



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**

22 SEPTEMBER 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 22 SEPTEMBER 2020 at 6:30PM

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PRESENT: Cr Col Murray (Mayor), Cr Phil Betts, Cr Charles Impey, 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 Growth and Prosperity, Director Regional Services and Director Water and Waste.

1 APOLOGIES AND LEAVE OF ABSENCE

An apology was announced as having been received from Cr Glenn Inglis who is unable to attend the Meeting due to health reasons.

MOTION

Moved Cr Betts/Cr Maxwell

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

280/20 RESOLVED

2 COMMUNITY CONSULTATION

Nil

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Webb/Cr Maxwell

That the Minutes of the Ordinary Meeting held on Tuesday, 8 September 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

281/20 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Charles Impey declared a conflict of interest in Item 8.3 “Possible Funding Cooperative Research Centres (CRC’s)” of the Business Paper, for the reason that a long term work colleague is employed at the University of Southern Queensland. Cr Impey 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 declared a conflict of interest in Item 9.7 “Place Management and Section 355 Committee Update” of the Business Paper, for the reason that he is a past Vice President of the Friends of Marsupial Park Committee and has been a member for the past 11 years. Cr Impey 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 REQUEST FOR ACCESS TO MARIUS STREET BORE AS ALTERNATE WATER SUPPLY FOR DURİ RESIDENTS

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Ross Briggs, Manager Environment and Health

MOTION

Moved Cr Rodda/Cr Webb

That in relation to the report "Request for Access to Marius Street Bore as Alternate Water Supply for Duri Residents", Council approve the commencement of the supply of groundwater to the Duri residents that require an alternate non-potable supply for domestic purposes.

282/20 RESOLVED

8 INFRASTRUCTURE AND SERVICES

8.1 FEE WAIVER FOR TAMWORTH CITY BMX CLUB TO USE THE REGIONAL CYCLING CENTRE

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

MOTION

Moved Cr Rodda/Cr Impey

That in relation to the report "Fee Waiver for Tamworth City BMX Club to use the Regional Cycling Centre", Council approves to waive all fees and charges for Tamworth City BMX Club to access the Regional Cycling Centre, until their existing BMX track is operational again following the recently discovered asbestos contamination.

283/20 RESOLVED

8.2 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY

DIRECTORATE: WATER AND WASTE
AUTHOR: Louise Cadell, Sustainability Officer - Water

MOTION

Moved Cr Maxwell/Cr Wilson

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

284/20 RESOLVED

Cr Charles Impey declared a conflict of interest in this item of the Business Paper, for the reason that a long term work colleague is employed at the University of Southern Queensland. Cr Impey 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.

8.3 POSSIBLE FUNDING COOPERATIVE RESEARCH CENTRES (CRC'S)

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

MOTION

Moved Cr Webb/Cr Betts

That in relation to the report “Possible Funding Cooperative Research Centres (CRC’s)”, Council:

- (i) provide \$10,000 per year to the Water Security CRC:
 - a. if the funding application for the CRC is approved;
 - b. funding to commence in the 2021/2022 financial year; and
 - c. \$10,000 be provided per year for a maximum of 10 years or until the program is complete, whichever occurs first; and
- (ii) fund the expenditure 50% from the Water Reserve and 50% from the Wastewater Reserve.

285/20 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 MOTION FOR THE LGNSW ANNUAL CONFERENCE 2020

DIRECTORATE: CORPORATE AND GOVERNANCE
AUTHOR: Karen Litchfield, Manager Governance
Reference: Item 9.3 to Ordinary Council 28 July 2020 - Minute No 214/20

MOTION

Moved Cr Wilson/Cr Tickle

That in relation to the report “Motion for the LGNSW Annual Conference 2020”, Council authorise the motions regarding water recycling opportunities, Medicare Provider Numbers and an Independent Water Commission be submitted to LGNSW.

286/20 RESOLVED

9.2 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY

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

MOTION

Moved Cr Betts/Cr Impey

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

- (i) endorse the draft Councillor Induction and Professional Development Policy and advertise the proposed Policy for a period of 28 days for public comments prior to formal adoption by Council; and
- (ii) request a further report following the review period to consider any public comments on the Policy.

287/20 RESOLVED

9.3 COUNCIL SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS

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

MOTION

Moved Cr Wilson/Cr Webb

That in relation to the report “Council Special Purpose Committees, Working Groups, External Boards and Organisations”, Council:

- (i) determine that the status quo remain, with the exception of Item 3.5 in the Annexure “Club Grants Committee” where Cr Rodda is to be replaced with Cr Betts; and
- (ii) determine that Councillors be appointed as delegates or representatives for the ensuing 12 month term as detailed and documented in the Annexure of this report.

288/20 RESOLVED

9.4 COUNCIL INVESTMENTS AUGUST 2020

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

MOTION

Moved Cr Webb/Cr Impey

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

289/20 RESOLVED

9.5 TAMWORTH REGIONAL AVIATION STRATEGIC DEVELOPMENT WORKING GROUP

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: John Sommerlad, Commercial Director - Airport and Aviation Development

Reference: Item 7.8 to Ordinary Council 11 September 2018 - Minute No 185/18

MOTION

Moved Cr Wilson/Cr Tickle

That in relation to the report “Tamworth Regional Aviation Strategic Development

Working Group”, Council:

- (i) remove the Tamworth Regional Aviation Strategic Development Committee from its Register of Special Purpose Committees, Working Groups and External Boards, Committees and Organisations Structure;
- (ii) replace it with the Tamworth Regional Aviation Strategic Development Working Group;
- (iii) approve the appointment of all Councillors as Working Group members;
- (iv) approve the Mayor of the day to be the Working Group chair; and
- (v) authorise the Working Group to co-op input from industry specialists and stakeholders as required.

290/20 RESOLVED

9.6 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - AUGUST 2020

DIRECTORATE:

CORPORATE AND GOVERNANCE

AUTHOR:

Sherrill Young, Manager Financial Services

Reference:

Item 9.3 to Ordinary Council 23 June 2020 - Minute No 173/20

MOTION

Moved Cr Betts/Cr Impey

That in relation to the report “Annual Operational Plan 2020/2021 Budget Variation Report – August 2020”, Council note and approve the variations to the existing budget included in the attached Annexure.

291/20 RESOLVED

Cr Charles Impey declared a conflict of interest in this item of the Business Paper, for the reason that he is a past Vice President of the Friends of Marsupial Park Committee and has been a member for the past 11 years. Cr Impey 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.

9.7 PLACE MANAGEMENT AND SECTION 355 COMMITTEE UPDATE

DIRECTORATE:

PLANNING AND COMPLIANCE

AUTHOR:

Kay Burnes, Senior Place Manager

MOTION

Moved Cr Tickle/Cr Wilson

That in relation to the report “Place Management and Section 355 Committee Update”, Council:

- (i) disband the Friends of Marsupial Park Section 355 Sub Committee, a Sub Committee of Victoria Park Section 355 Committee under Section 355 of the Local Government Act 1993;
- (ii) transfer any assets held by the Friends of Marsupial Park Section 355 Sub

- Committee to Council;
- (iii) transfer any liabilities accrued by the Friends of Marsupial Park Section 355 Sub Committee to Council;
 - (iv) restrict the balance of funds held by the Friends of Marsupial Park Sub Committee as at the date of disbanding for the purpose of a contribution to the upgrade of the barbeque area in Fern Gully at the Park; and
 - (v) receive and note the outcomes of Section 355 Committee and Place Management activities.

292/20 RESOLVED

10 COMMUNITY SERVICES

10.1 TAMWORTH REGIONAL MUSEUMS COLLECTION POLICY

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

Reference: Item 10.1 to Ordinary Council 28 July 2020 - Minute No 215/20

MOTION

Moved Cr Webb/Cr Tickle

That in relation to the report "Tamworth Regional Museums Collection Policy", Council adopt the Tamworth Regional Museums Collection Policy.

293/20 RESOLVED

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7:03pm, 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 Tamworth Regional Council's Code of Meeting Practice, 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 Impey

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.

294/20 RESOLVED

11.1 PROPOSED ACQUISITION FOR SHARED PATH CONSTRUCTION – Blich Street

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.

11.2 CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA PIPELINE

DIRECTORATE: CORPORATE AND GOVERNANCE

AUTHOR: Kirrilee Ringland, Manager Property and Legal Services

Reference: Item 13.1 to Ordinary Council 12 March 2013 - Minute No 75/13
Item 14.1 to Ordinary Council 27 February 2018 - Minute No 69/18

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.

11.3 LEASE OF HANGAR 6, TAMWORTH REGIONAL AIRPORT

DIRECTORATE: GROWTH AND PROSPERITY

AUTHOR: John Sommerlad, Commercial Director - Airport and Aviation Development

Reference: Item 13.7 to Ordinary Council 24 March 2020 - Minute No 88/20
Item 12.7 to Ordinary Council 25 August 2020 - Minute No 261/20

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)ii&(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 competitor of Council and information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

11.4 REQUEST FOR A COUNCIL CONTRIBUTION FOR ADDITIONAL WORKS REQUIRED FOR THE ROUNDABOUT AT MOORE CREEK ROAD AND GRAND MEADOWS DRIVE

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Steve Brake, Manager Development Engineering

3 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 REQUEST FOR DEFERRAL OF PAYMENTS FOR WATER AND SEWER HEADWORK CHARGES AND CONTRIBUTIONS

DIRECTORATE: PLANNING AND COMPLIANCE

AUTHOR: Steve Brake, Manager Development Engineering

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.

12 CLOSED COUNCIL REPORTS

12.1 PROPOSED ACQUISITION FOR SHARED PATH CONSTRUCTION – Blich STREET

DIRECTORATE:

REGIONAL SERVICES

AUTHOR:

Mark Gardiner, Senior Project Management Engineer

MOTION

Moved Cr Betts/Cr Impey

That in relation to the report “Proposed Acquisition for Shared Path Construction – Blich Street”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of the proposed acquisition of the relevant property;
- (ii) authorise the execution by Council of a Deed of Agreement, Plan of Subdivision for Road Widening 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.

295/20 RESOLVED

12.2 CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA PIPELINE

DIRECTORATE:

CORPORATE AND GOVERNANCE

AUTHOR:

Kirrilee Ringland, Manager Property and Legal Services

Reference:

Item 13.1 to Ordinary Council 12 March 2013 - Minute No 75/13

Item 14.1 to Ordinary Council 27 February 2018 - Minute No 69/18

MOTION

Moved Cr Webb/Cr Rodda

That in relation to the report “Construction of Split Rock Dam to Barraba Pipeline”, Council:

- (i) authorise the novation of the Deed of Agreement between Council and Rule regarding the construction of the Split Rock to Barraba Water Supply Pipeline to reflect the change in ownership of the affected property; and
- (ii) authorise the affixing of the Seal of Council to the Deed of Novation and all associated documents.

296/20 RESOLVED

12.3 LEASE OF HANGAR 6, TAMWORTH REGIONAL AIRPORT

DIRECTORATE: GROWTH AND PROSPERITY
AUTHOR: John Sommerlad, Commercial Director - Airport and Aviation Development

Reference: Item 13.7 to Ordinary Council 24 March 2020 - Minute No 88/20
Item 12.7 to Ordinary Council 25 August 2020 - Minute No 261/20

MOTION

Moved Cr Maxwell/Cr Wilson

That in relation to the report "Lease of Hangar 6, Tamworth Regional Airport", Council:

- (i) authorise the amendment to the leasing term outlined in the body of the report; and
- (ii) authorise the affixing of the Seal of Council to the Lease and any associated documentation.

297/20 RESOLVED

12.4 REQUEST FOR A COUNCIL CONTRIBUTION FOR ADDITIONAL WORKS REQUIRED FOR THE ROUNDABOUT AT MOORE CREEK ROAD AND GRAND MEADOWS DRIVE

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Steve Brake, Manager Development Engineering
3 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Tickle/Cr Webb

That in relation to the report "Request for a Council Contribution for Additional Works Required for the Roundabout at Moore Creek Road and Grand Meadows Drive", Council authorise reimbursement for the cost of roadworks at the intersection to The Meadows Tamworth.

298/20 RESOLVED

12.5 REQUEST FOR DEFERRAL OF PAYMENTS FOR WATER AND SEWER HEADWORK CHARGES AND CONTRIBUTIONS

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Steve Brake, Manager Development Engineering
2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Maxwell

That in relation to the report "Request for Deferral of Payments for Water and Sewer Headwork Charges and Contributions", Council:

- (i) authorise the Mayor and General Manager to enter into a Deed of Agreement relating to the request for deferral of water and sewer headworks charges and

contributions; and

- (ii) authorise the affixing of the Seal of Council to the Deed of Agreement and all associated documents.

299/20 RESOLVED

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Rodda/Cr Betts

That Council move into Open Council.

300/20 RESOLVED

At 7:15pm the Meeting moved back into Open Council.

In accordance with the Tamworth Regional Council Code of Meeting Practice, Section 14.21, 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 7:16pm.

Cr Col Murray, Chairperson

Tuesday, 13 October 2020

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