



# 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**

**10 SEPTEMBER 2019**

**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 10 SEPTEMBER 2019 at 6:30PM**

## Table of Contents

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE .....	3
2	COMMUNITY CONSULTATION .....	3
	2.1 ITEM 8.4 - TAMWORTH CITY WIDE FLOOD STUDY .....	3
3	MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL .....	3
292/19	RESOLVED .....	3
4	DISCLOSURE OF INTEREST .....	3
5	MAYORAL MINUTE .....	3
6	NOTICE OF MOTION.....	3
	OPEN COUNCIL REPORTS	3
7	ENVIRONMENT AND PLANNING.....	3
8	INFRASTRUCTURE AND SERVICES.....	3
	8.1 NETBALL NSW, BING LEE STATE MASTERS AND SOCIAL MASTERS FEE WAIVER REQUEST .....	4
293/19	RESOLVED .....	4
	8.2 BULK WATER FILLING STATIONS TOP UP FUNDS.....	4
294/19	RESOLVED .....	4
	8.3 DUNGOWAN DAM AND VALLEY COMMUNICATIONS UPDATE .....	4
295/19	RESOLVED .....	4
	8.4 TAMWORTH CITY WIDE FLOOD STUDY .....	5
296/19	RESOLVED .....	5
	8.5 NATURAL RESOURCES COMMISSION - REVIEW OF THE PEEL WATER SHARING PLAN .....	5
297/19	RESOLVED .....	5
	8.6 RETAIL ELECTRICITY SUPPLY PROCUREMENT AND RENEWABLES AMOUNT.....	5
298/19	RESOLVED .....	5

	8.7 TRANSFER GRANTING EASEMENT TO ESSENTIAL ENERGY FOR UNDERGROUND POWERLINES AT NAMOI RIVER RAW WATER PUMP STATION MANILLA .....	6
<b>299/19</b>	<b>RESOLVED</b> .....	<b>6</b>
<b>9</b>	<b>GOVERNANCE, STRATEGY AND FINANCE</b> .....	<b>6</b>
	9.1 2019 INDUSTRY LEADERS AND EDUCATORS ENGAGEMENT SYMPOSIUM.....	6
<b>300/19</b>	<b>RESOLVED</b> .....	<b>6</b>
<b>10</b>	<b>COMMUNITY SERVICES</b> .....	<b>6</b>
<b>11</b>	<b>REPORTS TO BE CONSIDERED IN CLOSED COUNCIL</b> .....	<b>6</b>
<b>301/19</b>	<b>RESOLVED</b> .....	<b>7</b>
	11.1 PROPOSED DISPOSAL OF COUNCIL LAND .....	7
	11.2 PROPERTY ACQUISITION ON GOONOO GOONOO ROAD.....	7
	12.3 SUPPLY AND DELIVERY OF CONCRETE PIPES AND FRC (FIBRE REINFORCED CONCRETE) PIPES AND ASSOCIATED PRODUCTS .....	7
	11.4 T035/2019 PROVISION OF SECURITY SERVICES FOR TAMWORTH REGIONAL COUNCIL .....	8
	11.5 TENDER T032/2020 - CALALA 120ML WATER STORAGE DAM - CONSTRUCTION..	8
<b>12</b>	<b>CLOSED COUNCIL REPORTS</b> .....	<b>8</b>
	12.1 PROPOSED DISPOSAL OF COUNCIL LAND .....	8
<b>302/19</b>	<b>RESOLVED</b> .....	<b>8</b>
	12.2 PROPERTY ACQUISITION ON GOONOO GOONOO ROAD.....	9
<b>303/19</b>	<b>RESOLVED</b> .....	<b>9</b>
	12.3 SUPPLY AND DELIVERY OF CONCRETE PIPES AND FRC (FIBRE REINFORCED CONCRETE) PIPES AND ASSOCIATED PRODUCTS .....	9
<b>304/19</b>	<b>RESOLVED</b> .....	<b>9</b>
	12.4 T035/2019 PROVISION OF SECURITY SERVICES FOR TAMWORTH REGIONAL COUNCIL .....	10
<b>305/19</b>	<b>RESOLVED</b> .....	<b>10</b>
	12.5 TENDER T032/2020 - CALALA 120ML WATER STORAGE DAM - CONSTRUCTION	10
<b>306/19</b>	<b>RESOLVED</b> .....	<b>10</b>
<b>13</b>	<b>RESOLUTIONS PASSED IN CLOSED COUNCIL</b> .....	<b>10</b>
<b>307/19</b>	<b>RESOLVED</b> .....	<b>10</b>

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

**IN ATTENDANCE:** The Acting General Manager Director Corporate and Governance, Director Planning and Compliance, Director Business and Community, Acting Director Regional Services and Director Water and Waste.

---

**1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

**2 COMMUNITY CONSULTATION**

**2.1 ITEM 8.4 - TAMWORTH CITY WIDE FLOOD STUDY - FILE NO SF9839**

Mr Andrew Falkenmire addressed Council in opposition to the recommendation.

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

**MOTION**

**Moved Cr Inglis/Cr Maxwell**

That the Minutes of the Ordinary Meeting held on Tuesday, 27 August 2019, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

**292/19 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**

---

**8.1 NETBALL NSW, BING LEE STATE MASTERS AND SOCIAL MASTERS FEE WAIVER REQUEST – FILE NO SF8788**

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

**MOTION**

**Moved Cr Betts/Cr Inglis**

That in relation to the report “Netball NSW, Bing Lee State Masters and Social Masters Fee Waiver Request”, Council:

- (i) decline the request to waive the total fees for the carnival; and
- (ii) subsidise the event in line with the Significant Sport Event Fee Subsidisation Policy.

**293/19 RESOLVED**

**8.2 BULK WATER FILLING STATIONS TOP UP FUNDS – FILE NO SF8593**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Bruce Logan, Director Water and Waste  
**Reference:** Item 8.4 to Ordinary Council 11 June 2019 - Minute No 187/19

**MOTION**

**Moved Cr Wilson/Cr Maxwell**

That in relation to the report “Bulk Water Filling Stations Top Up Funds”, Council make available funds from the Water Reserve to cover expenditure incurred in the 2019/2020 financial year to finalise the installation of the new bulk filling stations which was not covered by grant funding.

**294/19 RESOLVED**

**8.3 DUNGOWAN DAM AND VALLEY COMMUNICATIONS UPDATE – FILE NO SF9090**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Bruce Logan, Director Water and Waste  
**Reference:** Item 8.6 to Ordinary Council 9 August 2016 - Minute No 228/16

**MOTION**

**Moved Cr Webb/Cr Tickle**

That in relation to the report “Dungowan Dam and Valley Communications Update”, Council:

- (i) receive and note the report; and
- (ii) pursue grant funding to upgrade the mobile coverage across the Dungowan Valley.

**295/19 RESOLVED**

#### **8.4 TAMWORTH CITY WIDE FLOOD STUDY – FILE NO SF9839**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Graeme McKenzie, Manager, Project Management and Engineering Services

**Reference:** Item 7.1 to Ordinary Council 12 June 2012 - Minute No 181/12  
Item 7.7 to Ordinary Council 24 April 2012 - Minute No 128/12

#### **MOTION**

##### **Moved Cr Inglis/Cr Maxwell**

That in relation to the report “Tamworth City Wide Flood Study”, Council:

- (i) receive and adopt the Tamworth City Wide Flooding Investigation Volumes 1 and 2; and
- (ii) adopt the interim flood planning levels for Tamworth based on the findings of the study.

**296/19 RESOLVED**

#### **8.5 NATURAL RESOURCES COMMISSION - REVIEW OF THE PEEL WATER SHARING PLAN – FILE NO SF514**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Bruce Logan, Director Water and Waste

**Reference:** Item 8.8 to Ordinary Council 14 February 2017 - Minute No 13/17

#### **MOTION**

##### **Moved Cr Wilson/Cr Inglis**

That in relation to the report “Natural Resources Commission – Review of the Peel Water Sharing Plan”, Council receive and note the report and prepare a submission based on the points detailed.

**297/19 RESOLVED**

#### **8.6 RETAIL ELECTRICITY SUPPLY PROCUREMENT AND RENEWABLES AMOUNT – FILE NO SF9837**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Tim Hurcum, Sustainability Officer

**Reference:** Item 12.5 to Ordinary Council 27 August 2019 - Minute No 290/19  
Item 8.6 to Ordinary Council 26 February 2019 - Minute No 39/19

#### **MOTION**

##### **Moved Cr Maxwell/Cr Impey**

That in relation to the report “Retail Electricity Supply Procurement and Renewables Amount”, Council:

- (i) include a request for 20% renewable energy in Expressions of Interest for the renewal of Retail Electricity Supply at large sites and street lighting; and
- (ii) agree that up to two Extraordinary Council Meetings be held to approve each stage of the energy procurement process.

**298/19 RESOLVED**

**8.7 TRANSFER GRANTING EASEMENT TO ESSENTIAL ENERGY FOR UNDERGROUND POWERLINES AT NAMOI RIVER RAW WATER PUMP STATION MANILLA – FILE No SF3861**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Ian Cross, Senior Project Engineer

**MOTION**

**Moved Cr Wilson/Cr Inglis**

That in relation to the report “Transfer Granting Easement to Essential Energy for Underground Powerlines at Namoi River Raw Water Pump Station, Manilla”, Council:

- (i) grant an easement in favour of Essential Energy for underground powerlines three metres wide over the land described as Lot 1 in Deposited Plan 609417 on terms detailed in the body of this report; and
- (ii) authorise the General Manager to sign the Transfer Granting Easement and any associated documentation to effect the transfer of the land.

**299/19 RESOLVED**

**9 GOVERNANCE, STRATEGY AND FINANCE**

**9.1 2019 INDUSTRY LEADERS AND EDUCATORS ENGAGEMENT SYMPOSIUM – FILE No SF1037**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Karen Litchfield, Manager Governance

**MOTION**

**Moved Cr Webb/Cr Betts**

That in relation to the report “2019 Industry Leaders and Educators Engagement Symposium”, Council confirm attendance of Cr Tickle to the Symposium held in Sydney on 3-4 September 2019.

**300/19 RESOLVED**

**10 COMMUNITY SERVICES**

Nil

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



At 7:05pm, 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 the Closed Council Meeting and upon resumption in Open Council, the Chairperson will provide a summary of those resolutions passed in Closed Council.

\* \* \* \* \*

## **MOTION**

### **Moved Cr Maxwell/Cr Webb**

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.

## **301/19 RESOLVED**

### **11.1 PROPOSED DISPOSAL OF COUNCIL LAND – FILE NO SF9690**

**DIRECTORATE:** CORPORATE AND GOVERNANCE

**AUTHOR:** Kirrilee Ringland, Acting General Counsel

**Reference:** Item 14.2 to Ordinary Council 28 May 2019 - Minute No 178/19

**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 PROPERTY ACQUISITION ON GOONOO GOONOO ROAD – FILE NO DSJN1123**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** Graeme McKenzie, Manager, Project Management and Engineering Services

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.

### **11.3 SUPPLY AND DELIVERY OF CONCRETE PIPES AND FRC (FIBRE REINFORCED CONCRETE) PIPES AND ASSOCIATED PRODUCTS – FILE NO SF5475**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services

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.

**11.4 T035/2019 PROVISION OF SECURITY SERVICES FOR TAMWORTH REGIONAL COUNCIL – FILE NO T035/2019**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services  
**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

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.

**11.5 TENDER T032/2020 - CALALA 120ML WATER STORAGE DAM - CONSTRUCTION – FILE NO T032/2020**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager Water and Waste  
**Reference:** Item 12.7 to Ordinary Council 13 August 2019 - Minute No 268/19  
**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)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.

**12 CLOSED COUNCIL REPORTS**

**12.1 PROPOSED DISPOSAL OF COUNCIL LAND – FILE NO SF9690**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Kirrilee Ringland, Acting General Counsel  
**Reference:** Item 14.2 to Ordinary Council 28 May 2019 - Minute No 178/19

**MOTION**

**Moved Cr Betts/Cr Rodda**

That in relation to the report “Proposed Disposal of Council Land”, Council:

- (i) authorise the Mayor and General Manager to progress the sale of the above land in the manner set out in the body of this report;
- (ii) with the reserve to be set at \$110,000 above the report’s recommendation; and
- (iii) authorise the affixing of the Seal of Council to the Agency Agreement, the Contract and any other documents required for sale.

**302/19 RESOLVED**

## **12.2 PROPERTY ACQUISITION ON GOONOO GOONOO ROAD – FILE NO DSJN1123**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Graeme McKenzie, Manager, Project Management and Engineering Services

### **MOTION**

#### **Moved Cr Rodda/Cr Tickle**

That in relation to the report “Property Acquisition on Goonoo Goonoo Road”, Council:

- (i) authorise the Mayor and General Manager to finalise the acquisition of part of Lot 19 DP 1111059 as identified in the body of this report, on terms as detailed herein;
- (ii) authorise the affixing of the Seal of Council to the agreement and all associated land transfer documents;
- (iii) give public notice of the intention to classify the land as operational 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.

**303/19 RESOLVED**

## **12.3 SUPPLY AND DELIVERY OF CONCRETE PIPES AND FRC (FIBRE REINFORCED CONCRETE) PIPES AND ASSOCIATED PRODUCTS – FILE NO SF5475**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services

### **MOTION**

#### **Moved Cr Maxwell/Cr Inglis**

That in relation to the report “Supply and Delivery of Concrete Pipes and FRC (Fibre Reinforced Concrete) Pipes and Associated Products”, Council:

- (i) award the Contract for Category 1: Concrete Pipes and Associated products to Holcim (Australia) Pty Ltd (ABN: 87 099 732 297) trading as Humes, as the single source supplier for the period 1 October 2019 to 30 September 2022, along with the provision for a 12 month extension based on satisfactory supplier performance; and
- (ii) and not award any supplier the contract for Category 2: FRC (Fibre Reinforced Concrete) Pipes and Associated Products.

**304/19 RESOLVED**

**12.4 T035/2019 PROVISION OF SECURITY SERVICES FOR TAMWORTH REGIONAL COUNCIL – FILE NO T035/2019**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services

2 CONFIDENTIAL ENCLOSURES ENCLOSED

**MOTION**

**Moved Cr Webb/Cr Tickle**

That in relation to the report “Provision of Security Services for Tamworth Regional Council”, Council award the tender to Advanced Inland Security Pty Ltd (ABN 63 089 884 604):

- (i) for a period of two years, commencing 1 October 2019 until 1 October 2021; and
- (ii) provide an extension of one year, until 1 October 2022 based on satisfactory delivery of service in the prior two years.

**305/19 RESOLVED**

**12.5 TENDER T032/2020 - CALALA 120ML WATER STORAGE DAM - CONSTRUCTION – FILE NO T032/2020**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager Water and Waste  
**Reference:** Item 12.7 to Ordinary Council 13 August 2019 - Minute No 268/19

1 CONFIDENTIAL ENCLOSURES ENCLOSED

**MOTION**

**Moved Cr Inglis/Cr Tickle**

That in relation to the report “Tender T032/2020 - Calala 120ML Water Storage Dam - Construction”, Council accept the tender from KCE Pty Ltd for construction of the 120 Megalitre water storage at the Calala Lane Water Treatment Plant.

**306/19 RESOLVED**

**13 RESOLUTIONS PASSED IN CLOSED COUNCIL**

**MOTION**

**Moved Cr Rodda/Cr Maxwell**

That Council move into Open Council.

**307/19 RESOLVED**

At 7:22pm 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 7:24pm.

Cr Col Murray, Chairperson  
Tuesday, 24 September 2019

- oOo -

Minutes

S