



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**

14 JULY 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 14 JULY 2020 at 6:30PM

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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 General Manager, Director Corporate and Governance, Director Business and Community, Director Regional Services and Director Water and Waste.

MOTION

Moved Cr Inglis/Cr Maxwell

That Cr Betts be nominated as Chair for the Meeting.

184/20 RESOLVED

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 COMMUNITY CONSULTATION

Nil

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Wilson/Cr Inglis

That the Minutes of the Ordinary Meeting held on Tuesday, 23 June 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

185/20 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Russell Webb declared a conflict of interest in Item 12.3 “Application to Apply a Reduction in Sewer Discharge Factor Retrospectively - Baiada's Oakburn Rendering Facility” of the Business Paper, for the reason that he has a business relationship with the business involved. Cr Webb further stated that it is a pecuniary interest and that he would leave the Chamber and not participate in the debate.

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 OPERATION OF CHAFFEY DAM PIPELINE AND ENVIRONMENTAL RELEASES FROM CHAFFEY DAM – FILE NO

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

MOTION

Moved Cr Rodda/Cr Impey

That in relation to the report “Operation of Chaffey Dam Pipeline and Environmental Releases from Chaffey Dam”, Council:

- (i) receive and note the report; and
- (ii) write to the NSW Minister for Water, Property and Housing advocating Council’s view the new Chaffey Dam Pipeline should be free from any restrictions with respect to operating and that water no longer being “lost” during previous in stream delivery should be held in the Chaffey Dam storage to improve the security and reliability of Tamworth/Moonbi/Kootingal’s water supply.

186/20 RESOLVED

8.2 LEVEL 5 COMMUNICATIONS ENGAGEMENT PLAN UPDATE – FILE NO

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator
Reference: Item 8.6 to Ordinary Council 27 August 2018 - Minute No 279/19
Item 8.11 to Ordinary Council 11 February 2020 - Minute No 14/20

MOTION

Moved Cr Wilson/Cr Rodda

That in relation to the report “Level 5 Communications Engagement Plan Update”, Council:

- (i) receive and note the report; and
- (ii) approve a revote of funds remaining in the Drought Management – Education/Community Resources to continue to implement the Drought Management Response – Water Restrictions Communication and Engagement Plan in the 2020-21 financial year.

187/20 RESOLVED

8.3 EXTENSION OF RESIDENTIAL AND COMMERCIAL RAINWATER TANK, GREY WATER AND BORE WATER INSPECTIONS – FILE NO

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator
Reference: Item 8.5 to Ordinary Council 11 June 2019 - Minute No 188/19

MOTION

Moved Cr Maxwell/Cr Rodda

That in relation to the report “Extension of Residential and Commercial Rainwater Tank, Greywater and Bore Water Inspections”, Council:

- (i) receive and note the report; and
- (ii) provide \$1,000.00 per month, on an ongoing basis, from the Water Reserve, to fund the continuation of inspections.

188/20 RESOLVED

8.4 DROUGHT ASSISTANCE AND INITIATIVES UPDATE – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Tracey Carr, Sustainability Coordinator

Reference:

Item 12.1 to Ordinary Council 10 July 2018

Item 9.3 to Ordinary Council 14 August 2018 - Minute No 142/18

Item 8.6 to Ordinary Council 28 April 2020 - Minute No 102/20

MOTION

Moved Cr Inglis/Cr Impey

That in relation to the report “Drought Assistance and Initiatives Update” Council:

- (i) receive and note the report;
- (ii) formally adopt the trigger to cease access to free treated water for eligible primary producers when 50% or more of the Region is either listed as recovering or non drought on the NSW Department of Primary Industries Drought Map;
- (iii) formally adopt the trigger to cease access to silage wrap and wastage wrap disposal at no cost when 50% or more of the region is either listed as recovering or non drought on the NSW Department of Primary Industries Drought Map; and
- (iv) note access to amenities ceased when the initiative was no longer being accessed by residents following the introduction of free treated water at Bulk Water Refill Stations.

189/20 RESOLVED

8.5 UPDATE ON THE ORGANIC RECYCLING FACILITY AND PROPOSED EXPRESSION OF INTEREST – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Megan Mather, Environmental Officer

MOTION

Moved Cr Impey/Cr Inglis

That in relation to the report “Update on the Organic Recycling Facility and Proposed Expression of Interest”, Council:

- (i) receive and note the report; and
- (ii) agree to prepare and advertise an Expression of Interest seeking submissions from suitably qualified and experienced contractors for the design, construction and operation of the proposed facility.

190/20 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL ORDINARY MEETINGS FOR SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER 2020 – FILE NO

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

Reference: Item 9.8 to Ordinary Council 26 November 2019 - Minute No 433/19

MOTION

Moved Cr Inglis/Cr Maxwell

That in relation to the report “Ordinary Council Meetings for September, October, November and December 2020”, Council:

- (i) schedule an Ordinary Council Meeting for Tuesday 22 September 2020;
- (ii) move the Ordinary Council Meeting scheduled on Tuesday 6 October 2020 to Tuesday 13 October 2020;
- (iii) move the Ordinary Council Meeting scheduled on Tuesday 10 November 2020 to Tuesday 17 November 2020;
- (iv) cancel the Ordinary Council Meeting scheduled on Tuesday 24 November 2020; and
- (v) schedule an Ordinary Council Meeting for Tuesday 1 December 2020.

191/20 RESOLVED

10 COMMUNITY SERVICES

Nil

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 6:59pm, 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 Maxwell/Cr Wilson

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.

192/20 RESOLVED

11.1 PROPOSED LICENCE OF COUNCIL OWNED LAND AT WESTDALE TO NEW SOUTH WALES RURAL FIRE SERVICE – FILE NO

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

**Reference: Item 13.2 to Ordinary Council 9 September 2014 - Minute No 282/14
Item 8.7 to Ordinary Council 26 May 2015 - Minute No 123/15**

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 TENDER T139/2020 – CCTV INVESTIGATION, CLEAN AND CONDITION ASSESSMENT OF SEWER MAINS AND ACCESS CHAMBERS – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

1 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.

11.3 APPLICATION TO APPLY A REDUCTION IN SEWER DISCHARGE FACTOR RETROSPECTIVELY - BAIADA'S OAKBURN RENDERING FACILITY - LF13650 – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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.

11.4 TENDER T129/2020 - WESTDALE WASTEWATER TREATMENT PLANT SLUDGE LAGOON DEWATERING – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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.

11.5 FRACTURED ROCK WATER AS A MEANS TO AUGMENT TAMWORTH/MOONBI/KOOTINGAL'S WATER SUPPLY – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

2 CONFIDENTIAL ENCLOSURES ENCLOSED

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 PROPOSED LICENCE OF COUNCIL OWNED LAND AT WESTDALE TO NEW SOUTH WALES RURAL FIRE SERVICE – FILE NO

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

**Reference: Item 13.2 to Ordinary Council 9 September 2014 - Minute No 282/14
Item 8.7 to Ordinary Council 26 May 2015 - Minute No 123/15**

MOTION

Moved Cr Wilson/Cr Webb

That in relation to the report "Proposed Licence of Council Owned Land at Westdale to New South Wales Rural Fire Service", Council:

- (i) authorise the Mayor and the General Manager to enter into a Licence agreement for the use of 38 Murroon Road Westdale as a training facility on terms detailed in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the Licence document.

193/20 RESOLVED

12.2 TENDER T139/2020 – CCTV INVESTIGATION, CLEAN AND CONDITION ASSESSMENT OF SEWER MAINS AND ACCESS CHAMBERS – FILE NO

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Webb/Cr Maxwell

That in relation to the report "Tender T139/2020 – CCTV Investigation, Clean and Condition Assessment of Sewer Mains and Access Chambers", Council accept the conforming Tender from Fenech Group Pty Ltd, as detailed in the report, to undertake contracted works.

194/20 RESOLVED

Cr Russell Webb declared a conflict of interest in this Item of the Business Paper, for the reason that he has a business relationship with the business involved. Cr Webb further stated that it is a pecuniary interest and that he would leave the Chamber and not participate in the debate.

Cr Russell Webb left the Meeting, the time being 7:04pm.

12.3 APPLICATION TO APPLY A REDUCTION IN SEWER DISCHARGE FACTOR RETROSPECTIVELY - BAIADA'S OAKBURN RENDERING FACILITY - LF13650 – FILE NO

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager Water and Waste
1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Wilson/Cr Impey

That in relation to the report “Application to apply a reduction in Sewer Discharge Factor Retrospectively – Baiada’s Oakburn Rendering Facility”, Council not agree to the request from Baiada and continue to levy charges in accordance with Council’s policy.

AMENDMENT

Moved Cr Inglis/Cr Rodda

That in relation to the report “Application to apply a reduction in Sewer Discharge Factor Retrospectively – Baiada’s Oakburn Rendering Facility”, Council defer the matter until after completion of the audit of sewer discharge factors for all business and commercial activities across the Council area so that the results can be considered by Council.

AMENDMENT PASSED

THE AMENDMENT BECAME THE MOTION

195/20 RESOLVED

Cr Russell Webb returned to the Meeting, the time being 7:13pm.

12.4 TENDER T129/2020 - WESTDALE WASTEWATER TREATMENT PLANT SLUDGE LAGOON DEWATERING – FILE NO

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager Water and Waste
1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Maxwell/Cr Impey

That in relation to the report “Tender T129/2020 – Westdale Wastewater Treatment Plant Sludge Lagoon Dewatering”, Council accept the Tender from Arkwood Organic Recycling Pty Ltd for the dewatering of 19,000m³ of sludge from Lagoon C and 16,000m³ from Lagoon A.

196/20 RESOLVED

12.5 FRACTURED ROCK WATER AS A MEANS TO AUGMENT TAMWORTH/MOONBI/KOOTINGAL'S WATER SUPPLY – FILE NO

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Murray/Cr Rodda

That in relation to the report “Fractured Rock Water as a Means to Augment Tamworth/Moonbi/Kootingal’s Water Supply”, Council:

- (i) engage Jacobs to prepare Expression of Interest documents seeking parties interested in identifying and developing potential sites for Fractured Rock water supply to augment existing supplies to Tamworth/Moonbi and Kootingal; and
- (ii) allocate \$20,000 from the Water Reserve to fund the development of the documentation and administration of the process.

197/20 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Maxwell/Cr Impey

That Council move into Open Council.

198/20 RESOLVED

At 7:26pm 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 7:28pm.

Cr Col Murray, Chairperson
Tuesday, 28 July 2020

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