



# TAMWORTH REGIONAL COUNCIL

## ORDINARY COUNCIL MINUTES

of the Meeting of Tamworth Regional Council held in the Lands Building  
Nemingha Room, 25-27 Fitzroy Street, Tamworth

**23 AUGUST 2022**

**PAUL BENNETT  
GENERAL MANAGER**



# ORDINARY COUNCIL MINUTES

Meeting of Tamworth Regional Council held in the Lands Building Nemingha Room  
25-27 Fitzroy Street, Tamworth  
TUESDAY 23 AUGUST 2022 at 6:30PM

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**PRESENT:** Cr Russell Webb (Mayor), Cr Phil Betts, Cr Bede Burke, Cr Judy Coates, Cr Stephen Mears, Cr Brooke Southwell, Cr Marc Sutherland, Cr Mark Rodda, Cr Helen Tickle.

**IN ATTENDANCE:** The General Manager, Director Regional Services, Director Water and Waste, Director Liveable Communities, and Acting Executive Manager Strategy and Performance.

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**1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

**2 COMMUNITY CONSULTATION**

Nil

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

**MOTION**

**Moved Cr Mears/Cr Betts**

That the Minutes of the Ordinary Meeting held on Tuesday, 9 August 2022, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

**238/22 RESOLVED**

**4 DISCLOSURE OF INTEREST**

Nil

**5 MAYORAL MINUTE**

Nil

**6 NOTICE OF MOTION**

Nil

## **OPEN COUNCIL REPORTS**

### **7 ENVIRONMENT AND PLANNING**

Nil

### **8 INFRASTRUCTURE AND SERVICES**

#### **8.1 URBAN STREET TREE MANAGEMENT PLAN - ADVISORY GROUP - MINUTES 11 JULY 2022**

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

#### **MOTION**

##### **Moved Cr Tickle/Cr Southwell**

That in relation to the report “Urban Street Tree Management Plan - Advisory Group - Minutes 11 July 2022”, Council:

- (i) receive and note the minutes from the Urban Street Tree Management Plan – Advisory Group; and
- (ii) approve the Advisory Group’s recommendation that Council allocate an annual budget of \$20,000 for the annual Greening Strategies for the purchase of trees, tree guards, stakes, fabric mats and fertiliser tablets along with the hire of machinery to prepare tree planting holes.

**239/22 RESOLVED**

#### **8.2 EASEMENT OVER GOONAN STREET TO PROVIDE RIGHT OF WAY FOR RAILWAY**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Graeme McKenzie, Manager, Strategy, Assets and Design

**Reference:** Item 8.1 to Ordinary Council 9 March 2021 - Minute No 52/21

#### **MOTION**

##### **Moved Cr Rodda/Cr Mears**

That in relation to the report “Easement Over Goonan Street to Provide Right of Way for Railway”, Council:

- (i) authorise the General Manager to approve the creation of a right of carriageway rail easement across the Goonan Street road reserve to allow the future operator of the Tamworth Intermodal Freight facility to bring trains into the Tamworth Global Gateway Park;
- (ii) authorise the affixing of the Seal of Council to plans and any other documents required to give effect to Council’s resolution; and
- (iii) note the Plan of Subdivision for Stages 1 and 2 of the Tamworth Global

Gateway Park including Lot 101, the proposed Tamworth Intermodal Freight Facility.

**240/22 RESOLVED**

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

### **9.1 ANNUAL OPERATIONAL PLAN 2022/2023 BUDGET VARIATION REPORT - JULY 2022**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Finance Manager  
**Reference:** Item 9.2 to Ordinary Council 28 June 2022 - Minute No 191/22

#### **MOTION**

##### **Moved Cr Coates/Cr Betts**

That in relation to the report “Annual Operational Plan 2022/2023 Budget Variation Report - July 2022”, Council note and approve the variations to the existing budget as listed in the ANNEXURE attached to the report.

**241/22 RESOLVED**

### **9.2 COUNCIL INVESTMENTS JULY 2022**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Tiffany Pugh, Rates Accountant  
Sherrill Young, Finance Manager

#### **MOTION**

##### **Moved Cr Southwell/Cr Coates**

That in relation to the report “Council Investments July 2022”, Council receive and note the report.

**242/22 RESOLVED**

### **9.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - AUGUST 2022**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Karen Litchfield, Internal Auditor

#### **MOTION**

##### **Moved Cr Coates/Cr Betts**

That in relation to the report “Audit, Risk and Improvement Committee – August 2022”, Council receive and note the Minutes of the meeting held on 3 August 2022.

**243/22 RESOLVED**

## 10 COMMUNITY SERVICES

### 10.1 TAMWORTH REGIONAL CRIME PREVENTION WORKING GROUP UPDATE

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Gina Vereker, Director Liveable Communities

#### **MOTION**

##### **Moved Cr Rodda/Cr Betts**

That in relation to the report “Tamworth Regional Crime Prevention Working Group Update”, Council:

- (i) receive and note the minutes of the 26 May 2022 meeting;
- (ii) rename the Working Group the Tamworth Regional Community Safety Working Group;
- (iii) adopt the draft revised Tamworth Regional Community Safety Working Group Terms of Reference; and
- (iv) appoint Ms Jennifer Peberdy and Mr Trevor Watt as community representatives to the Working Group for the remainder of the current electoral term.

**244/22 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.

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 asked any members of the Council whether any part of the Council Meeting should not be considered in Closed Council.

#### **MOTION**

##### **Moved Cr Coates/Cr Burke**

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.

**245/22 RESOLVED**



### **T119-2022 SUPPLY AND DELIVERY OF TWO MOTOR GRADERS**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Kellie Martin, Plant Competency Coordinator**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

The 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.

### **T118-2022 SUPPLY AND DELIVERY OF SIX SMOOTH DRUM ROLLERS**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Kellie Martin, Plant Competency Coordinator**

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

The 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.

### **RENEWAL OF LEASE TO RURAL FIT PTY LTD - PART OF TAMWORTH SPORTS DOME, JACK SMYTH DRIVE, TAMWORTH**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Paul Kelly, Manager Sports and Recreation**

The 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.

### **PORT STEPHENS CUTTING UPGRADE - Q012/2023 GEOTECHNICAL INVESTIGATION AND DESIGN**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Mark Gardiner, Manager Project Planning and Delivery  
Daniel Stewart, Senior Design and Project Engineer**

The 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 T119-2022 SUPPLY AND DELIVERY OF TWO MOTOR GRADERS

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Kellie Martin, Plant Competency Coordinator

#### MOTION

##### Moved Cr Burke/Cr Betts

That in relation to the report “T119-2022 Supply and Delivery of Two Motor Graders”, Council award the tender to WesTrac Pty Ltd, ABN 63 009 342 572, for the supply and delivery of two Caterpillar 140 motor graders for a changeover of \$772,494.46 excluding GST.

**246/22 RESOLVED**

### 12.2 T118-2022 SUPPLY AND DELIVERY OF SIX SMOOTH DRUM ROLLERS

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Kellie Martin, Plant Competency Coordinator  
1 CONFIDENTIAL ENCLOSURES ENCLOSED

#### MOTION

##### Moved Cr Burke/Cr Southwell

That in relation to the report “T118-2022 Supply and Delivery of Six Smooth Drum Rollers”, Council award the tender to WesTrac Pty Ltd, ABN 63 009 342 572, for the supply and delivery of six Caterpillar CS64B rollers for a changeover of \$739,469.82 excluding GST.

**247/22 RESOLVED**

### 12.3 RENEWAL OF LEASE TO RURAL FIT PTY LTD - PART OF TAMWORTH SPORTS DOME, JACK SMYTH DRIVE, TAMWORTH

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

#### MOTION

##### Moved Cr Coates/Cr Tickle

That in relation to the report “Renewal of Lease to Rural Fit Pty Ltd - Part of Tamworth Sports Dome, Jack Smyth Drive, Tamworth”, Council:

- (i) authorise the Mayor and General Manager to enter into discussions for the renewal of the lease to Rural Fit Pty Limited for part of the Tamworth Sports Dome as described in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the lease document.

**248/22 RESOLVED**

## **12.4 PORT STEPHENS CUTTING UPGRADE - Q012/2023 GEOTECHNICAL INVESTIGATION AND DESIGN**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Mark Gardiner, Manager Project Planning and Delivery  
Daniel Stewart, Senior Design and Project Engineer

### **MOTION**

#### **Moved Cr Rodda/Cr Mears**

That in relation to the report “Port Stephens Cutting Upgrade - Q012/2023 Geotechnical Investigation and Design”, Council:

- (i) note the update on the Port Stephens Cutting Upgrade project;
- (ii) accept the ‘Alternative 2’ proposal submitted by PSM Consult Pty Ltd (ABN 47 134 739 496) for geotechnical investigation and design; and
- (iii) authorises the affixing of the Seal of Council to this contract.

**249/22 RESOLVED**

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

### **MOTION**

#### **Moved Cr Burke/Cr Coates**

That Council move into Open Council.

**250/22 RESOLVED**

At 7:10pm 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 7:11pm.

Cr Russell Webb, Chairperson

Tuesday, 13 September 2022

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