



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**

23 JUNE 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 23 JUNE 2020 at 6:30PM

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PRESENT: Cr Col Murray (Mayor), Cr Phil Betts, 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, Acting Director Planning and Compliance, Acting Director Business and Community, Director Regional Services and Director Water and Waste.

1 APOLOGIES AND LEAVE OF ABSENCE

An apology was announced as having been received from Cr Charles Impey who is unable to attend the Meeting due to personal reasons.

MOTION

Moved Cr Betts/Cr Wilson

That the apology be accepted and Cr Charles Impey be granted leave of absence from the Meeting.

163/20 RESOLVED

2 COMMUNITY CONSULTATION

2.1 ITEM 8.1 TAMWORTH REGIONAL AQUATIC AND LEISURE CENTRE PROJECT UPDATE AND COVID-19 IMPACT - FILE NO PROJ2019-0206

Mr David McKinnon 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, 26 May 2020 and Extraordinary Meeting held on Tuesday, 9 June 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting, save and except for Cr Phil Betts listed as the Chairperson for this Meeting.

164/20 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Mark Rodda declared a conflict of interest in Item 12.1 “NICSE Stage 2 – Construct Tamworth Regional Hockey Centre Carpark Extension” of the Business Paper, for reason that he is a Board Member of Tamworth Hockey Association. 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

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 TAMWORTH CITY CENTRE WORKING GROUP MEETING NO. 37 – FILE NO SF3196

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Genevieve Harrison, Manager Integrated Planning

MOTION

Moved Cr Wilson/Cr Betts

That in relation to the report “Tamworth City Centre Working Group Meeting No. 37”, Council receive and note the Minutes of the meeting held Wednesday 3 June 2020.

165/20 RESOLVED

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH REGIONAL AQUATIC AND LEISURE CENTRE PROJECT UPDATE AND COVID-19 IMPACT – FILE No PROJ2019-0206

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager Sports and Recreation
Reference: Item 8.1 to Ordinary Council 12 November 2019 – Minute No 397/19
Item 8.5 to Ordinary Council 12 March 2019 - Minute 63/19
Item 7.1 to Ordinary Council 18 December 2018 - Minute No 324/18
Item 21.1 to Ordinary Council 23 May 2017 - Minute No 142/17

MOTION

Moved Cr Betts/Cr Inglis

That in relation to the report “Tamworth Regional Aquatic and Leisure Centre Project Update and COVID-19 Impact”, Council:

- (i) note the current estimated amount of funding required is \$2,680,000 to engage a Lead Designer to progress the project to 50% design, for design documentation to be ready to engage a contractor under a single Design and Construct delivery contract; and
- (ii) due to the current impact of COVID-19, agree to consider the allocation of additional funds for the engagement of a Lead Designer as part of the

2021/2022 Annual Operating Plan process.

166/20 RESOLVED

8.2 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - GENERAL - 6 MAY 2020 – FILE No SF1387

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Infrastructure and Works

MOTION

Moved Cr Inglis/Cr Wilson

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – 6 May 2020”, Council:

- (i) approve the installation of a five metre No Stopping Zone on Lockheed Street, to the right of the driveway at 32-44 Lockheed Street; and
- (ii) approve the installation of 45 degree rear angle marked parking bays on Peel Street, from Roderick Street to White Street.

167/20 RESOLVED

8.3 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - GENERAL - 4 MARCH 2020 AND 3 JUNE 2020 – FILE No SF1387

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Murray Russell, Manager Infrastructure and Works
Reference: Item 8.1 to Ordinary Council 28 April 2020 - Minute No 97/20

MOTION

Moved Cr Webb/Cr Maxwell

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – 3 June 2020”, Council:

- (i) approve the installation of S1 broken line markings on Forest Road, starting from the intersection of Forest Road and Browns Lane roundabout, to Bowdens Lane, Moore Creek;
- (ii) approve the installation of S1 broken line marking on Piper Street, from Janison Street to Bligh Street, and the installation of painted kerb blisters at the intersection of Piper Street and Hyman Street, North Tamworth, for 10 metres minimum at each corner of the intersection;
- (iii) approve the installation of 15 minute parking during school zone hours, on Jenkins Street Nundle, either side of the Nundle Public School, in front of the Nundle Post Office at 91 Jenkins Street, and at 101 Jenkins Street, with no change to the existing Bus Zone and No Stopping Zone, between 91 and 101 Jenkins Street Nundle;
- (iv) approve the installation of an at-grade crossing on Forest Road, approximately 80 metres north of Reeves Bridge, to allow for a safe road crossing point for pedestrians and cyclists; and
- (v) support moving the bus zone from its current position to be adjacent to the

current No Stopping zone at the intersection of Raglan and Brisbane streets. The bus zone to have a length of 20 metres minimum.

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

- (vi) approve the Tamworth Cycle Club winter race series events to be held in the Loomberah and Moore Creek area from 1 July 2020 to October 2020, subject to COVID-19 social distancing and public gathering requirements; and
- (vii) approve the Tamworth Triathlon Club winter duathlon series events to be run in alternating locations between Kootingal and Hillvue, from 1 July 2020 to 25 October 2020, subject to COVID-19 social distancing and public gathering requirements.

168/20 RESOLVED

8.4 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY – FILE NO SF9442

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator
Reference: Item 8.9 to Ordinary Council 28 April 2020 - Minute No 105/20
Item 8.5 to Ordinary Council 11 June 2019 - Minute No 188/19

MOTION

Moved Cr Wilson/Cr Webb

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

169/20 RESOLVED

8.5 TAMWORTH EMERGENCY WATER SUPPLY PLAN – FILE NO SF9442

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

MOTION

Moved Cr Betts/Cr Tickle

That in relation to the report “Tamworth Emergency Water Supply Plan”, Council adopt the draft Emergency Water Supply Plan as Council’s Emergency Water Supply Plan for Tamworth, Moonbi and Kootingal, and further that the NSW Premier be requested to critically review the report and advise Council as a matter of urgency the preferred action and funding strategies.

170/20 RESOLVED

8.6 TAMWORTH REGIONAL COUNCIL - REGIONAL HOUSEHOLD CHEMICAL COLLECTION PROGRAM - FUNDING DEED AUTHORISATION REQUEST – FILE No SF1224

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

MOTION

Moved Cr Inglis/Cr Rodda

That in relation to the report “Tamworth Regional Council – Regional Household Chemical Collection Program – Funding Deed Authorisation”, Council authorise the affixing of the Seal of Council to the NSW Department of Planning, Industries and Environment Funding Deed document and any associated documents.

171/20 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCILLOR ANNUAL FEES FOR THE 2020/2021 FINANCIAL YEAR – FILE No SF828

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

MOTION

Moved Cr Webb/Cr Wilson

That in relation to the report “Councillor Annual Fees for the 2020/2021 Financial Year”, Council fix and determine the annual fee payable to Councillors and Mayor of Tamworth Regional Council for the 2020/2021 financial year effective from 1 July 2020, at the maximum allowable amount for a Regional Centre Council.

AMENDMENT

Moved Cr Inglis/Cr Betts

That in relation to the report “Councillor Annual Fees for the 2020/2021 Financial Year”, Council fix and determine the annual fee payable to Councillors and Mayor of Tamworth Regional Council for the 2020/2021 financial year effective from 1 July 2020, be the same as the 2019/2020 fee.

AMENDMENT LOST

THE ORIGINAL MOTION WAS CARRIED

172/20 RESOLVED

9.2 COVID-19 RELIEF PACKAGE – FILE No SF10194

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

Reference: Item 4.1 to Extraordinary Council 6 April 2020 - Minute No 90/20

MOTION

Moved Cr Inglis/Cr Maxwell

That in relation to the report “COVID-19 Relief Package”, Council:

- (i) receive and note the report;
- (ii) cease the use of additional public space to provide take-away food services;
- (iii) approve the reintroduction of CBD car parking fees from 1 July 2020;
- (iv) approve extension of refund of DA fees where the applicant wants to withdraw an application under assessment until 30 September 2020, inclusive and then cease;
- (v) approve the continuation of the deferral of water and sewer headwork charges within the parameters set by Council; and
- (vi) acknowledge that debt recovery will continue as per Council’s debt recovery and hardship policy on any debts that remain unpaid and were outstanding at 31/3/2020. No new debt recovery action to commence until 1 October 2020.

AMENDMENT

Moved Cr Wilson/Cr Rodda

That in relation to the report “COVID-19 Relief Package”, Council:

- (i) receive and note the report;
- (ii) cease the use of additional public space to provide take-away food services;
- (iii) approve the reintroduction of CBD car parking fees from 1 September 2020;
- (iv) approve extension of refund of DA fees where the applicant wants to withdraw an application under assessment until 30 September 2020, inclusive and then cease;
- (v) approve the continuation of the deferral of water and sewer headwork charges within the parameters set by Council; and
- (vi) acknowledge that debt recovery will continue as per Council’s debt recovery and hardship policy on any debts that remain unpaid and were outstanding at 31/3/2020. No new debt recovery action to commence until 1 October 2020.

AMENDMENT PASSED

THE AMENDMENT BECAME THE MOTION

173/20 RESOLVED

9.3 ADOPTION OF THE TAMWORTH REGIONAL COUNCIL DELIVERY PROGRAM AND ANNUAL OPERATION PLAN 2020/21 – FILE NO SF7923

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Sherrill Young, Manager Financial Services
Reference: Item 9.5 to Ordinary Council 28 April 2020 - Minute No 111/20
Item 8.7 to Ordinary Council 26 May 2020 - Minute No 132/20
Item 9.2 to Ordinary Council 24 March 2020 - Minute No 74/20

MOTION

Moved Cr Inglis/Cr Maxwell

That in relation to the report “Adoption of the Tamworth Regional Council Delivery

Program and Annual Operation Plan 2020/21”, Council make the following determinations:

- (i) in accordance with Section 404 and 405 of the Local Government Act 1993, Council adopt the Tamworth Regional Council Delivery Program and Annual Operational Plan 2020/21, as described in ANNEXURE 1, ANNEXURE 2 and ANNEXURE 3, noting amendments made to the exhibited draft, refer ANNEXURE 4;
- (ii) in accordance with Part 9, Division 5, clause 211(2) of the Local Government (General) Regulation 2005, Council approve expenditure and vote funds as detailed in the Tamworth Regional Council Delivery Program and Annual Operational Plan 2020/21, subject to the amendments as outlined in ANNEXURE 4 of this report;
- (iii) Council in recognition of its disclosure and accountability obligations notes that due to the extreme economic volatility and ongoing fiscal uncertainty in the COVID-19 impacted environment Council's forecasted financial results are expected to be subject to material variances;
- (iv) that in relation to ordinary rates, Council adopt the 2.6% annual maximum rate peg, as approved by the Independent Pricing and Regulatory Tribunal, and in accordance with Section 494 of the Local Government Act 1993, Council make and levy the ordinary rates for the year 1 July 2020 to 30 June 2021, as ATTACHED, refer ANNEXURE 2;
- (v) that in relation to water supply charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges in ANNEXURE 2 for Water Supply Services in 2020/21;
- (vi) that in relation to sewerage service charges; in accordance with Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the charges in ANNEXURE 2 for Sewerage Services in 2020/21;
- (vii) that in relation to waste management charges, in accordance with Section 496 and Section 501 and Section 502 of the Local Government Act 1993, Council make and levy the annual charges in ANNEXURE 2 for Waste Management Services in 2020/21;
- (viii) that in relation to stormwater management service charges, in accordance with Section 496A of the Local Government Act 1993, Council make and impose the charges in ANNEXURE 2 for Stormwater Management Services in 2020/21, to fund works identified in the Tamworth Urban Area Stormwater Management Plan;
- (ix) that in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 0.0% from 1 July 2020 to 31 December 2020 inclusive and 7.0% from 1 January 2021 to 30 June 2021 inclusive on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566 (3) of the Local Government Act 1993; and
- (x) that in relation to the exhibited fees and charges in ANNEXURE 3, fees and charges for services provided by Council as detailed in ANNEXURE 3 of the Tamworth Regional Council Delivery Program and Annual Operational Plan 2020/21 be adopted in accordance with Section 502 of the Local Government Act 1993, and other relevant legislation as described in the annexure, noting amendments made to the exhibited draft, refer ANNEXURE 4.

174/20 RESOLVED

9.4 STORES INVENTORY WRITE OFF – FILE No SF9206

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

MOTION

Moved Cr Webb/Cr Inglis

That in relation to the report “Stores Inventory Write Off”, Council:

- (i) receive and note the report; and
- (ii) authorise the write off of \$25,293.14 being obsolete inventory.

175/20 RESOLVED

9.5 ANNUAL OPERATIONAL PLAN 2019/2020 BUDGET VARIATION REPORT - MAY 2020 – FILE No SF9146

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

Reference: Item 9.1 to Ordinary Council 25 June 2019 - Minute No 204/19

MOTION

Moved Cr Inglis/Cr Webb

That in relation to the report “Annual Operational Plan 2019/2020 Budget Variation Report – May 2020”, Council note and approve the variations to the existing budget included in the attached Annexure.

176/20 RESOLVED

9.6 COUNCIL INVESTMENTS MAY 2020 – FILE No SF9655

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

MOTION

Moved Cr Rodda/Cr Inglis

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

177/20 RESOLVED

10 COMMUNITY SERVICES

10.1 DRAFT TAMWORTH REGIONAL GALLERY STRATEGIC PLAN 2020/2021 TO 2023/2024 – FILE No SF818

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: Bridget Guthrie, Director Tamworth Regional Gallery and Museums

MOTION

Moved Cr Inglis/Cr Wilson

That in relation to the report “Draft Tamworth Regional Gallery Strategic Plan 2020/2021 to 2023/2024”, Council:

- (i) receive and note the report;
- (ii) approve the Draft Tamworth Regional Gallery Strategic Plan 2020/2021-2023/2024 to be placed on public exhibition for 28 days; and
- (iii) seek a further report to formally adopt the Tamworth Regional Gallery Strategic Plan 2020/2021-2023/2024.

178/20 RESOLVED

10.2 TAMWORTH REGION ARTS ADVISORY COMMITTEE (TRAAC) MINUTES - 21 MAY 2020 – FILE No SF9914

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: Kay Delahunt, Manager - Cultural and Community Services

MOTION

Moved Cr Wilson/Cr Inglis

That in relation to the report “Tamworth Region Arts Advisory Committee (TRAAC) – Minutes – 21 May 2020”, Council receive and note the Minutes.

179/20 RESOLVED

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7.55pm, 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 written 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.

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MOTION

Moved Cr Betts/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.

180/20 RESOLVED

11.1 NICSE STAGE 2 - CONSTRUCT TAMWORTH REGIONAL HOCKEY CENTRE CARPARK EXTENSION – FILE No T138/2020

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Paul Kelly, Manager Sports and Recreation

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.

11.2 COVID-19 RELIEF PACKAGE - UPDATE APRIL 2020 – FILE No SF10194

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

**Reference: Item 4.1 to Extraordinary Council 6 April 2020 - Minute No 90/20
Item 9.6 to Ordinary Council 28 April 2020 - Minute Number 112/20**

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 reason that he is a Board Member of Tamworth Hockey Association. 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.

12.1 NICSE STAGE 2 - CONSTRUCT TAMWORTH REGIONAL HOCKEY CENTRE CARPARK EXTENSION – FILE No T138/2020

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Paul Kelly, Manager Sports and Recreation

MOTION

Moved Cr Rodda/Cr Webb

That in relation to the report “NICSE Stage 2 - Construct Tamworth Regional Hockey Centre Carpark Extension”, Council:

- (i) award a Contract to KCE Pty Ltd (ABN 83 059 721 881) for an initial lump sum amount of \$212,248.83 excluding GST;
- (ii) accept the additional rate as detailed in the report as an optional item to undertake remediation and resealing of the existing carpark surface as required;
- (iii) accept the additional rate as detailed in the report as an optional item to supply and install wheel stops to the carpark as required; and
- (iv) authorise Council’s Seal be affixed to this contract.

181/20 RESOLVED

12.2 COVID-19 RELIEF PACKAGE - UPDATE APRIL 2020 – FILE NO SF10194

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 4.1 to Extraordinary Council 6 April 2020 - Minute No 90/20
Item 9.6 to Ordinary Council 28 April 2020 - Minute Number 112/20

MOTION

Moved Cr Betts/Cr Inglis

That in relation to the report “COVID-19 Relief Package – Update April 2020”, Council:

- (i) authorise the Mayor and General Manager to proceed with the measures as set out in the body of the report; and
- (ii) authorise the affixing of the Seal of Council to any Agreements or any other documentation required to give effect to Council’s resolution.

182/20 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

At 8.02pm the Meeting moved back into Open Council.

MOTION

Moved Cr Betts/Cr Maxwell

That Council move into Open Council.

183/20 RESOLVED

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 8.03pm.

Cr Col Murray, Chairperson

Tuesday, 14 July 2020

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