



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

8 FEBRUARY 2022

**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 8 FEBRUARY 2022 at 6:30PM

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PRESENT: Cr Russell Webb (Mayor), Cr Mark Rodda, Cr Phil Betts, Cr Bede Burke, Cr Judy Coates, Cr Stephen Mears, Cr Brooke Southwell, Cr Marc Sutherland, Cr Helen Tickle.

IN ATTENDANCE: The General Manager, Director Liveable Communities, Director Growth and Prosperity, Director Water and Waste and Executive Manager Strategy and Performance.

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 COMMUNITY CONSULTATION

Nil

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Southwell/Cr Mears

That the Minutes of the Ordinary Meeting held on Tuesday, 25 January 2022, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

28/22 RESOLVED

4 DISCLOSURE OF INTEREST

Nil

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

Nil

8 INFRASTRUCTURE AND SERVICES

Nil

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

Reference: Item 9.10 to Ordinary Council 5 January 2022 - Minute No 11/22

MOTION

Moved Cr Rodda/Cr Southwell

That in relation to the report "Council Special Purpose Committees, Working Groups, External Boards and Organisations", Council:

- (i) determine that all previous Councillor members, representatives and delegates be removed from Council Special Purpose Committees, Working Groups, External Boards and Organisations;
- (ii) appoint Councillors as members, representatives and delegates to Council Special Purpose Committees, Working Groups, External Boards and Organisations as detailed in the report below;
- (i) that the Terms of Reference for each Council Special Purpose Committee, Working Group, External Boards and Organisation be updated to reflect new Councillor membership; and
- (ii) where a Chairperson is required to be elected, that Chairperson to be elected by the Councillors at, or prior to, the first meeting of each Council Special Purpose Committee, Working Group, External Board and Organisation.

29/22 RESOLVED

10 COMMUNITY SERVICES

10.1 TAMWORTH REGIONAL YOUTH COUNCIL - ORDINARY MEETINGS HELD OCTOBER 2021 AND NOVEMBER 2021 - MINUTES

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Katey Allwell, Team Leader Inclusive Community

MOTION

Moved Cr Sutherland/Cr Southwell

That in relation to the report "Tamworth Regional Youth Council - Ordinary Meetings held October 2021 and November 2021 - Minutes", Council:

- (i) receive and note the minutes of meetings held on 28 October 2021 and 25 November 2021; and
- (ii) acknowledge the appointment of Tamworth Regional Council's first Youth Mayor, Deputy Youth Mayor and Youth Secretary.

30/22 RESOLVED

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 6.47pm, 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.

MOTION

Moved Cr Burke/Cr Tickle

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.

31/22 RESOLVED

**E036-2022 EXPRESSION OF INTEREST - PROPOSED USE OF THE RANCH 226
OXLEY LANE WESTDALE**

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 12.1 to Ordinary Council 26 October 2021 - Minute No. 314/21

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d)i 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.

**SUPPLY AND DELIVERY OF ONE TRUCK-MOUNTED MECHANICAL STREET
SWEEPER - T021/2022.**

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Stephen Groth, Technical Officer Fleet and Workshops

1 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d)i 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.

TENDER FOR SUPPLY OF AGGREGATES AND ROADBASE - T212122NAMOI

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Operations and Construction

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c),(d)i&(d)iii 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., commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. and information that would, if disclosed, reveal a trade secret.

**TENDER T062/2022 SCHEDULE OF RATES TENDER FOR THE RANGARI ROAD
UPGRADE**

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Angela Webb, Operations Engineer, Road Infrastructure
Mark Gardiner, Manager Project Planning and Delivery

The 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.

TENDER T058/2022 - SUPPLY AND DELIVERY OF EIGHT HEAVY RIGID 6X4 TIPPING TRUCKS AND FOUR SUPERDOG TRI-AXLE TIPPING TRAILERS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Stephen Groth, Technical Officer Fleet and Workshops

1 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d)i 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.

PROPOSED LAND REQUISITION FOR FOOTPATH EXTENSION

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Graeme McKenzie, Manager, Strategy, Assets and Design

2 CONFIDENTIAL ENCLOSURES ENCLOSED

The 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.

PILOT PROJECT AND ASSOCIATED GRANT FUNDING

DIRECTORATE: WATER AND WASTE

AUTHOR: Louise Cadell, Sustainability Officer - Water

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (d)ii 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 competitor of Council.

12 CLOSED COUNCIL REPORTS

12.1 E036-2022 EXPRESSION OF INTEREST - PROPOSED USE OF THE RANCH 226 OXLEY LANE WESTDALE

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 12.1 to Ordinary Council 26 October 2021 - Minute No. 314/21

MOTION

Moved Cr Mears/Cr Coates

That in relation to the report "E036-2022 Expression of Interest - Proposed use of The Ranch 226 Oxley Lane Westdale", Council:

- (i) formally withdraw the previous offer to enter into a lease agreement for the Ranch with Shamil Livestock; and
- (ii) authorise the General Manager to enter into a Lease Agreement for The Ranch with JM Pastoral under terms which include those detailed in the body of the report.

32/22 RESOLVED

12.2 SUPPLY AND DELIVERY OF ONE TRUCK-MOUNTED MECHANICAL STREET SWEEPER - T021/2022.

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Stephen Groth, Technical Officer Fleet and Workshops
1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Rodda

That in relation to the report "Supply and Delivery of One Truck-mounted Mechanical Street Sweeper - T021/2022.", Council award the tender to Rosmech Sales and Service Pty Ltd (ABN 86 093 128 271) for the change-over amount of \$ 249,767.00 exclusive of GST.

33/22 RESOLVED

12.3 TENDER FOR SUPPLY OF AGGREGATES AND ROADBASE - T212122NAMOI

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Operations and Construction
2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Sutherland

That in relation to the report “Tender for Supply of Aggregates and Roadbase – T212122NAMOI”, Council:

- (i) approve the following tender submissions be awarded this contract, T212122NAMOI:
 - BMR Quarries Pty Ltd;
 - Boral Resources (Country) Pty Ltd;
 - Buttai Gravel Pty Ltd T/A Daracon Quarries;
 - Graymont (Australia) Pty Ltd;
 - Regional Quarries Australia Pty Ltd; and
 - MacKeller Excavations Pty Ltd T/A MacKeller Excavations (MEX)
- (ii) note the commencement of the Regional Procurement contract for these services on 1 October 2021, for a period of 36 months, with provision for a 12 month extension based on satisfactory supplier performance; and
- (iii) authorise the Seal of the Council to be affixed to the contract.

34/22 RESOLVED

12.4 TENDER T062/2022 SCHEDULE OF RATES TENDER FOR THE RANGARI ROAD UPGRADE

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Angela Webb, Operations Engineer, Road Infrastructure
Mark Gardiner, Manager Project Planning and Delivery

MOTION

Moved Cr Burke/Cr Tickle

That in relation to the report “Tender T062/2022 Schedule of Rates Tender for the Rangari Road Upgrade”, Council:

- (i) decline to accept any of the tenders; and
- (ii) re-tender the works, incorporating design changes and providing an extended timeframe for construction subject to State Government approval.

35/22 RESOLVED

12.5 TENDER T058/2022 - SUPPLY AND DELIVERY OF EIGHT HEAVY RIGID 6X4 TIPPING TRUCKS AND FOUR SUPERDOG TRI-AXLE TIPPING TRAILERS

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Stephen Groth, Technical Officer Fleet and Workshops
1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Mears/Cr Sutherland

That in relation to the report “Tender T058/2022 - Supply and Delivery of Eight Heavy Rigid 6x4 Tipping Trucks and Four Superdog Tri-axle Tipping Trailers”, Council:

- (i) accept the tender from Brown and Hurley Group (ABN 66 010 732 966) for the amount of \$2,971,967.28 exclusive of GST for the purchase of the trucks and trailers (including optional extras); and
- (ii) accept the tender from Pickle’s Auctions (ABN 32 003 417 650) in the amount of \$592,727.27 exclusive of GST for the purchase of the trade trucks and trailers.

36/22 RESOLVED

12.6 PROPOSED LAND REQUISITION FOR FOOTPATH EXTENSION

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Graeme McKenzie, Manager, Strategy, Assets and Design
2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Coates/Cr Betts

That in relation to the report “Proposed Land Requisition for Footpath Extension”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of the proposed acquisition of the relevant property;
- (ii) authorise the execution by Council of Deeds of Agreement, plans of subdivision and accepting the dedication of the land as a public road; and
- (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.

37/22 RESOLVED

12.7 PILOT PROJECT AND ASSOCIATED GRANT FUNDING

DIRECTORATE: WATER AND WASTE
AUTHOR: Louise Cadell, Sustainability Officer - Water

MOTION

Moved Cr Betts/Cr Coates

That in relation to the report "Pilot Project and Associated Grant Funding", Council:

- (i) agree to participate in the pilot program;
- (ii) administer the funding provided and engage consultants/contractors to undertake identified works on behalf of the project participants, Tamworth Regional Council and Walcha Council;
- (iii) authorise the General Manager to sign the funding deed between the Department of Regional NSW and Tamworth Regional Council for the grant money, provided by the Australian Government's Future Drought Fund and the NSW Government's Regional Growth Fund; and
- (iv) authorise the affixing of the Seal of Council to the funding deed and associated documentation.

38/22 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Betts/Cr Southwell

That Council move into Open Council.

39/22 RESOLVED

At 7.02pm 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 7.03pm.

Cr Russell Webb, Chairperson
Tuesday, 22 February 2022

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