



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**

11 FEBRUARY 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 11 FEBRUARY 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, Acting Director Planning and Compliance, Director Business and Community, Director Regional Services and Director Water and Waste.

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 COMMUNITY CONSULTATION

2.1 ITEM 7.2 - DEVELOPMENT APPLICATION FOR AN ORGANICS RECYCLING FACILITY ON LOT 61 DP707563, 284 GIDLEY APPLEBY ROAD, GIDLEY NSW - FILE NO DA2020-0138

Mr John Simon addressed Council in opposition to the recommendation.

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Maxwell/Cr Betts

That the Minutes of the Ordinary Meeting held on Tuesday, 17 December 2019, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

1/20 RESOLVED

4 DISCLOSURE OF INTEREST

Councillor Mark Rodda declared a conflict of interest in Item 7.1 “Planning Proposal – Temporary Events” and Item 8.11 “Emergency Water Supply Plan” of the Business Paper, for the reason that he is employed by the Department of Trade and Investment Crown Lands Division. 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.

Councillor Helen Tickle declared a conflict of interest in Item 8.6 “Rotary Club of Tamworth First Light Regional Waste Warriors Expo Sponsorship Request” of the Business Paper, for the reason that she is a member of the Rotary Club. Cr Tickle further stated that it was a less than significant non pecuniary interest and that she would remain in the Chamber and participate in the debate.

Councillor Glen Inglis declared a conflict of interest in Item 8.13 “Possible Additions to Water Rebate Scheme” of the Business Paper, for the reason that if approval is granted that would avail himself of the rebate. Cr Inglis further

stated that it was a pecuniary interest and that he would leave the Chamber and not participate in the debate.

Councillor Charles Impey declared a conflict of interest in item 8.13 “Possible Additions to Water Rebate Scheme” of the Business Paper, for the reason that if approval is granted that would avail himself of the rebate. Cr Impey further stated that it was a pecuniary interest and that he would leave the Chamber and not participate in the debate.

Councillor Juanita Wilson declared a conflict of interest in Item 8.13 “Possible Additions to Water Rebate Scheme” of the Business Paper, for the reason that if approval is granted that would avail herself of the rebate. Cr Wilson further stated that it was a pecuniary interest and that she would leave the Chamber and not participate in the debate.

Councillor Russell Webb declared an interest in Item 8.13 “Possible Additions to Water Rebate Scheme” of the Business Paper, for the reason that he has property that would qualify for the rebate, however stated that he would not use the rebate. Cr Webb 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

Councillor Mark Rodda declared a conflict of interest in this item of the Business Paper, for the reason that he is employed by the Department of Trade and Investment Crown Lands Division. 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.

7.1 PLANNING PROPOSAL - TEMPORARY EVENTS – FILE NO SF10100

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Sonya Vickery, Integrated Planner - IP&R

MOTION

Moved Cr Wilson/Cr Maxwell

That in relation to the report “Planning Proposal – Temporary Events”, Council:

- (i) receive and endorse the Planning Proposal to enable temporary events on land zoned RE1 Public Recreation and/or any local public roads within the Region to be undertaken without development consent;
- (ii) approve the submission of the Planning Proposal to the NSW Department of Planning Industry and Environment (NSW DPIE) with a request for Gateway determination;
- (iii) notify the NSW DPIE of Council’s intention to utilise its plan making power as delegated by the Department to make the proposed amendment to the Tamworth Regional Local Environmental Plan 2010; and

- (iv) delegate to the General Manager any necessary amendments required to the Planning Proposal as a result of considerations by the NSW DPIE or as a result of Gateway determination.

2/20 RESOLVED

7.2 DEVELOPMENT APPLICATION FOR AN ORGANICS RECYCLING FACILITY ON LOT 61 DP 707563, 284 GIDLEY APPLEBY ROAD, GIDLEY NSW – FILE No DA2020-0138

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sam Lobsey, Acting Director Planning and Compliance

MOTION

Moved Cr Tickle/Cr Maxwell

That in relation to the report “Development Application for an Organics Recycling Facility on Lot 61 DP 707563, 284 Gidley Appleby Road, Gidley NSW”, Council:

- (i) note that the application is scheduled for determination by the Northern Regional Planning Panel on 19 February 2020; and
- (ii) determine not to make a submission to the Northern Regional Planning Panel in relation to the application.

3/20 RESOLVED

COUNCILLORS WHO VOTED **FOR**
THE DECISION

1. Cr Phil Betts
2. Cr Charles Impey
3. Cr Glenn Inglis
4. Cr Jim Maxwell
5. Cr Col Murray
6. Cr Mark Rodda
7. Cr Helen Tickle
8. Cr Russell Webb
9. Cr Juanita Wilson

COUNCILLORS WHO VOTED **AGAINST**
THE DECISION

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 AUSTRALIA INDOOR BIAS BOWLS CHAMPIONSHIPS 2021, FEE WAIVER REQUEST – FILE No SF8788

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

MOTION

Moved Cr Wilson/Cr Betts

That in relation to the report “Australian Indoor Bias Bowls Championships 2021, 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.

4/20 RESOLVED

8.2 TAMWORTH ORGANIC RECYCLING FACILITY – FILE NO SF7667

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager Water and Waste

**Reference: Item 8.3 to Ordinary Council 24 November 2015 - Minute No 344/15
Item 8.5 to Ordinary Council 24 May 2016 - Minute No 137/16
Item 14.4 to Ordinary Council 9 August 2016 - Minute No 241/16
Item 8.5 to Ordinary Council 8 November 2016 Minute No 329/16
Item 8.5 to Ordinary Council 13 February 2018 - Minute No 17/18
Item 8.2 to Ordinary Council 9 April 2019 - Minute No 103/19**

MOTION

Moved Cr Webb/Cr Maxwell

That in relation to the report “Tamworth Organic Recycling Facility”, Council proceed with preparation of a Design, Construct and Operate Tender for the Organic Recycling Facility that includes an operating contract timeframe of ten years with a possible five year extension, subject to the successful determination of the Development Application in relation to this matter.

5/20 RESOLVED

8.3 SHOWGROUND ROAD KERB AND GUTTER FEES – FILE NO RF390

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager Infrastructure and Works

MOTION

Moved Cr Inglis/Cr Betts

That in relation to the report “Showground Road Kerb and Gutter Fees” Council endorse the proposal to waive the ratepayers’ contribution towards kerb and gutter construction on Showground Road.

6/20 RESOLVED

8.4 BICENTENNIAL PARK MASTERPLAN – FILE NO PROJ2019-0117

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager Sports and Recreation
Reference: Item 8.2 to Ordinary Council 22 October 2019 - Minute No 375/19

MOTION

Moved Cr Wilson/Cr Impey

That in relation to the report “Bicentennial Park Masterplan”, Council adopt the masterplan titled “Tamworth Bicentennial Park Masterplan, Draft, No.5, Final Version”.

7/20 RESOLVED

8.5 WALLAMORE ANABRANCH RIVERINE IMPROVEMENT PROJECT – FILE NO SF10090

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Reference: Item 8.2 to Ordinary Council 13 December - Minute No 385/16
Item 7.2 to Ordinary Council 14 February 2017 - Minute No 4/17

MOTION

Moved Cr Webb/Cr Betts

That in relation to the report “Wallamore Anabranh Riverine Improvement Project”, Council:

- (i) agree to an extension of three years to allow completion of works agreed to in the original project agreement; and
- (ii) agree to the inclusion of Council owned properties located at 252 and 428 Wallamore Road.

8/20 RESOLVED

Councillor Helen Tickle declared a conflict of interest in this item of the Business Paper, for the reason that she is a member of the Rotary Club. Cr Tickle further stated that it was a less than significant non pecuniary interest and that she would remain in the Chamber and participate in the debate.

8.6 ROTARY CLUB OF TAMWORTH FIRST LIGHT REGIONAL WASTE WARRIORS EXPO SPONSORSHIP REQUEST – FILE NO SF9753

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

MOTION

Moved Cr Inglis/Cr Impey

That in relation to the report “Rotary Club of Tamworth First Light Regional Waste

Warriors Expo Sponsorship Request”, Council:

- (i) agree to sponsorship at the Gold level proposed, providing \$8,000.00 towards sponsoring this event; and
- (ii) fund the sponsorship from the Waste Reserve.

9/20 RESOLVED

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

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator
Reference: Item 8.8 to Ordinary Council 12 November 2019 - Minute No 404/19

MOTION

Moved Cr Rodda/Cr Maxwell

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

10/20 RESOLVED

8.8 GREASE TRAP WASTE MANAGEMENT - SUBMISSIONS RECEIVED TO PROPOSED FEE FOR WASTE RECEIVED FROM OUTSIDE TAMWORTH REGIONAL COUNCIL AREA – FILE NO SF1226

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager Water and Waste
Reference: Item No 8.4 to Ordinary Council 12 June 2018 – Minute No 191/18
Item No 8.4 to Ordinary Council 26 November 2019 – Minute No 425/19

MOTION

Moved Cr Wilson/Cr Inglis

That in relation to the report “Grease Trap Waste Management – Submissions Received to Proposed Fee for Waste Received From Outside Tamworth Regional Council Area”, Council:

- (i) note the two submission received in relation to the proposal to accept grease trap waste from outside the Tamworth Regional Council area at a higher rate than locally produced waste; and
- (ii) formally adopt the fee for grease trap waste from outside the TRC area at a rate of \$270 per kilolitre for the 2019/20 financial year.

11/20 RESOLVED

8.9 DUNGOWAN DAM CATCHMENT MANAGEMENT POST BUSHFIRE – FILE NO SF9795

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager Water and Waste

MOTION

Moved Cr Maxwell/Cr Webb

That in relation to the report “Dungowan Dam Catchment Management Post Bushfire”, Council:

- (i) receive and note the report; and
- (ii) request the Director Water and Waste provide further reports regarding the matter as required.

12/20 RESOLVED

8.10 LEVEL 5 WATER RESTRICTIONS MARKETING PLAN – FILE NO SF9442

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

Reference: Item 8.2 to Ordinary Council 27 August 2019 - Minute No 275/19

MOTION

Moved Cr Betts/Cr Maxwell

That in relation to the report “Level 5 Water Restrictions Marketing Plan”, Council:

- (i) fund from the Water Reserve the essential elements of the Level 5 water restrictions marketing plan for a further six months at a total cost of \$123,050.00; and
- (ii) fund from the Water Reserve the additional elements identified in the Level 5 water restrictions marketing plan at an additional cost of \$50,590.00 over the next six months.

13/20 RESOLVED

Councillor Mark Rodda declared a conflict of interest in this item of the Business Paper, for the reason that he is employed by the Department of Trade and Investment Crown Lands Division. 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.

8.11 EMERGENCY WATER SUPPLY PLAN – FILE NO SF9442

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

MOTION

Moved Cr Maxwell/Cr Tickle

That in relation to the report “Emergency Water Supply Plan”, Council provide \$100,000 from the Water Reserve to develop an Emergency Water Supply Plan for Tamworth/Moonbi and Kootingal.

14/20 RESOLVED

8.12 DISPOSAL OF WALCHA COUNCIL SOLID WASTE AT FOREST ROAD WASTE MANAGEMENT FACILITY – FILE NO SF1179

DIRECTORATE: WATER AND WASTE
AUTHOR: Daniel Coe, Manager Water and Waste
Reference: Item 7.3 to Ordinary Council 8 November 2011 - Minute No 345/11
Item 8.4 to Ordinary Council 8 November 2016 - Minute No 328/16

MOTION

Moved Cr Inglis/Cr Tickle

That in relation to the report “Disposal of Walcha Council Solid Waste at Forest Road Waste Management Facility”, Council:

- (i) note the completion as of 8 February 2020, of the Memorandum of Understanding between Walcha Council and Tamworth Regional Council for the disposal of general solid waste from the Walcha Council area to the Forest Road Waste Management Facility; and
- (ii) approve Walcha Council to continue to disposal of general solid waste from the Walcha Council area for up to a further 12 months in accordance with Council’s Policy for the ‘Acceptance of Waste Generated outside the Tamworth Regional Council Local Government Area’.

15/20 RESOLVED

Councillor Glen Inglis declared a conflict of interest in the Item of the Business Paper, for the reason that if approval is granted that would avail himself of the rebate. Cr Inglis further stated that it was a pecuniary interest and that he would leave the Chamber and not participate in the debate.

Councillor Charles Impey declared a conflict of interest in this Item, for the reason that if approval is granted that would avail himself of the rebate. Cr Impey further stated that it was a pecuniary interest and that he would leave the Chamber and not participate in the debate.

Councillor Juanita Wilson declared a conflict of interest in this Item of the Business Paper, for the reason that if approval is granted that would avail herself of the rebate. Cr Wilson further stated that it was a pecuniary interest and that she would leave the Chamber and not participate in the debate.

Councillor Russell Webb declared an interest in this Item, for the reason that he has property that would qualify for the rebate, however stated that he would not use the rebate. Cr Webb 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.

Cr Charles Impey, Cr Glenn Inglis and Cr Juanita Wilson left the Meeting, the time being 7:11pm.

8.13 POSSIBLE ADDITIONS TO WATER REBATE SCHEME – FILE NO SF3219

DIRECTORATE: WATER AND WASTE
AUTHOR: Tracey Carr, Sustainability Coordinator
Reference: Item 8.2 to Ordinary Council 17 December 2019 -

Minute No 455/19
Item 8.3 to Ordinary Council 8 October 2019 - Minute
No 348/19

MOTION

Moved Cr Tickle/Cr Webb

That in relation to the report “Possible Additions to Water Rebate Scheme”, Council:

- (i) add additional water saving products to the rebate eligibility list that may assist residential business and industry as follows; and

Item number	Product	Description	Rebate
1	Evaporative air conditioner servicing and maintenance	Work must be undertaken by a licenced tradesperson. Can be for service and maintenance.	50% up to \$200
2	Stand alone 2,000 – 4,999 litre rainwater tank	Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.	50% up to \$100
3	Stand alone 5,000 – 9,999 litre rainwater tank	Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.	50% up to \$400
4	Stand alone 10,000 litre rainwater tank or above	Purchase and installation of rain water tanks at a residential property connected to a reticulated supply where the tank is not plumbed into the house.	50% up to \$500

- (ii) provide a further \$30,000 from the Water Reserve to be allocated to the payments of the above rebates.

16/20 RESOLVED

Cr Charles Impey, Cr Glenn Inglis and Cr Juanita Wilson returned to the Meeting, the time being 7:18pm.

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – FILE NO SF1385

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

MOTION

Moved Cr Impey/Cr Webb

That in relation to the report “2020 National General Assembly of Local Government”, Council:

- (i) nominate Cr Russell Webb, Cr Juanita Wilson and Cr Phil Betts to attend this Conference; and
- (ii) determine that a motion in relation to a whole of Government response for all three levels of government to work better together be submitted for inclusion on the Conference Agenda.

17/20 RESOLVED

9.2 COUNCIL INVESTMENTS DECEMBER 2019 – FILE NO SF9655

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

MOTION

Moved Cr Tickle/Cr Webb

That in relation to the report “Council Investments December 2019”, Council receive and note the report.

18/20 RESOLVED

9.3 COUNCILLOR TRAINING AND PROFESSIONAL DEVELOPMENT – FILE NO SF1037

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

MOTION

Moved Cr Webb/Cr Maxwell

That in relation to the report “Councillor Training and Professional Development”, Council:

- (i) receive and note the report; and
- (ii) approve Cr Inglis to attend the Australian Governance Summit in Sydney on 2 and 3 March 2020.

19/20 RESOLVED

9.4 LG NSW TOURISM CONFERENCE – FILE NO SF1037

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

MOTION

Moved Cr Wilson/Cr Betts

That in relation to the report “LG NSW Tourism Conference”, Council nominate Cr Helen Tickle, to attend the conference to be held in Jindabyne 16-18 March 2020.

20/20 RESOLVED

10 COMMUNITY SERVICES

10.1 NSW COUNTRY RUGBY UNION CHAMPIONSHIPS – FILE NO SF5609

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

MOTION

Moved Cr Inglis/Cr Webb

That in relation to the report “NSW Country Rugby Union Championships”, Council support the event by providing funding of \$15,000 per year for the 2020, 2021 and 2022 Championships.

21/20 RESOLVED

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7:27pm, 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 Inglis/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.

22/20 RESOLVED

11.1 RENEWAL OF LEASE TO CANCER COUNCIL NSW - 1/218 PEEL STREET TAMWORTH – FILE NO SF9556

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (c)&(d) 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 EXPRESSION OF INTEREST FOR LEASE OF "DRUMALBYN" AND "KARA" - DUNGOWAN DAM ROAD OGUNBIL – FILE NO E067/2020

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste
Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 12.11 to Ordinary Council 24 September 2019 - Minute No 337/19

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) 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 SURRENDER AND GRANT OF NEW LEASE OF TELECOMMUNICATION FACILITY - PART LOT 20 IN DP 1010843 COUNTRY ROAD WESTDALE – FILE No LF5598

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 8.2 to Ordinary Council 28 June 2016 - Minute No 177/16
Item 12.4 to Ordinary Council 12 November 2019 - Minute No 415/19
Item 16.2 to Ordinary Council 24 September 2019 - Minute No 333/19

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) 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 GLOBAL GATEWAY PARK - STATUS AND FUNDING – FILE NO SF10092

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

Reference: Item 7.3 to Ordinary Council meeting of 26 February 2019 - Minute No. 33/19

2 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.

11.5 EXPRESSION OF INTEREST FOR THE SALE OF 10-12 DOWE STREET TAMWORTH – FILE NO SF9690

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

Reference: Item 15.2 to Ordinary Council 28 May 2019 - Minute No 178/19
Item 16.1 to Ordinary Council 10 September 2019 - Minute No 302/19
Item 16.2 to Ordinary Council 12 November 2019 - Minute No. 413/19

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) 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.

11.6 T073/2020 - SUPPLY AND DELIVERY OF RMS R82 AND R83 CONCRETE FOR COUNTRY ROAD ROUNDABOUT – FILE NO T073/2020

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)&(d) 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.

11.7 PROPOSED ACQUISITION FOR INTERSECTION UPGRADE - NEW WINTON ROAD/OXLEY LANE – FILE NO SF9948

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

5 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.

12 CLOSED COUNCIL REPORTS

12.1 RENEWAL OF LEASE TO CANCER COUNCIL NSW - 1/218 PEEL STREET TAMWORTH – FILE NO SF9556

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

MOTION

Moved Cr Impey/Cr Wilson

That in relation to the report “Renewal of Lease to Cancer Council NSW – 1/218 Peel Street Tamworth”, Council:

- (i) authorise the Mayor and General Manager to enter into a renewal of the Lease agreement on the terms as detailed in confidence in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the Lease document and any associated documents.

23/20 RESOLVED

12.2 EXPRESSION OF INTEREST FOR LEASE OF "DRUMALBYN" AND "KARA" - DUNGOWAN DAM ROAD OGUNBIL – FILE NO E067/2020

DIRECTORATE: WATER AND WASTE
AUTHOR: Bruce Logan, Director Water and Waste
Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 12.11 to Ordinary Council 24 September 2019 - Minute No 337/19

1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Maxwell/Cr Tickle

That in relation to the report “Expression of Interest for Lease of “Drumalbyn” and “Kara”, Dungowan Dam Road Ogunbil, Council:

- (i) authorise the Mayor and General Manager to enter into an agreement for the lease of Lot 3 DP 842662, Lots 34 & 14 DP 755338 and Lots 8 & 22 DP 755336, known as “Drumalbyn” and “Kara” Dungowan Dam Road Ogunbil with the legal entity identified in confidence in the body of this report on terms described in the body of this report;
- (ii) authorise the making of a Development Application seeking approval to demolish the older timber slab and weatherboard wall cottage; and
- (iii) authorise the affixing of the Seal of Council to the lease documents.

24/20 RESOLVED

12.3 PROPOSED SURRENDER AND GRANT OF NEW LEASE OF TELECOMMUNICATION FACILITY - PART LOT 20 IN DP 1010843 COUNTRY ROAD WESTDALE – FILE NO LF5598

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

Reference: Item 8.2 to Ordinary Council 28 June 2016 - Minute No 177/16
Item 12.4 to Ordinary Council 12 November 2019 - Minute No 415/19
Item 16.2 to Ordinary Council 24 September 2019 - Minute No 333/19

1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Tickle/Cr Inglis

That in relation to the report “Proposed Surrender and Grant of New Lease of Telecommunication Facility – Part Lot 20 in DP 1010843, Country Road Westdale”, Council:

- (i) authorise the Mayor and General Manager to respond to a proposal regarding the current lease on the terms as set out in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the documents required to give effect to the resolution, if required.

25/20 RESOLVED

12.4 TAMWORTH GLOBAL GATEWAY PARK - STATUS AND FUNDING – FILE NO SF10092

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

Reference: Item 7.3 to Ordinary Council meeting of 26 February 2019 - Minute No. 33/19

2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Inglis/Cr Impey

That in relation to the report “Tamworth Global Gateway Park – Status and Funding”, Council:

- (i) approve the amount of \$462,000 from the Civil Construction Reserve to fund the design development for the Goddard Lane roadworks and the intermodal access works;
- (ii) approve the amount of \$954,300 from the Regional Development Fund to be Council’s contribution to the Growing Local Economies funding of the Country Road roundabout;
- (iii) approve the amount of \$654,000 from the Civil Construction Reserve to be Council’s contribution to the Growing Local Economies funding of the

- Taminda ring road (Jewry Street) extension;
- (iv) approve the amount of \$1,144,800 from the Westdale Land Reserve to be Council's contribution to the Growing Local Economies funding of the Trunk Stormwater Drainage;
 - (v) approve an amount of \$40,000 from the Westdale Land Reserve to be allocated this financial year for the demolition of the existing cottage on the Tamworth Global Gateway Park site;
 - (vi) request the Director Regional Services to finalise designs and to prepare detailed cost estimates for the various stages of the Tamworth Global Gateway Park to inform the project business plan;
 - (vii) request the Director Regional Services to prepare a marketing capacity and strategy report to inform the project business plan;
 - (viii) request the Director Corporate and Governance to prepare a capital expenditure review that would inform the project business plan and establish a mechanism to pay out the existing internal loan, established previously to purchase the subject land;
 - (ix) request the Director Regional Services to prepare the project business plan and report back to Council for approval and budget consideration prior to construction for the various work packages.

26/20 RESOLVED

**12.5 EXPRESSION OF INTEREST FOR THE SALE OF 10-12 DOWE STREET
TAMWORTH – FILE NO SF9690**

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

Reference: Item 15.2 to Ordinary Council 28 May 2019 - Minute No 178/19
Item 16.1 to Ordinary Council 10 September 2019 - Minute No 302/19
Item 16.2 to Ordinary Council 12 November 2019 - Minute No 413/19

2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Maxwell

That in relation to the report "Expression of Interest for the Sale of 10-12 Dowe Street Tamworth", Council:

- (i) authorise the Mayor and General Manager to authorise the sale of the land on the basis of the information set out in the body of the report;
- (ii) authorise the Mayor and General Manager to enter into a Contract for the Sale on the terms agreed between the parties; and
- (iii) authorise the affixing of the Seal of Council to the Contract, Transfer and all associated documentation.

27/20 RESOLVED

12.6 T073/2020 - SUPPLY AND DELIVERY OF RMS R82 AND R83 CONCRETE FOR COUNTRY ROAD ROUNDABOUT – FILE NO T073/2020

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

MOTION

Moved Cr Webb/Cr Inglis

That in relation to the report “T073/2020 - Supply and Delivery of RMS R82 and R83 Concrete for Country Road Roundabout”, Council:

- (i) accept the tender submitted by Boral Resources (Country) NSW Pty Ltd (ABN 51 000 187 002) for a schedule of rates contract for all items associated with the supply and delivery of RMS R82 and R83 concrete for the Oxley Highway and Country Road roundabout; and
- (ii) authorise the affixing of the Seal of Council to the Contract.

28/20 RESOLVED

12.7 PROPOSED ACQUISITION FOR INTERSECTION UPGRADE - NEW WINTON ROAD/OXLEY LANE – FILE NO SF9948

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

5 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Rodda/Cr Maxwell

That in relation to the report “Proposed Acquisition for Intersection Upgrade – New Winton Road/Oxley Lane”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of the proposed acquisition of the relevant properties;
- (ii) authorise the execution by Council of Deeds of Agreement, plans of subdivision and accepting the dedication of the land as a road; and
- (iii) authorise the affixing of the Seal of Council to the Deeds of Agreement, plans and any other documents required to give effect to Council’s resolution.

29/20 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Betts/Cr Inglis

That Council move into Open Council.

30/20 RESOLVED

At 7:56pm 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 7:57pm.

Cr Col Murray, Chairperson

Tuesday, 25 February 2020

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Minutes