



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 MARCH 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 10 MARCH 2020 at 6:30PM

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Minutes

PRESENT: Cr Phil Betts (Acting Chair), 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, 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 Col Murray who is unable to attend the Meeting due to other Council business.

An apology was announced as having been received from Cr Charles Impey who is unable to attend the Meeting due to being out of the city of personal business.

MOTION

Moved Cr Maxwell/Cr Wilson

That the apologies be accepted and Cr Col Murray and Cr Impey be granted leave of absence from the Meeting.

50/20 RESOLVED

2 COMMUNITY CONSULTATION

2.1 ITEM 12.5 - POSSIBLE EXTENSION OF AGREEMENT TO OPERATE THE TAMWORTH EFFLUENT REUSE FARM FOR ANOTHER FIVE YEARS - FILE NO SF5510

Mr Bob Ruttley addressed Council in support of the recommendation.

2.2 ITEM 10.3 - SPONSORSHIP OF BOTH THE NATIONAL RUGBY LEAGUE PREMIERSHIP GAME AND THE SUPER RUGBY GAME - FILE NO SF5609

Mr David McKinnon addressed Council in opposition to the recommendation.

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Inglis/Cr Wilson

That the Minutes of the Ordinary Meeting held on Tuesday, 25 February 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

51/20 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Mark Rodda declared an interest in Item 10.3 “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game” of the Business Paper as he is a member of West Tamworth League Club. Cr Rodda further stated that it was a non significant non pecuniary interest and that he will remain in the Chamber and participate in the debate.

Cr Glenn Inglis declared an interest in Item 10.3 “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game” of the Business Paper as he is a member of West Tamworth League Club. Cr Inglis further stated that it was a non significant non pecuniary interest but that he will leave the Chamber and not participate in the debate.

Cr Russell Webb declared an interest in Item 10.3 “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game” of the Business Paper as he is a member of West Tamworth League Club. Cr Webb further stated that it was a non significant non pecuniary interest and that he will remain in the Chamber and participate in the debate.

Cr Helen Tickle declared an interest in Item 10.3 “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game” of the Business Paper as she is a member of West Tamworth League Club. Cr Tickle further stated that it was a non significant non pecuniary interest as she is a member of the club and advised that she will remain in the Chamber whilst the item is discussed.

Cr Juanita Wilson declared an interest in Item 10.3 “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game” of the Business Paper as she is a member of West Tamworth League Club. Cr Wilson further stated that it was a non significant non pecuniary interest and that she will remain in the Chamber and participate in the debate.

Cr Phil Betts declared an interest in Item 10.3 “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game” of the Business Paper as he is a member of West Tamworth League Club. Cr Betts further stated that it was a non significant non pecuniary interest and that he 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

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING – GENERAL – DECEMBER 2019 – FILE NO SF1387

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

MOTION

Moved Cr Webb/Cr Maxwell

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – December 2019”, Council:

- (i) approve the installation of a bus zone on Johnston Street, adjacent to 24-34 Tribe Street North Tamworth, operating hours 7:30am to 9:30am, and 2:30pm to 4:00pm, Monday to Friday; and
- (ii) approve the removal of current No Stopping zones in the Fitzroy Street cul-de-sac, and installation of two hour parking.

52/20 RESOLVED

8.2 LIVE LIFE GET ACTIVE FEE WAIVER REQUEST REVIEW – FILE NO SF8773

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

MOTION

Moved Cr Tickle/Cr Webb

That in relation to the report “Live Life Get Active Fee Waiver Request Review”, Council agrees to waive the estimated field hire fees of \$1,000 (exclusive of GST) associated with the program to operate until 31 December 2020.

53/20 RESOLVED

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

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator

Reference: Item 8.5 to Ordinary Council 25 February 2020 - Minute No 39/20

MOTION

Moved Cr Tickle/Cr Wilson

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

54/20 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 AUSTRALIA DAY 2020 – FILE NO SF786

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

MOTION

Moved Cr Inglis/Cr Tickle

That in relation to the report “Australia Day 2020”, Council:

- (i) receive and note the event reports from the relevant Section 355 Committees in Barraba, Bendemeer, Manilla, Nundle and Tamworth;
- (ii) receive and note the event report from the Lions Club in Kootingal; and
- (iii) write to all the Australia Day Award recipients to congratulate and acknowledge the commitment of the recipients in their respective communities.

55/20 RESOLVED

9.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE – FILE NO SF5614

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

MOTION

Moved Cr Inglis/Cr Wilson

That in relation to the report “Audit, Risk and Improvement Committee”, Council receive and note the Minutes of the meeting held 18 February 2020.

56/20 RESOLVED

9.3 BOUNDARY ADJUSTMENT WITH WALCHA COUNCIL - WOOLBROOK/NIANGALA – FILE NO SF9701

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

Reference: Item 9.1 to Ordinary Council 24 September 2013 - Minute No 302/13

MOTION

Moved Cr Wilson/Cr Tickle

That in relation to the report “Boundary Adjustment with Walcha Council – Woolbrook/Niangala”, Council:

- (i) agree to work with Walcha Council to investigate a possible boundary adjustment for the for the transfer of sections of Woolbrook, Campfire Road and Niangala to Walcha Council;
- (ii) undertake initial community consultation in Woolbrook and Niangala to understand the community’s view; and
- (iii) request a further report outlining the feedback from the initial community consultation, the assets impacted with their associated funding and the

impacts of the rating changes on Council's financial position.

57/20 RESOLVED

10 COMMUNITY SERVICES

10.1 TAMWORTH ABORIGINAL COMMUNITY CONSULTATIVE COMMITTEE FOR TAMWORTH REGIONAL COUNCIL (TACCC) MINUTES 10 SEPTEMBER 2019 AND 12 FEBRUARY 2020 – FILE No SF6520

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: Andrea Bruno, Cultural Development Officer

MOTION

Moved Cr Wilson/Cr Inglis

That in relation to the report "Tamworth Aboriginal Community Consultative Committee for Tamworth Regional Council (TACCC) Minutes 10 September 2019 and 12 February 2020" Council receive and note the Minutes.

58/20 RESOLVED

10.2 DISABILITY ACCESS WORKING GROUP MEETINGS - 10 DECEMBER 2019 AND 11 FEBRUARY 2020 – FILE No SF3482

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

MOTION

Moved Cr Tickle/Cr Inglis

That in relation to the report "Disability Access Working Group Meetings – 10 December 2019 and 11 February 2020", Council receive and note the Minutes.

59/20 RESOLVED

Cr Mark Rodda declared an interest in this Item of the Business Paper as he is a member of West Tamworth League Club. Cr Rodda further stated that it was a non significant non pecuniary interest and that he will remain in the Chamber and participate in the debate.

Cr Glenn Inglis declared an interest in this Item of the Business Paper as he is a member of West Tamworth League Club. Cr Inglis further stated that it was a non significant non pecuniary interest but that he will leave the Chamber and not participate in the debate.

Cr Russell Webb declared an interest in this Item of the Business Paper as he is a member of West Tamworth League Club. Cr Webb further stated that it was a non significant non pecuniary interest and that he will remain in the Chamber and participate in the debate.

Cr Helen Tickle declared an interest in this Item of the Business Paper as she is a member of West Tamworth League Club. Cr Tickle further stated that it was a non significant non pecuniary interest as she is a member of the club and advised that she will remain in the Chamber whilst the item is discussed.

Cr Juanita Wilson declared an interest in this Item of the Business Paper as she is a member of West Tamworth League Club. Cr Wilson further stated that it was a non significant non pecuniary interest and that she will remain in the Chamber and participate in the debate.

Cr Phil Betts declared an interest in this Item of the Business Paper as he is a member of West Tamworth League Club. Cr Betts further stated that it was a non significant non pecuniary interest and that he will remain in the Chamber and participate in the debate.

Cr Glenn Inglis left the Meeting, the time being 7:09pm.

10.3 SPONSORSHIP OF BOTH THE NATIONAL RUGBY LEAGUE PREMIERSHIP GAME AND THE SUPER RUGBY GAME – FILE NO SF5609

DIRECTORATE: BUSINESS AND COMMUNITY
AUTHOR: Kate Baker, Co-Ordinator Economic and Destination Development

MOTION

Moved Cr Webb/Cr Tickle

That in relation to the report “Sponsorship of both the National Rugby League Premiership Game and the Super Rugby Game”, Council:

- (i) approve sponsorship of \$20,000 (ex GST) for the National Rugby League game to be held on 9 May 2020; and
- (ii) approve sponsorship of \$10,000 (ex GST) for the Super Rugby game to be held on 21 March 2020.

60/20 RESOLVED

Cr Glenn Inglis returned to the Meeting, the time being 7:25pm.

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7:26pm, 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 Maxwell/Cr Rodda

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.

61/20 RESOLVED

11.1 TENDER T052/2020 - REPAIR OF LUCELLA BRIDGE AND MIDDLEBROOK CREEK BRIDGE FOR THE GAROO ROAD UPGRADE – FILE NO T052/2020

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Mark Gardiner, Senior Project Management Engineer

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.

11.2 T088/2020 - SUPPLY AND DELIVERY OF PRECAST CULVERT COMPONENTS FOR COUNTRY ROAD ROUNDABOUT – FILE NO T088/2020

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Mark Gardiner, Senior Project Management Engineer

2 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.

11.3 PROPOSED RESTRICTION AS TO USE AND PUBLIC POSITIVE COVENANT OVER PART LOT 140 IN DEPOSITED PLAN 1223292 WINDMILL HILL ESTATE NORTH TAMWORTH – FILE NO LF32328

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 14.1 to Ordinary Council 25 July 2017 - Minute No. 236/17

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 TAMWORTH EFFLUENT REUSE FARM - FARM OPERATOR FINANCIAL RESULTS 2018-2019 – FILE NO SF5510

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)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 POSSIBLE EXTENSION OF AGREEMENT TO OPERATE THE TAMWORTH EFFLUENT REUSE FARM FOR ANOTHER FIVE YEARS – FILE NO SF5510

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

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.

12 CLOSED COUNCIL REPORTS

12.1 TENDER T052/2020 - REPAIR OF LUCELLA BRIDGE AND MIDDLEBROOK CREEK BRIDGE FOR THE GAROO ROAD UPGRADE – FILE NO T052/2020

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Mark Gardiner, Senior Project Management Engineer

MOTION

Moved Cr Wilson/Cr Rodda

That in relation to the report “Tender T052/2020 - Repair of Lucella Bridge and Middlebrook Creek Bridge for the Garoo Road Upgrade”, Council:

- (i) accept the tender submitted by Saunders Civilbuild Pty Ltd (ABN 86 617 431 562) for a lump sum amount of \$632,218.91 (excluding GST) for all items associated with the repair of Lucella Bridge and Middlebrook Creek Bridge as part of the Garoo Road upgrade for Higher Mass Limit B-double vehicles; and
- (ii) approve Council’s seal to be affixed to this Contract.

62/20 **RESOLVED**

12.2 T088/2020 - SUPPLY AND DELIVERY OF PRECAST CULVERT COMPONENTS FOR COUNTRY ROAD ROUNDABOUT – FILE NO T088/2020

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Mark Gardiner, Senior Project Management Engineer
2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Inglis/Cr Maxwell

That in relation to the report “T088/2020 – Supply and Delivery of Precast Culvert Components for Country Road Roundabout”, Council:

- (i) accept the tender submitted by Holcim (Australia) Pty Ltd, (ABN 87 099 732 297) trading as Humes, for a lump sum contract of \$448,656.41 excluding GST for all items associated with the supply and delivery of precast concrete culvert components for the Oxley Highway and Country Road roundabout; and
- (ii) approve Council’s seal be affixed to this Contract.

63/20 **RESOLVED**

12.3 PROPOSED RESTRICTION AS TO USE AND PUBLIC POSITIVE COVENANT OVER PART LOT 140 IN DEPOSITED PLAN 1223292 WINDMILL HILL ESTATE NORTH TAMWORTH – FILE NO LF32328

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

Reference: Item 14.1 to Ordinary Council 25 July 2017 - Minute No. 236/17

MOTION

Moved Cr Webb/Cr Rodda

That in relation to the report “Proposed Restriction as to Use and Public Positive Covenant Over Part Lot 140 in Deposited Plan 1223292 Windmill Hill Estate North Tamworth”, Council defer the matter until a further report be presented.

64/20 RESOLVED

12.4 TAMWORTH EFFLUENT REUSE FARM - FARM OPERATOR FINANCIAL RESULTS 2018-2019 – FILE NO SF5510

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

MOTION

Moved Cr Tickle/Cr Wilson

That in relation to the report “Tamworth Effluent Reuse Farm – Farm Operator Financial Results 2018-2019”, Council receive and note the report.

65/20 RESOLVED

12.5 POSSIBLE EXTENSION OF AGREEMENT TO OPERATE THE TAMWORTH EFFLUENT REUSE FARM FOR ANOTHER FIVE YEARS – FILE NO SF5510

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

MOTION

Moved Cr Tickle/Cr Maxwell

That in relation to the report “Possible Extension of Agreement to Operate the Tamworth Effluent Reuse Farm for Another Five Years”, Council:

- (i) advise the current farm operator Council will not offer an extension of the current operating agreement to continue to operate the Tamworth Effluent Reuse Farm;
- (ii) request the Director Water and Waste prepare new contract documents for the operation of the Tamworth Effluent Reuse Farm which includes the ability for Council to reduce the volume of effluent delivered to the farm, and that will provide strategic opportunities to enter into public, private partnerships and collaborations to investigate and commercialise recycled water research, development programs and projects; and

(iii) approve the allocation of \$100,000 from the Waste Water Reserve towards the preparation of the Contract documents.

66/20 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Maxwell/Cr Inglis

That Council move into Open Council.

67/20 RESOLVED

At 7:46pm 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 7:48pm.

Cr Col Murray, Chairperson

Tuesday, 24 March 2020

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