the report “Tamworth Regional Aviation Strategic Development Working Group Minutes”, Council receive and note the Minutes.

**354/20 RESOLVED**

**10 COMMUNITY SERVICES**

### **10.1 TAMWORTH REGION INCLUSIVE CULTURE ADVISORY COMMITTEE (TRICAC) MINUTES - 18 JUNE 2020 AND 8 OCTOBER 2020**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Kay Delahunty, Manager - Cultural and Community Services

#### **MOTION**

##### **Moved Cr Wilson/Cr Impey**

That in relation to the report "Tamworth Region Inclusive Culture Advisory Committee (TRICAC) Minutes - 18 June 2020 and 8 October 2020", Council receive and note the minutes.

**355/20 RESOLVED**

### **10.2 STAY REGIONAL SHOP REGIONAL - TAMWORTH REGION GIFT**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Kate Baker, Co-Ordinator Economic and Destination Development

#### **MOTION**

##### **Moved Cr Inglis/Cr Impey**

That in relation to the report "Stay Regional Shop Regional – Tamworth Region Gift Card", Council agrees to:

- (i) provide \$20,000 (plus GST) to be used for licencing of the platform and purchase of associated cards and marketing collateral in accordance with Council's Procurement Policy; and
- (ii) provide assistance in graphic design to develop the marketing collateral.

**356/20 RESOLVED**

### **10.3 2020/2021 ANNUAL DONATIONS PROGRAM RECOMMENDATIONS**

**DIRECTORATE:** GROWTH AND PROSPERITY  
**AUTHOR:** Janelle Scott, Records Business Support Officer

#### **MOTION**

##### **Moved Cr Wilson/Cr Rodda**

That in relation to the report "2020/2021 Annual Donations Program Recommendations" Council approve donations to the value \$49,523.14.

**357/20 RESOLVED**

## **11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL**

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.

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 asked any members of the Council whether any part of the Council Meeting should not be considered in Closed Council.

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## **MOTION**

### **Moved Cr Wilson/Cr Rodda**

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.

## **358/20 RESOLVED**

### **11.1 PROPOSAL TO CLOSE LOCKS LANE, SOUTH TAMWORTH**

**DIRECTORATE:** CORPORATE AND GOVERNANCE

**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
Melissa Lasker, Executive Assistant Legal Services  
Leanne James, Business Support Officer

**Reference:** Item 8.2 to Ordinary Council 11 June 2013 - Minute No 186/13  
Item 8.1 to Ordinary Meeting 14 August 2018 - Minute No 132/18

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

### **11.2 RENEWAL OF LICENCE AGREEMENT SOMERTON RACECOURSE - LOT 209 IN DEPOSITED PLAN 257191**

**DIRECTORATE:** CORPORATE AND GOVERNANCE

**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services

**Reference:** Item 6.3 to Ordinary Council 24 May 2005 - Minute No 94/05

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

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

### **11.3 CONSTRUCTION OF THE AT HOUSE NOISE TREATMENTS FOR THE NAMOI RIVER CROSSING PROJECT**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** Callum Fletcher, Project Engineer

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 Council is conducting (or proposes to conduct) business.

#### **11.4 POSSIBLE PURCHASE OF PROPERTY**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager - Water Operations**

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

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 Council is conducting (or proposes to conduct) business.

#### **11.5 PROPOSED ACQUISITION FOR CORNER REALIGNMENT SAFETY UPGRADE - DAVIDSONS LANE**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Callum Fletcher, Project Engineer**

**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

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 Council is conducting (or proposes to conduct) business.

## **12 CLOSED COUNCIL REPORTS**

### **12.1 PROPOSAL TO CLOSE LOCKS LANE, SOUTH TAMWORTH**

**DIRECTORATE: CORPORATE AND GOVERNANCE**

**AUTHOR: Kirrilee Ringland, Manager Property and Legal Services**

**Melissa Lasker, Executive Assistant Legal Services**

**Leanne James, Business Support Officer**

**Reference: Item 8.2 to Ordinary Council 11 June 2013 - Minute No 186/13**

**Item 8.1 to Ordinary Meeting 14 August 2018 - Minute No 132/18**

#### **MOTION**

**Moved Cr Webb/Cr Wilson**

That in relation to the report "Proposal to Close Locks Lane, South Tamworth", Council:

- (i) proceed with the closure of Locks Lane, South Tamworth from the Council owned land south of Thibault Street through to Mathews Street at the northern end;
- (ii) confirm the previous resolution of Council in this regard;
- (iii) give public notice of the intention to classify the land as Operational Land;
- (iv) authorise the affixing of the Seal on the transfer Granting Easement and associated documents; and
- (v) resolve to classify the land as Operational Land subject to any submission which may be made on advertising the intention to classify the land as

Operational Land.

**359/20 RESOLVED**

**12.2 RENEWAL OF LICENCE AGREEMENT SOMERTON RACECOURSE - LOT 209 IN DEPOSITED PLAN 257191**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**Reference:** Item 6.3 to Ordinary Council 24 May 2005 - Minute No 94/05

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

**MOTION**

**Moved Cr Webb/Cr Wilson**

That in relation to the report “Renewal of Licence Agreement Somerton Racecourse – Lot 209 Deposited Plan 257191”, Council:

- (i) authorise the Mayor and General Manager to enter into a Licence Agreement with the proposed Licensees on the terms described in the body of this report;
- (ii) as Reserve Trust Manager of Reserve 69616, authorise the affixing of the Seal of Council to the Licence Agreement and any associated documentation.

**360/20 RESOLVED**

**12.3 CONSTRUCTION OF THE AT HOUSE NOISE TREATMENTS FOR THE NAMOI RIVER CROSSING PROJECT**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Callum Fletcher, Project Engineer

**MOTION**

**Moved Cr Wilson/Cr Impey**

That in relation to the report “Construction of the At House Noise Treatments for the Namoi River Crossing Project”, Council:

- (i) accept the tender submitted by PKN Constructions Pty Ltd for a lump sum amount of \$351,495 (excluding GST) for all items associated with the At House Noise Treatments; and
- (ii) authorise the affixing of the Seal of Council to this Contract and the individual Licence Agreements and property owners.

**361/20 RESOLVED**

**12.4 POSSIBLE PURCHASE OF PROPERTY**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager - Water Operations

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

**MOTION**

**Moved Cr Inglis/Cr Webb**

That in relation to the report “Possible Purchase of Property”, Council:

- (i) agree with the recommendation as detailed in the report;
- (ii) provide funds from the Water Reserve to fund the acquisition and other payments;
- (iii) authorise the affixing of the Seal of Council to the Contract for Sale and Purchase of Land Agreement and any associated documentation to affect the transfer of the land; and
- (iv) resolve to classify the land as Operational Land upon acquisition subject to any submission which may be made on advertising the intention to classify the land as Operational Land.

**362/20 RESOLVED**

**12.5 PROPOSED ACQUISITION FOR CORNER REALIGNMENT SAFETY UPGRADE - DAVIDSONS LANE**

**DIRECTORATE: REGIONAL SERVICES**  
**AUTHOR: Callum Fletcher, Project Engineer**

**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

**MOTION**

**Moved Cr Wilson/Cr Webb**

That in relation to the report “Proposed Acquisition for Corner Realignment Safety Upgrade – Davidsons Lane”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of the proposed acquisition of the relevant properties;
- (ii) authorise the execution by Council of Deeds of Agreement, plans of subdivision and accepting the dedication of the land as a road;
- (iii) authorise the affixing of the Seal of Council to the Deeds of Agreement, plans and any other documents required to give effect to Council’s resolution; and
- (iv) approve the use of the Civil Construction Reserve to fund the acquisition of the property, associated costs and fencing adjustments.

**363/20 RESOLVED**

**13 RESOLUTIONS PASSED IN CLOSED COUNCIL**

**MOTION**

**Moved Cr Wilson/Cr Inglis**

That Council move into Open Council.

**364/20 RESOLVED**

At 7.54pm the meeting moved back into Open Council.

In accordance with the Tamworth Regional Council Code of Meeting Practice, Section 14.21, 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 7.55pm.

Cr Phi Betts, Chairperson  
Tuesday, 1 December 2020

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Minutes