



# TAMWORTH REGIONAL COUNCIL

## ORDINARY COUNCIL MINUTES

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

**23 JULY 2024**

**PAUL BENNETT  
GENERAL MANAGER**

# ORDINARY COUNCIL MINUTES

Meeting of Tamworth Regional Council held in the Council Chambers, Lands Building,  
Nemingha Room, 25-27 Fitzroy Street, Tamworth  
**TUESDAY 23 JULY 2024 at 6:30PM**

## Table of Contents

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE .....	4
2	COMMUNITY CONSULTATION.....	4
	7.2 DRAFT AMENDMENT NO. 17 TO TAMWORTH DRAFT AMENDMENT - REGIONAL COUNCIL DEVELOPMENT CONTROL PLAN 2010.....	4
3	MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL .....	4
174/24	RESOLVED .....	4
4	DISCLOSURE OF INTEREST .....	4
5	MAYORAL MINUTE .....	4
6	NOTICE OF MOTION.....	4
	6.1 RECOMMENDED PARTNERSHIP TACCO .....	5
175/24	RESOLVED .....	5
	OPEN COUNCIL REPORTS	5
7	ENVIRONMENT AND PLANNING.....	5
	7.1 ADOPTION OF THE DRAFT TAMWORTH REGIONAL HOUSING STRATEGY 2024 .....	5
176/24	RESOLVED .....	6
177/24	RESOLVED .....	6
	7.2 DRAFT AMENDMENT NO. 17 TO TAMWORTH REGIONAL COUNCIL DEVELOPMENT CONTROL PLAN 2010.....	6
178/24	RESOLVED .....	6
8	INFRASTRUCTURE AND SERVICES .....	6
9	GOVERNANCE, STRATEGY AND FINANCE .....	6
	9.1 NSW DEPARTMENT OF EDUCATION - NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN'S DAY .....	7
179/24	RESOLVED .....	7
	9.2 LOCAL GOVERNMENT NSW 2024 ANNUAL CONFERENCE.....	7

<b>180/24</b>	<b>RESOLVED</b>	<b>7</b>
	9.3 PLACE MANAGEMENT UPDATE - SECTION 355 COMMITTEE MINUTES	8
<b>181/24</b>	<b>RESOLVED</b>	<b>8</b>
	9.4 COUNCIL INVESTMENTS JUNE 2024	9
<b>182/24</b>	<b>RESOLVED</b>	<b>9</b>
	9.5 ANNUAL OPERATIONAL PLAN 2023/2024 BUDGET VARIATION REPORT - JUNE 2024	9
<b>183/24</b>	<b>RESOLVED</b>	<b>9</b>
<b>10</b>	<b>COMMUNITY SERVICES</b>	<b>9</b>
<b>11</b>	<b>REPORTS TO BE CONSIDERED IN CLOSED COUNCIL</b>	<b>10</b>
<b>184/24</b>	<b>RESOLVED</b>	<b>10</b>
	PROPOSED SUBDIVISION AND SALE OF COUNCIL OWNED LAND - PART LOT 102 DEPOSITED PLAN 1097471	10
	TAMWORTH GLOBAL GATEWAY PARK - UPDATED LAND PRICING FOR STAGES 1, 2 AND 310	
	TAMWORTH GLOBAL GATEWAY PARK (TGGP) - SALE OF PROPOSED LOTS 302, 303 AND 304	11
	T091/2024 - DESIGN AND CONSTRUCTION OF ADDITIONAL SPORTS FIELD LIGHTING AT DUNGOWAN RECREATION GROUND	11
	Q001/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALLATION AND OPERATION OF AUDIO VISUAL PRODUCTION	11
	T003/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALL, OPERATE AUDIO VISUAL PRODUCTION AND CREWING FOR TAMWORTH REGIONAL ENTERTAINMENT AND CONFERENCE CENTRE	11
	T013/2023 - ORGANICS RECYCLING FACILITY - RECOMMENDATION FOLLOWING COMPLETION OF EARLY CONTRACTOR INVOLVEMENT PHASE	12
<b>12</b>	<b>CLOSED COUNCIL REPORTS</b>	<b>14</b>
	12.1 PROPOSED SUBDIVISION AND SALE OF COUNCIL OWNED LAND - PART LOT 102 DEPOSITED PLAN 1097471	14
<b>185/24</b>	<b>RESOLVED</b>	<b>14</b>
	12.2 TAMWORTH GLOBAL GATEWAY PARK - UPDATED LAND PRICING FOR STAGES 1, 2 AND 3	15
<b>186/24</b>	<b>RESOLVED</b>	<b>15</b>
	12.3 TAMWORTH GLOBAL GATEWAY PARK (TGGP) - SALE OF PROPOSED LOTS 302, 303 AND 304	15
<b>187/24</b>	<b>RESOLVED</b>	<b>15</b>
	12.4 T091/2024 - DESIGN AND CONSTRUCTION OF ADDITIONAL SPORTS FIELD LIGHTING AT DUNGOWAN RECREATION GROUND	16
<b>188/24</b>	<b>RESOLVED</b>	<b>16</b>
	12.5 Q001/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALLATION AND OPERATION OF AUDIO VISUAL PRODUCTION	16
<b>189/24</b>	<b>RESOLVED</b>	<b>16</b>
	12.6 T003/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALL, OPERATE AUDIO VISUAL PRODUCTION AND CREWING FOR TAMWORTH REGIONAL ENTERTAINMENT AND CONFERENCE CENTRE	17
<b>190/24</b>	<b>RESOLVED</b>	<b>17</b>

12.7	T013/2023 - ORGANICS RECYCLING FACILITY - RECOMMENDATION FOLLOWING COMPLETION OF EARLY CONTRACTOR INVOLVEMENT PHASE .....	17
<b>191/24</b>	<b>RESOLVED .....</b>	<b>17</b>
<b>13</b>	<b>RESOLUTIONS PASSED IN CLOSED COUNCIL.....</b>	<b>19</b>
<b>192/24</b>	<b>RESOLVED .....</b>	<b>19</b>

Minutes

**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 Liveable Communities, Director Regional Services, Director Water and Waste, Executive Manager Creative Communities & Experiences and Executive Manager Strategy and Performance.

---

**1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

**2 COMMUNITY CONSULTATION**

**7.2 DRAFT AMENDMENT NO. 17 TO TAMWORTH DRAFT AMENDMENT - REGIONAL COUNCIL DEVELOPMENT CONTROL PLAN 2010**

Daniel Healy – Spoke in recommendation of the recommendation

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

**MOTION**

**Moved Cr Mears/Cr Tickle**

That the Minutes of the Ordinary Meeting held on Tuesday, 9 July 2024, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

**174/24 RESOLVED**

**4 DISCLOSURE OF INTEREST**

Cr **Brooke Southwell** declared a conflict of interest in item 7.1 “Adoption of the Draft Tamworth Regional Housing Strategy 2024” of the Business Paper, for the reason that her and her husband own a real estate agency Cr Southwell further declared that this was a less than significant , non-pecuniary interest but would remain in the Chamber and participate in the debate

**5 MAYORAL MINUTE**

Nil

**6 NOTICE OF MOTION**

---

**6.1 NOTICE OF MOTION – CR MARC SUTHERLAND - RECOMMENDED PARTNERSHIP TACCO**

**MOTION**

**Moved Cr Sutherland/Cr Coates**

That Tamworth Regional Council (TRC) formally endorse the signing of a Memorandum of Understanding (MOU) with Tamworth Aboriginal Community Controlled Organisations (TACCO) to establish a strategic partnership aimed at supporting the development of a local Closing the Gap Strategy and enhancing service delivery across the Tamworth Region.

**175/24 RESOLVED**

**OPEN COUNCIL REPORTS**

**7 ENVIRONMENT AND PLANNING**

**7.1 ADOPTION OF THE DRAFT TAMWORTH REGIONAL HOUSING STRATEGY 2024**

**DIRECTORATE:**

**LIVEABLE COMMUNITIES**

**AUTHOR:**

**Andrew Spicer, Manager - Future Communities  
Mitchell Gillogly, Team Leader – Strategic Planning**

**Reference:**

**Item 7.2 to Ordinary Council 28 May 2024 - Minute No 107/24**

**MOTION**

**Moved Cr Tickle/Cr Mears**

That in relation to the report “Adoption of the Draft Tamworth Regional Housing Strategy 2024”, Council:

- (i) adopt the Tamworth Regional Housing Strategy 2024 incorporating the amendments proposed in this report;
- (ii) forward the adopted Tamworth Regional Housing Strategy 2024 to the Department of Planning Housing and Infrastructure for endorsement;
- (iii) expend the remaining unspent grant funds on graphic design and creation of a Tamworth Regional Housing Strategy Summary Document; and
- (iv) proceed to fully acquit the funding expenditure under the Regional Housing Strategic Planning Fund program and thereby finalise the Tamworth Regional Housing Strategy project.

**MOTION TO BE PUT**

**Moved Cr Burke/Cr Southwell**

**176/24 RESOLVED  
AMENDMENT**

**Moved Cr Southwell/Cr Burke**

That in relation to the report “Adoption of the Draft Tamworth Regional Housing Strategy 2024”, Council:

- (i) adopt the Tamworth Regional Housing Strategy 2024 incorporating the amendments proposed in this report;
- (ii) forward the adopted Tamworth Regional Housing Strategy 2024 to the Department of Planning Housing and Infrastructure for endorsement;
- (iii) Request that remaining funds are utilised towards implementing the plan and if the request is not approved expend the remaining unspent grant funds on graphic design and creation of a Tamworth Regional Housing Strategy Summary Document; and
- (iv) proceed to fully acquit the funding expenditure under the Regional Housing Strategic Planning Fund program and thereby finalise the Tamworth Regional Housing Strategy project.

**177/24 RESOLVED**

**7.2 DRAFT AMENDMENT NO. 17 TO TAMWORTH REGIONAL COUNCIL  
DEVELOPMENT CONTROL PLAN 2010**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Sam Løbsey, Manager - Development  
**Reference:** Item 7.1 to Ordinary Council 28 May 2024 - Minute No 106/24

**MOTION**

**Moved Cr Betts/Cr Coates**

That in relation to the report “Draft Amendment No. 17 to Tamworth Regional Council Development Control Plan 2010”, Council adopts the amendments as contained in Annexure 1 of this report.

**178/24 RESOLVED**

**8 INFRASTRUCTURE AND SERVICES**

Nil

**9 GOVERNANCE, STRATEGY AND FINANCE**

**9.1 NSW DEPARTMENT OF EDUCATION - NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN'S DAY**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Peter Chapman, Northern Inland Centre of Sporting Excellence Coordinator

**MOTION**

**Moved Cr Mears/Cr Sutherland**

That in relation to the report “NSW Department of Education - National Aboriginal and Torres Strait Islander Children's Day”, Council supports the request for a full fee waiver.

**179/24 RESOLVED**

**9.2 LOCAL GOVERNMENT NSW 2024 ANNUAL CONFERENCE**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Lisa May, Coordinator Governance and Executive Services

**MOTION**

**Moved Cr Southwell/Cr Burke**

That in relation to the report “Local Government NSW 2024 Annual Conference”, Council:

- (i) determine issues that are important to Tamworth Regional Council for motions to be drafted and request a further report to be prepared for approval;
- (ii) authorise the Mayor, Deputy Mayor and two Councillors to attend the 2024 Local Government NSW Conference as Voting Delegates together with the General Manager; and
- (iii) nominate all other Councillors to attend the Conference as observers in accordance with Council's Policy for attendance of observers.

**180/24 RESOLVED**



### 9.3 PLACE MANAGEMENT UPDATE - SECTION 355 COMMITTEE MINUTES

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Jodie Archer, Place Manager

#### MOTION

##### Moved Cr Betts/Cr Coates

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

- (i) receive and note the Minutes of the following Committees:

Attunga Public Hall and Youth Hall Committee	9 April 2024
Barraba Sportsground Committee	14 February 2024
Bendemeer Town Hall Committee	11 May 2024
Dungowan Hall Committee	20 November 2023
Dungowan Hall Committee	19 February 2024
Duri Progress Association	21 May 2024
Duri Progress Association	18 June 2024
Gowrie Progress Association AGM	6 May 2024
Grey Fergie Tractor Muster Committee	25 May 2024
Loomberah Hall Committee	14 May 2024
Manilla Matters Committee	9 May 2024
Moonbi Museum Committee	5 June 2024
Moonbi War Memorial Hall and Recreational Reserve Committee	16 August 2023
Moonbi War Memorial Hall and Recreational Reserve Committee	15 November 2023
Moonbi War Memorial Hall and Recreational Reserve Committee	21 February 2024
Moore Creek Hall and Reserve Committee	12 February 2024
Nemingha Hall and Reserve Committee	5 June 2024

- (ii) appoint Ken Blanch and Jackie Blanch as members of the Attunga Public Hall and Youth Hall Committee as an outcome of its General Meeting held on 9 April 2024;

- (iii) appoint the following executive members and members to the Gowrie Progress Association as an outcome of the Committee’s Annual General Meeting held on 6 May 2024:

Chairperson	James Smith
Deputy Chairperson	Graeme Whitten
Secretary	Evelyn Keane
Treasurer	Bet Crago

Members: Tony Orr, Noel Cook, Phil Gamble, Deana Scharfetter, Peter Scharfetter, David Carson, Cathy Carson, Bob Hayden, Diann Cook, Lyndall Whitten, Melissa Gamble, Joan Smith, Denevan Ellis, Greg Giblett and Karen Giblett; and

- (iv) appoint Roslyn Thomas as a new member of the Moonbi Museum Committee

as an outcome of its General Meeting held on 5 June 2024.

**181/24 RESOLVED**

**9.4 COUNCIL INVESTMENTS JUNE 2024**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Manager - Financial Services  
Robyn Barnes, Accountant

**MOTION**

**Moved Cr Southwell/Cr Burke**

*That in relation to the report “Error! No document variable supplied.”, Council receive and note the report.*

**182/24 RESOLVED**

**9.5 ANNUAL OPERATIONAL PLAN 2023/2024 BUDGET VARIATION REPORT - JUNE 2024**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Sherrill Young, Manager - Financial Services  
**Reference:** Item 9.5 to Ordinary Council 29 June 2023 - Minute No 146/23

**MOTION**

**Moved Cr Betts/Cr Burke**

That in relation to the report “Annual Operational Plan 2023/2024 Budget Variation Report - June 2024”, Council note and approve the variations to the existing budget as listed in ATTACHED refer ANNEXURE 1 to the report.

**183/24 RESOLVED**

**10 COMMUNITY SERVICES**

Nil

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

At 7.19pm, 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 Southwell/Cr Coates**

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.

### **184/24 RESOLVED**

#### **12.1 PROPOSED SUBDIVISION AND SALE OF COUNCIL OWNED LAND - PART LOT 102 DEPOSITED PLAN 1097471**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Nicholas Hawkins, Commercial Property Officer

**Reference:** Item 12.6 to Ordinary Council 14 February 2023 - Minute No. 17/23

**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.

#### **12.2 TAMWORTH GLOBAL GATEWAY PARK - UPDATED LAND PRICING FOR STAGES 1, 2 AND 3**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

**AUTHOR:** Nicholas Hawkins, Commercial Property Officer

**Reference:** Item 9.1 to Ordinary Council 8 September 2020 - Minute No. 275/20

Item 12.11 to Ordinary Council 15 December 2020 - Minute No 412/20

Item 12.1 to Ordinary Council 22 March 2022 - Minute No. 93/22

Item 12.3 to Ordinary Council 11 October 2022 - Minute No. 307/22

**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)&(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.

**12.3 TAMWORTH GLOBAL GATEWAY PARK (TGGP) - SALE OF PROPOSED LOTS 302, 303 AND 304**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Nicholas Hawkins, Commercial Property Officer**

**Reference: Item 12.3 to Ordinary Council 11 October 2022 - Minute No. 307/22**

The 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.

**12.4 T091/2024 - DESIGN AND CONSTRUCTION OF ADDITIONAL SPORTS FIELD LIGHTING AT DUNGOWAN RECREATION GROUND**

**DIRECTORATE: REGIONAL SERVICES**

**AUTHOR: Trent Harding, Project Officer**

**1 ENCLOSURES ENCLOSED**

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.

**12.5 Q001/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALLATION AND OPERATION OF AUDIO VISUAL PRODUCTION**

**DIRECTORATE: CREATIVE COMMUNITIES AND EXPERIENCES**

**AUTHOR: Barry Harley, Manager - Events**

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

The 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.

**12.6 T003/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALL, OPERATE AUDIO VISUAL PRODUCTION AND CREWING FOR TAMWORTH REGIONAL ENTERTAINMENT AND CONFERENCE CENTRE**

**DIRECTORATE: CREATIVE COMMUNITIES AND EXPERIENCES**

**AUTHOR: Peter Ross, Executive Manager Creative Communities and Experiences**

**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

The 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.

**12.7 T013/2023 - ORGANICS RECYCLING FACILITY - RECOMMENDATION FOLLOWING COMPLETION OF EARLY CONTRACTOR INVOLVEMENT PHASE**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Naomi Schipanski, Manager - Projects, Strategy and Infrastructure**

**Reference: Item 8.11 to Ordinary Council 12 December 2023 - Minute No 336/23**

**1 ENCLOSURES ENCLOSED**

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.

MINUTES

## CLOSED COUNCIL

### Confidential Reports

#### (Section 10A(2) of The Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the Meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the Council or committee.

#### Resolutions passed in Closed Council

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

## 12 CLOSED COUNCIL REPORTS

### 12.1 PROPOSED SUBDIVISION AND SALE OF COUNCIL OWNED LAND - PART LOT 102 DEPOSITED PLAN 1097471

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer  
**Reference:** Item 12.6 to Ordinary Council 14 February 2023 - Minute No. 17/23

#### MOTION

##### Moved Cr Tickle/Cr Burke

That in relation to the report "Proposed Subdivision and Sale of Council Owned Land - Part Lot 102 Deposited Plan 1097471", Council:

- (i) authorise the Mayor and General Manager to negotiate satisfactory terms of a sale of part of Lot 102 DP 1097471 with the party detailed in the body of this report;
- (ii) receive and note the draft plan of subdivision of Lot 102 DP 1097471 to create a new lot being the subject of the sale;
- (iii) authorise the lodgement of a Development Application to subdivide Lot 102 DP 1097471 for the purpose of the sale referred to in the body of this report;
- (iv) authorise the affixing of the Seal of Council to a Contract of Sale, plan of subdivision, the Development Application and any other associated documents required pursuant to the matters set out in the body of this report; and
- (v) allocate \$10,000 from the Wastewater Reserve to cover further expenses in relation to subdivision and sale of the property.

**185/24 RESOLVED**

## 12.2 TAMWORTH GLOBAL GATEWAY PARK - UPDATED LAND PRICING FOR STAGES 1, 2 AND 3

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer  
**Reference:** Item 9.1 to Ordinary Council 8 September 2020 - Minute No. 275/20  
Item 12.11 to Ordinary Council 15 December 2020 - Minute No 412/20  
Item 12.1 to Ordinary Council 22 March 2022 - Minute No. 93/22  
Item 12.3 to Ordinary Council 11 October 2022 - Minute No. 307/22

1 CONFIDENTIAL ENCLOSURES ENCLOSED

### MOTION

#### Moved Cr Coates/Cr Sutherland

That in relation to the report "Tamworth Global Gateway Park - Updated Land Pricing for Stages 1, 2 and 3", Council:

- (i) authorise the Mayor and General Manger to negotiate the sale of land in Stages 1, 2 and 3 of the Tamworth Global Gateway Park in accordance with the updated recommended sale prices as set out in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to any Contract of Sale for Land or other documents required to give effect to the matters set out in the body of this report.

186/24 RESOLVED

## 12.3 TAMWORTH GLOBAL GATEWAY PARK (TGGP) - SALE OF PROPOSED LOTS 302, 303 AND 304

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer  
**Reference:** Item 12.3 to Ordinary Council 11 October 2022 - Minute No. 307/22

### MOTION

#### Moved Cr Betts/Cr Sutherland

That in relation to the report "Tamworth Global Gateway Park (TGGP) - Sale of Proposed Lots 302, 303 and 304", Council:

- (i) authorise the Mayor and General Manager to negotiate satisfactory terms of sale for proposed Lots 302, 303 and 304 at the Tamworth Global Gateway Park with the party detailed in the body of this report;
- (ii) authorise for the terms of sale for proposed Lot 302, 303 and 304 at the Tamworth Global Gateway Park to include the sale price as recommended in the body of this report; and



- (iii) authorise the affixing of the Seal of Council to any Contract of Sale for Land or other documents required to give effect to the matter set out in the body of this report.

**187/24 RESOLVED**

**12.4 T091/2024 - DESIGN AND CONSTRUCTION OF ADDITIONAL SPORTS FIELD LIGHTING AT DUNGOWAN RECREATION GROUND**

**DIRECTORATE:** REGIONAL SERVICES  
**AUTHOR:** Trent Harding, Project Officer

1 ENCLOSURES ENCLOSED

**MOTION**

**Moved Cr Betts/Cr Coates**

That in relation to the report “T091/2024 - Design and Construction of Additional Sports Field Lighting at Dungowan Recreation Ground”, Council note that a contract was awarded to Shanahans Electrical Pty Ltd (ABN 97 117 404 814) for the initial lump sum of \$205,467 excluding GST for the Clubgrants Category 3 Infrastructure Grant.

**188/24 RESOLVED**

**12.5 Q001/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALLATION AND OPERATION OF AUDIO VISUAL PRODUCTION**

**DIRECTORATE:** CREATIVE COMMUNITIES AND EXPERIENCES  
**AUTHOR:** Barry Harley, Manager - Events

2 CONFIDENTIAL ENCLOSURES ENCLOSED

**MOTION**

**Moved Cr Coates/Cr Southwell**

That in relation to the report “Q001/2025 - 2025 Tamworth Country Music Festival - Supply, Installation and Operation of Audio Visual Production”, Council authorise the Mayor and General Manager to:

- (i) accept the tender provided by Eclipse Lighting and Sound, and;
- (ii) authorise the affixing of the Seal of Council on the supply contract.

**189/24 RESOLVED**

**12.6 T003/2025 - 2025 TAMWORTH COUNTRY MUSIC FESTIVAL - SUPPLY, INSTALL, OPERATE AUDIO VISUAL PRODUCTION AND CREWING FOR TAMWORTH REGIONAL ENTERTAINMENT AND CONFERENCE CENTRE**

**DIRECTORATE:** CREATIVE COMMUNITIES AND EXPERIENCES  
**AUTHOR:** Peter Ross, Executive Manager Creative Communities and Experiences

**3 CONFIDENTIAL ENCLOSURES ENCLOSED**

**MOTION**

**Moved Cr Betts/Cr Sutherland**

That in relation to the report “T003/2025 - 2025 Tamworth Country Music Festival - Supply, Install, Operate Audio Visual Production and Crewing for Tamworth Regional Entertainment and Conference Centre”, Council authorise the Mayor and General Manager:

- (i) accept the tender provided by Live Event Services (Highland Fling Events), and;
- (ii) authorise the affixing of the Seal of Council on the supply contract

**190/24 RESOLVED**

**12.7 T013/2023 - ORGANICS RECYCLING FACILITY - RECOMMENDATION FOLLOWING COMPLETION OF EARLY CONTRACTOR INVOLVEMENT PHASE**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Naomi Schipanski, Manager - Projects, Strategy and Infrastructure

**Reference:** Item 8.11 to Ordinary Council 12 December 2023 - Minute No 336/23

**1 ENCLOSURES ENCLOSED**

**MOTION**

**Moved Cr Betts/Cr Burke**

That in relation to the report “T013/2023 - Organics Recycling Facility - Recommendation following completion of Early Contractor Involvement Phase”, Council:

- (i) notes “T013/2023 - Organics Recycling Facility - Recommendation following completion of ECI Phase” (Report) in relation to the Tamworth Organics Recycling Facility Project Early Contractor Involvement Agreement (ECI Agreement) between Council and Orez Solutions Pty Ltd (ECI Contractor);
- (ii) notes that the ECI Agreement includes a process whereby:
  - the ECI Contractor is required to submit a detailed proposal (referred to in the ECI Agreement as the ‘D&C Stage Proposal’) for carrying out the design and construction of the Tamworth Organics Recycling Facility pursuant to a ‘D&C Contract’;
  - Council is then able to elect to accept, reject or negotiate that D&C Stage Proposal; and

- if Council elects to negotiate that D&C Stage Proposal, the purpose of the negotiations is to reach agreement on the terms of the D&C Contract; and
- ii) upon receipt of the D&C Stage Proposal from the ECI Agreement, authorises the General Manager to, pursuant to the ECI Agreement, either:
- reject the D&C Stage Proposal;
  - negotiate with the ECI Contractor in respect of the D&C Stage Proposal, and execute the D&C Contract (if any) that is agreed through those negotiations provided that the Proposal falls within the budget as described in the Report and the terms of the D&C Contract are acceptable.
- (iv) notes the implementation strategy and
- (v) approve funding for the project, should it proceed, based on a combination of loan funding and revenue from Council's waste reserve.
- (vi) write to the relevant State and Federal Government Ministers seeking a minimum of \$20 million of financial assistance to help fund the capital cost of construction of the new facility.

**191/24 RESOLVED**

## 13 RESOLUTIONS PASSED IN CLOSED COUNCIL

### MOTION

#### Moved Cr Coates/Cr Southwell

That Council move into Open Council.

### 192/24 RESOLVED

At 7.48pm 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 7.49pm.

Cr Russell Webb , Chairperson

Tuesday, 13 August 2024

- oOo -