



# 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**

**25 AUGUST 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 25 AUGUST 2020 at 6:30PM**

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Minutes

**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, Acting Director Growth and Prosperity, Director Regional Services and Director Water and Waste.

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**1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

**2 COMMUNITY CONSULTATION**

**2.1 ITEM 8.4 - UPDATE ON WATER SUPPLY ISSUES RELATED TO THE INCREASED SECURITY OF THE TAMWORTH/MOONBI/KOOTINGAL WATER SUPPLY**

A written submission by Mr Peter Gill was read to Council in support of the recommendation.

**3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL**

**MOTION**

**Moved Cr Inglis/Cr Webb**

That the Minutes of the Ordinary Meeting held on Tuesday, 11 August 2020, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting, with the inclusion of Minute Number 222/20 in the Index on page (i).

**240/20 RESOLVED**

**4 DISCLOSURE OF INTEREST**

Nil

**5 MAYORAL MINUTE**

Nil

**6 NOTICE OF MOTION**

Nil

**OPEN COUNCIL REPORTS**

**7 ENVIRONMENT AND PLANNING**

Nil

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## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 SPORT AND RECREATION STRATEGIC PLAN**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Paul Kelly, Manager Sports and Recreation  
**Reference:** Item 8.1 to Ordinary Council 16 May 2020 - Minute No 126/20

#### **MOTION**

##### **Moved Cr Inglis/Cr Wilson**

That in relation to the report “Sport and Recreation Strategic Plan”, Council adopt the plan titled “Tamworth Regional Council Sport and Recreation Strategic Plan”.

**241/20 RESOLVED**

### **8.2 AMENDMENT TO LIGHTING CHARGES FOR MARIUS STREET FIELD 2 LIGHTS**

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

#### **MOTION**

##### **Moved Cr Webb/Cr Impey**

That in relation to the report “Amendment to Lighting Charges for Marius Street Field 2 Lights”, Council:

- (i) authorise the change in fee to be publicly advertised for 28 days; and
- (ii) present a further report to Council to consider any submissions received and to adopt the new fee.

**242/20 RESOLVED**

### **8.3 CANCELLATION OF THE 2020 TAMWORTH REGIONAL SPORTS AWARDS**

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

#### **MOTION**

##### **Moved Cr Rodda/Cr Maxwell**

That in relation to the report “Cancellation of the 2020 Tamworth Regional Sports Awards”, Council endorse the proposal to cancel the 2020 Tamworth Regional Sports Awards due to the current COVID-19 pandemic.

**243/20 RESOLVED**

#### **8.4 UPDATE ON WATER SUPPLY ISSUES RELATED TO THE INCREASED SECURITY OF THE TAMWORTH/MOONBI/KOOTINGAL WATER SUPPLY**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Bruce Logan, Director Water and Waste  
**Reference:** Item 12.5 to Ordinary Council 14 July 2020 - Minute No 197/20  
Item 8.5 to Ordinary Council 28 July 2020 - Minute No 208/20

#### **MOTION**

##### **Moved Cr Webb/Cr Wilson**

That in relation to the report “Update on Water Supply Issues Related to the Increased security of the Tamworth/Moonbi/Kootingal Water Supply”, Council:

- (i) receive and note the report; and
- (ii) agree the Director Water and Waste will represent Council on the Peel Environmental Water Technical Advisory Group as part of the interim approval for the operation of the Chaffey Dam pipeline.

**244/20 RESOLVED**

#### **8.5 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE - GENERAL - 5 AUGUST 2020**

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

#### **MOTION**

##### **Moved Cr Betts/Cr Inglis**

That in relation to the report “Tamworth Regional Local Traffic Committee Meeting – General – 5 August 2020”, Council:

- (i) approve the installation of broken dividing line marking on Thornbill Road, Moore Creek, to mitigate traffic speeds;
- (ii) approve the proposed relocation of existing Piper Street bus stop closer to the TAFE entrance gates;
- (iii) approve the following changes on Johnston Street, North Tamworth:
  - a. installation of yellow line marking in the No Stopping zones at the bus and parking pull-in bays;
  - b. changes to the No Stopping zone on the northern side to open the bay to unrestricted parking; and
  - c. reduction in length of the No Parking zone between the bridge and Gorman Street, to provide additional unrestricted parking bays for pick up and drop off; and
- (iv) approve the relocation of the existing No Parking signs that are north and south of the Bupa Aged Care driveway on Bligh Street, such that they are five metres either side of the driveway.

**245/20 RESOLVED**

## **8.6 REGULAR UPDATE ON DROUGHT RESPONSE AND WATER SUSTAINABILITY**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Louise Cadell, Sustainability Officer - Water  
**Reference:** Item 8.9 to Ordinary Council 28 April 2020 - Minute No 104/20

### **MOTION**

**Moved Cr Wilson/Cr Tickle**

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

**246/20 RESOLVED**

## **9 GOVERNANCE, STRATEGY AND FINANCE**

### **9.1 REVIEW OF THE GENERAL POLICY REGISTER**

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

### **MOTION**

**Moved Cr Inglis/Cr Maxwell**

That in relation to the report "Review of the General Policy Register", Council:

- (i) endorse the proposed revocation or amendment of the General Policies identified in the Annexures and advertise the proposed changes for a period of 28 days for public comments prior to formal revocation or amendment by Council; and
- (ii) request a further report to Council following the review period to consider any public comments received.

**247/20 RESOLVED**

### **9.2 WRITING OFF OF RATES AND CHARGES FOR 2019/2020**

**DIRECTORATE:** CORPORATE AND GOVERNANCE  
**AUTHOR:** Seon Millsted, Revenue Accountant

### **MOTION**

**Moved Cr Wilson/Cr Betts**

That in relation to the report "Writing Off of Rates and Charges for 2019/2020", Council approve the writing off of Rates and Charges totalling \$127,534.00 in accordance with Section 131 of the Local Government (General) Regulation 2005.

**248/20 RESOLVED**



### **9.3 SPECIAL LOCAL ROADS AND TRANSPORT CONGRESS 2020**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicole Hunter, Executive Assistant

#### **MOTION**

**Moved Cr Webb/Cr Maxwell**

That in relation to the report “Special Local Roads and Transport Congress 2020”, Council nominate Councillor Jim Maxwell and Mayor Col Murray to attend the congress to be held in Wagga Wagga on 16-18 November 2020.

**249/20 RESOLVED**

### **9.4 ANNUAL OPERATIONAL PLAN 2020/2021 BUDGET VARIATION REPORT - JULY 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 Inglis/Cr Webb**

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

**250/20 RESOLVED**

### **9.5 COUNCIL INVESTMENTS JULY 2020**

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

#### **MOTION**

**Moved Cr Wilson/Cr Impey**

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

**251/20 RESOLVED**

### **9.6 CODE OF MEETING PRACTICE UPDATE**

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

#### **MOTION**

**Moved Cr Betts/Cr Tickle**

That in relation to the report “Code of Meeting Practice Update”, Council:

- (i) endorse the updated Code of Meeting Practice and advertise the proposed Code for a period of 28 days and allow a period of 42 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 received.

**252/20 RESOLVED**

**9.7 TAMWORTH REGIONAL COUNCIL 2019/2020 DELIVERY PROGRAM AND OPERATIONAL PLAN QUARTERLY PROGRESS REPORT - APRIL TO JUNE 2020**

**DIRECTORATE:** PLANNING AND COMPLIANCE  
**AUTHOR:** Sonya Vickery, Integrated Planner - IP&R

**MOTION**

**Moved Cr Inglis/Cr Impey**

That in relation to the report "Tamworth Regional Council 2019/2020 Delivery Program and Operational Plan Quarterly Progress Report April to June 2020", Council receive and note the Quarterly Progress Report.

**253/20 RESOLVED**

**10 COMMUNITY SERVICES**

Nil

**11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL**

At 7:21pm, 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 Wilson/Cr Maxwell**

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.

**254/20 RESOLVED**

### **11.1 SUPPLY AND DELIVERY OF SEVEN 6,500KG GVM TIPPING TRUCKS - T112/2020**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services  
**1 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.

### **11.2 VARIATION OF RESTRICTION ON USE OF LAND REGARDING LOT 42 IN DEPOSITED PLAN 1142114**

**DIRECTORATE:** CORPORATE AND GOVERNANCE

**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**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)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 LICENCE FOR ACCESS - 474 PEEL STREET, TAMWORTH**

**DIRECTORATE:** CORPORATE AND GOVERNANCE

**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**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)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 SUPPLY AND DELIVERY OF TWO 10,400KG GVM TIPPING TRUCKS WITH LIFTING CRANES - T137/2020**

**DIRECTORATE:** REGIONAL SERVICES

**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services  
**1 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 PROPOSED ACQUISITION OF LAND**

**DIRECTORATE:** CORPORATE AND GOVERNANCE

**AUTHOR:** Kirrilee Ringland, Manager Property and Legal Services  
**3 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.

**11.6 SUPPLY AND DELIVERY OF TWO 8,500KG GVM TIPPING TRUCKS WITH LIFTING CRANES - T144/2020**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: George Shearman, Manager Plant, Fleet and Building Services**  
**1 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.

**11.7 LEASE OF HANGAR NO 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**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)i&(d)ii 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 and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

**11.8 REMOVAL AND SAFE DISPOSAL OF BOTH ASBESTOS AND CONCRETE VENT SHAFTS, AND SUPPLY AND INSTALLATION OF STAINLESS STEEL VENTS IN TAMWORTH AND MANILLA NSW - T006/2021**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager Water and Waste**  
**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)ii of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a competitor of Council.

**12 CLOSED COUNCIL REPORTS**

**12.1 SUPPLY AND DELIVERY OF SEVEN 6,500KG GVM TIPPING TRUCKS - T112/2020**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: George Shearman, Manager Plant, Fleet and Building Services**

**MOTION**

**Moved Cr Wilson/Cr Betts**

That in relation to the report "Supply and Delivery of Seven 6,500kg GVM Tipping Trucks – T112/2020", Council award the tender to JT Fossey (Sales) Pty Ltd (ABN 78 000 178 272) for the amount of \$501,159.89 exclusive of GST.

**255/20 RESOLVED**

## **12.2 VARIATION OF RESTRICTION ON USE OF LAND REGARDING LOT 42 IN DEPOSITED PLAN 1142114**

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

1 CONFIDENTIAL ENCLOSURES ENCLOSED

### **MOTION**

#### **Moved Cr Betts/Cr Maxwell**

That in relation to the report “Variation of Restriction on Use of Land regarding Lot 42 in Deposited Plan 1142114”, Council:

- (i) enter into a Deed of Agreement authorising the relocation of the building envelope on Lot 42 as identified in the body of the report;
- (ii) execute the Real Property Act Form titled “Variation or Modification of Restriction on the Use of Land” to be registered at the New South Wales Land Registry Services to record that Council has exercised its discretion to vary the Restriction as to the Use of Land as described in the Deed of Agreement; and
- (iii) affix the Council Seal to the Deed of Agreement and the Real Property Act Form identified in resolutions (i) and (ii) above.

**256/20 RESOLVED**

## **12.3 PROPOSED LICENCE FOR ACCESS - 474 PEEL STREET, TAMWORTH**

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

1 CONFIDENTIAL ENCLOSURES ENCLOSED

### **MOTION**

#### **Moved Cr Inglis/Cr Tickle**

That in relation to the report “Proposed Licence for Access – 474 Peel Street, Tamworth”, Council:

- (i) authorise the Mayor and the General Manager to enter into a Licence on the terms set out in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the Licence.

**257/20 RESOLVED**

## **12.4 SUPPLY AND DELIVERY OF TWO 10,400KG GVM TIPPING TRUCKS WITH LIFTING CRANES - T137/2020**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services

1 CONFIDENTIAL ENCLOSURES ENCLOSED

## MOTION

### Moved Cr Webb/Cr Maxwell

That in relation to the report “Supply and Delivery of Two 10,400kg GVM Tipping Trucks with Lifting Cranes – T137/2020”, Council award the tender to JT Fossey (Sales) Pty Ltd (ABN 78 000 178 272) for the amount of \$ 280,055.45 exclusive of GST.

**258/20 RESOLVED**

## 12.5 PROPOSED ACQUISITION OF LAND

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

3 CONFIDENTIAL ENCLOSURES ENCLOSED

## MOTION

### Moved Cr Inglis/Cr Wilson

That in relation to the report “Proposed Acquisition of Land”, Council:

- (i) authorise the Mayor and General Manager to negotiate the acquisition of the land identified in the body of the report;
- (ii) authorise the expenditure for the acquisition of the property from the Flood Mitigation Reserve;
- (iii) authorise the affixing of the Seal of Council to the documents required to effect the acquisition including but not limited to the Contract for Sale of Land, Transfer, Assignment of Lease and other associated land documentation;
- (iv) give public notice of the intention to classify the land as Operational Land; and
- (v) resolve to classify the land as Operational Land upon acquisition subject to any submission which may be made on advertising the intention to classify the land as Operational Land.

**259/20 RESOLVED**

## 12.6 SUPPLY AND DELIVERY OF TWO 8,500KG GVM TIPPING TRUCKS WITH LIFTING CRANES - T144/2020

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** George Shearman, Manager Plant, Fleet and Building Services

1 CONFIDENTIAL ENCLOSURES ENCLOSED

## MOTION

### Moved Cr Maxwell/Cr Webb

That in relation to the report “Supply and Delivery of Two 8,500kg GVM Tipping Trucks with Lifting Cranes – T144/2020”, Council award the tender to JT Fossey (Sales) Pty Ltd (ABN 78 000 178 272) for the amount of \$ 228,213.45 exclusive of GST.

**260/20 RESOLVED**

## **12.7 LEASE OF HANGAR NO 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

### **MOTION**

#### **Moved Cr Betts/Cr Impey**

That in relation to the report "Lease of Hangar No 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.

**261/20 RESOLVED**

## **12.8 REMOVAL AND SAFE DISPOSAL OF BOTH ASBESTOS AND CONCRETE VENT SHAFTS, AND SUPPLY AND INSTALLATION OF STAINLESS STEEL VENTS IN TAMWORTH AND MANILLA NSW - T006/2021**

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

### **MOTION**

#### **Moved Cr Wilson/Cr Inglis**

That in relation to the report "Removal and Safe Disposal of Both Asbestos and Concrete Vent Shafts, and Supply and Installation of Stainless Steel Vents in Tamworth and Manilla NSW – T006/2021", Council accept the conforming Tender from Sewer Vent Supplies & Repairs (SVSR), as detailed in the report, to undertake the contracted works.

**262/20 RESOLVED**

## **13 RESOLUTIONS PASSED IN CLOSED COUNCIL**

### **MOTION**

#### **Moved Cr Rodda/Cr Webb**

That Council move into Open Council.

**263/20 RESOLVED**



At 7:37pm 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 7:38pm.

Cr Col Murray, Chairperson

Tuesday, 8 September 2020

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Minutes