



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

13 JULY 2021

**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 13 JULY 2021 at 6:30PM

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PRESENT: Cr Col Murray (Mayor), Cr Phil Betts, Cr Charles Impey, Cr Jim Maxwell, Cr Mark Rodda, Cr Helen Tickle, Cr Russell Webb and Cr Juanita Wilson.

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

1 APOLOGIES AND LEAVE OF ABSENCE

An apology was announced as having been received from Cr Glenn Inglis who is unable to attend the Meeting due to being out of the City on personal business.

MOTION

Moved Cr Betts/Cr Impey

That the apology be accepted and Cr Glenn Inglis be granted leave of absence from the Meeting.

189/21 RESOLVED

2 COMMUNITY CONSULTATION

8.1 Draft Urban Street Tree Management Plan – Ms Penny Milson addressed Council in support of the recommendation.

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Wilson/Cr Betts

That the Minutes of the Ordinary Meeting held on Tuesday, 29 June 2021, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

190/21 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Charles Impey declared a conflict of interest in “Item 9.1 – Careers Network Event – Fee Waiver Request” of the Business Paper, for the reason that he is employed as a Career Advisor. Cr Impey further stated that he has a less than significant, non-pecuniary interest in this matter but will leave the Chamber and not participate in the debate.

Cr Mark Rodda declared a conflict of interest in “Item 12.1 – Proposed Lease to Tamworth Hockey Association Incorporated of Part Lot 102 in Deposited Plan 1262475” of the Business Paper, for the reason that he is a member of the

Tamworth Hockey Association. Cr Rodda further stated that he has a less than significant, non-pecuniary interest in this matter and will remain in the Chamber and participate in the debate.

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 DEALINGS WITH DEVELOPERS - TRANSPARENCY POLICY AND DIGITAL REGISTER

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Gina Vereker, Director Planning and Compliance
Reference: Item 6.2 to Ordinary Council 9 March 2021 - Minute No 51/21

MOTION

Moved Cr Wilson/Cr Webb

That in relation to the report "Dealings with Developers – Transparency Policy and Digital Register", Council receive and note the report.

191/21 RESOLVED

7.2 TAMWORTH REGIONAL HERITAGE WORKING GROUP MEETING - 4 JUNE 2021 - MINUTES

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sam Lobsey, Manager - Development

MOTION

Moved Cr Wilson/Cr Webb

That in relation to the report "Tamworth Regional Heritage Working Group Meeting – 4 June 2021 - Minutes", Council:

- (i) receive and note the Minutes; and
- (ii) adopt the recommendation from the Working Group that Council write to Transport for NSW and ULG (replacement for John Holland) seeking advice in relation to the next steps in regards to the West Tamworth Railway Station and Railway Station Master's House following the recent site inspection.

192/21 RESOLVED

8 INFRASTRUCTURE AND SERVICES

8.1 DRAFT URBAN STREET TREE MANAGEMENT PLAN

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager Sports and Recreation

MOTION

Moved Cr Tickle/Cr Wilson

That in relation to the report “Draft Urban Street Tree Management Plan”, Council:

- (i) endorse the Draft Urban Street Tree Management Plan;
- (ii) authorise the public exhibition of the Draft Urban Street Tree Management Plan; and
- (iii) request a further report to be submitted at the completion of the formal exhibition period detailing any submissions received, or alternatively, if no submissions are received, adopt the Draft Urban Street Tree Management Plan.

193/21 RESOLVED

8.2 INVESTIGATION INTO THE FEASIBILITY OF A WEIR ACROSS THE PEEL RIVER IN TAMWORTH

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager - Water Operations
Reference: Item 8.3 to Ordinary Council 1 December 2020 - Minute No 372/20

MOTION

Moved Cr Webb/Cr Maxwell

That in relation to the report “Investigation into the Feasibility of a Weir Across the Peel River in Tamworth”, Council:

- (i) receive and note the report; and
- (ii) request a further report detailing what actions would need to be undertaken to support the clearing of overgrown vegetation from the river and to subsequently construct a weir for the purpose of city beautification and recreation.

194/21 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

Cr Charles Impey declared a conflict of interest in this Item of the Business Paper, for the reason that he is employed as a Career Advisor. Cr Impey further stated that he has a less than significant, non-pecuniary interest in this matter but will leave the Chamber and not participate in the debate.

Cr Charles Impey left the Meeting, the time being 7:21pm

9.1 CAREERS NETWORK EVENT - FEE WAIVER REQUEST

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Leesa Bryant, Acting Manager - People and Culture

MOTION

Moved Cr Tickle/Cr Wilson

That in relation to the report "Careers Network Event – Fee Waiver Request", Council approve a complete fee waiver for the hire of the Event space in Tamworth Town Hall amounting to \$1,890.

195/21 RESOLVED

Cr Charles Impey returned to the Meeting, the time being 7:23pm

10 COMMUNITY SERVICES

10.1 TAMWORTH REGION ARTS ADVISORY COMMITTEE MEETING - 27 MAY 2021 – MINUTES

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: Bridget Guthrie, Director Tamworth Regional Gallery and Museums

MOTION

Moved Cr Wilson/Cr Betts

That in relation to the report "Tamworth Region Arts Advisory Committee Meeting - 27 May 2021 - Minutes", Council receives and notes the Minutes.

196/21 RESOLVED

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7.25pm, 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 Betts/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.

197/21 RESOLVED

11.1 PROPOSED LEASE TO TAMWORTH HOCKEY ASSOCIATION INCORPORATED OF PART LOT 102 IN DEPOSITED PLAN 1262475

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Paul Kelly, Manager Sports and Recreation

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 Council is conducting (or proposes to conduct) business.

11.2 PROPOSED SALE OF LAND AT TAMWORTH GLOBAL GATEWAY PARK

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Luke Stevenson, Commercial Property Officer

Reference: Item 12.11 to Ordinary Council 15 December 2020 - Minute No 412/20

4 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)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 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, confer a commercial advantage on a competitor of Council.

11.3 TENDER T137/2021 - CONSTRUCTION OF KENT STREET SHARED PATH DURI ROAD TO GOONOO GOONOO ROAD, SOUTH TAMWORTH

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Lachlan Mackiewicz, Infrastructure and Projects Engineer

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.

11.4 PROJECT BUDGET MANAGEMENT FOR THE TAMWORTH GLOBAL GATEWAY PARK AND THE SUBDIVISION OF STAGE 3

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Callum Fletcher, Senior Project Engineer

Reference: Item 9.1 to Ordinary Council 8 September 2020 – Minute No 275/20

3 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)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 person with whom Council is conducting (or proposes to conduct) business and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

11.5 T089/2021 - ESTABLISHMENT AND OPERATION OF THE TAMWORTH ORGANICS RECYCLING FACILITY

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

Reference: Item 8.6 to Ordinary Council 1 December 2020 - Minute No 375/20

4 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.

12 CLOSED COUNCIL REPORTS

Cr Mark Rodda declared a conflict of interest in this Item of the Business Paper, for the reason that he is a member of the Tamworth Hockey Association. Cr Rodda further stated that he has a less than significant, non-pecuniary interest in this matter and will remain in the Chamber and participate in the debate.

12.1 PROPOSED LEASE TO TAMWORTH HOCKEY ASSOCIATION INCORPORATED OF PART LOT 102 IN DEPOSITED PLAN 1262475

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager Sports and Recreation

MOTION

Moved Cr Webb/Cr Impey

That in relation to the report “Proposed Lease to Tamworth Hockey Association Incorporated of Part Lot 102 in Deposited Plan 1262475”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of a new lease to Tamworth Hockey Association as set out herein; and
- (ii) authorise the affixing of the Seal of Council to the lease document and any other associated documentation.

198/21 RESOLVED

12.2 PROPOSED SALE OF LAND AT TAMWORTH GLOBAL GATEWAY PARK

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Luke Stevenson, Commercial Property Officer
Reference: Item 12.11 to Ordinary Council 15 December 2020 - Minute No 412/20

4 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Webb/Cr Betts

That in relation to the report “Proposed Sale of Land at Tamworth Global Gateway Park”, Council:

- (i) authorise the Mayor and General Manager to finalise the sale of land in the Tamworth Global Gateway Park identified in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to any Contracts, Plans or other documentation required to give effect to the matters set out in the body of this report.

199/21 RESOLVED

12.3 TENDER T137/2021 - CONSTRUCTION OF KENT STREET SHARED PATH DURI ROAD TO GOONOO GOONOO ROAD, SOUTH TAMWORTH

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Lachlan Mackiewicz, Infrastructure and Projects Engineer

MOTION

Moved Cr Rodda/Cr Tickle

That in relation to the report “Tender T137/2021 – Construction of Kent Street Shared Path Duri Road to Goonoo Goonoo Road, South Tamworth”, Council:

- (i) accept the tender submitted by GLC Civil Projects Pty Ltd (ABN 15 628 842 188) for the lump sum amount of \$593,639.21 (excluding GST) for all items including optional items associated with the construction of the Kent Street shared path; and
- (ii) authorise the affixing of the Seal of Council to the Contract and any associated documents.

200/21 RESOLVED

12.4 PROJECT BUDGET MANAGEMENT FOR THE TAMWORTH GLOBAL GATEWAY PARK AND THE SUBDIVISION OF STAGE 3

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Callum Fletcher, Senior Project Engineer
Reference: Item 9.1 to Ordinary Council 8 September 2020 – Minute No 275/20

3 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Webb/Cr Impey

That in relation to the report “Project Budget Management for the Tamworth Global Gateway Park and the Subdivision of Stage 3”, Council:

- (i) approve the reallocation of \$2,665,000 (ex GST) of current uncommitted funds within the Tamworth Global Gateway Park (TGGP) budget to other TGGP projects within the development;
- (ii) authorise the General Manager to approve the reallocation of any further savings from the currently approved TGGP budget, in accordance with the nominated uses within this report;
- (iii) authorise the General Manager to act as the landowner in relation to the subdivision of Stage 3; and
- (iv) authorise the affixing of the Seal of Council to plans and any other documents required to give effect to Council’s resolution.

201/21 RESOLVED

12.5 T089/2021 - ESTABLISHMENT AND OPERATION OF THE TAMWORTH ORGANICS RECYCLING FACILITY

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

Reference: Item 8.6 to Ordinary Council 1 Decmeber 2020 - Minute No 375/20

4 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Impey

That in relation to the report “T089/2021 Establishment and Operation of the Tamworth Organics Recycling Facility”, Council reject all Tenders received and agree to:

- (i) finalise negotiations with Coffs Harbour City Council and other parties as required, regarding the ongoing receipt of Mixed Waste Organic Output (MWOO) and processing of Council’s kerbside recyclables;
- (ii) further discuss with the Environmental Trust the existing construction grant for the Organics Recycling Facility in an effort to maintain the current grant and attract further funding, given the NSW Government’s announcement that food organics and garden organics (FOGO) collection will become mandatory;
- (iii) seek the assistance from the Member for Tamworth, as required, to retain the existing grant, as per (ii) above and provide additional funding for the construction of the Organics Recycling Facility (ORF);
- (iv) negotiate with Cleanaway, as required, any changes to services provided under the current Waste Collection Services contract which assumed the Organics Recycling Facility would be operational as of 1 July 2022, now that the facility will not be operational on that date;
- (v) prepare a detailed design of the Organics Recycling Facility and if necessary, seek a modification to the existing development consent seeking approval for any modifications;
- (vi) prepare new Tender documents for the construction of the Organics Recycling Facility based on the detailed design; and
- (vii) provide \$250,000 from the Waste Reserve to fund the agreed work.

202/21 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Maxwell/Cr Wilson

That Council move into Open Council.

203/21 RESOLVED

At 7.48pm 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 7.48pm.

Cr Col Murray, Chairperson

Tuesday, 27 July 2021

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