



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

28 SEPTEMBER 2021

**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 28 SEPTEMBER 2021 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 Planning and Compliance, Director Growth and Prosperity, Director Regional Services, Director Water and Waste and Executive Manager Strategy and Performance.

1 APOLOGIES AND LEAVE OF ABSENCE

An apology was announced as having been received from Cr Glenn Inglis is unable to attend the Meeting due to being out of the City on personal business.

MOTION

Moved Cr Betts/Cr Maxwell

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

259/21 RESOLVED

2 COMMUNITY CONSULTATION

Nil

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Webb/Cr Tickle

That the Minutes of the Ordinary Meeting held on Tuesday, 14 September 2021, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

260/21 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Charles Impey declared a conflict of interest in Item 10.1 "Tamworth Regional Youth Council Update" of the Business Paper, for the reason that he is a teacher and as such is acquainted with some of the incoming Youth Council Representatives in that capacity. Cr Impey further stated that it was a less than significant non pecuniary interest and he would remain in the Chamber.

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

7.1 PROPOSED ROAD NAMING FOR 'RUPARI HEIGHTS' SUBDIVISION (NEMINGHA), 'THE MEADOWS' SUBDIVISION (NORTH TAMWORTH) AND 'THE OUTLOOK' SUBDIVISION (CALALA)

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Sam Lobsey, Manager - Development

MOTION

Moved Cr Maxwell/Cr Wilson

That in relation to the report 'Proposed Road Naming for 'Rupari Heights' Subdivision (Nemingha), 'The Meadows' Subdivision (North Tamworth) and 'The Outlook' Subdivision (Calala), Council:

- (i) approve in principle the road names:
 - a) 'Premiers' Street and 'Supreme' Way, (Nemingha);
 - b) 'Broadway' Drive, 'Evesham' Circuit, 'Hanbury' Place and 'Marlborough' Place (North Tamworth); and
 - c) 'Cormorant' Avenue, 'Whistler' Street, 'Bronzewing' Way and 'Figbird' Way (Calala);
- (ii) advertise the proposed road names as required by the Roads Act 1993 Section 162, Roads (General) Regulation 2008, Part 2, Division 2 to enable interested parties the opportunity to make comment; and
- (iii) provided no submissions are made which object to the proposed road names, proceed to publish the adopted names in the Government Gazette.

261/21 RESOLVED

8 INFRASTRUCTURE AND SERVICES

Nil

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 RETURNING OFFICER AND METHOD OF VOTING

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

MOTION

Moved Cr Maxwell/Cr Impey

- (i) That the advice in relation to the role of the Returning Officer for any election required for the position of Mayor and Deputy Mayor be received and noted and the General Manager act as the Returning Officer for the election of the Deputy Mayor.
- (ii) That the advice in relation to the methods of voting for any election required for the position of Mayor and Deputy Mayor be received and noted.

262/21 RESOLVED

9.2 DETERMINATION OF METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

MOTION

Moved Cr Impey/Cr Tickle

That Council elect the Deputy Mayor for the ensuing term by Ordinary Ballot.

263/21 RESOLVED

ELECTION OF DEPUTY MAYOR

That the following Item 9.3 Nomination for the Position of Deputy Mayor be conducted by the Returning Officer.

Chairperson, Cr Col Murray vacated the Chair and handed the Meeting over to the General Manager for conduct of an election and appointment of the Deputy Mayor for the ensuing 2021/2022 Deputy Mayoral term.

9.3 NOMINATION FOR THE POSITION OF DEPUTY MAYOR

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Tracey Carr, Coordinator Governance and Executive Services

MOTION

Moved Cr Maxwell/Cr Murray

In accordance with Schedule 7 of the Local Government (General) Regulation 2005, the General Manager as the Returning Officer announced that one nomination for the position of Deputy Mayor was received. The Returning Officer announced that the nomination was for Cr Phil Betts.

The Returning Officer called for further nominations for the position of Deputy Mayor for the ensuing term. No further nominations were received.

The Returning Officer declared that Cr Phil Betts had been elected to the position of Deputy Mayor for the 2021/2022 Term or until the next Local Government election.

264/21 RESOLVED

The General Manager vacated the Chair and Cr Col Murray as Mayor occupied the Chair for the remainder of the Meeting.

9.4 GENERAL MANAGER'S PERFORMANCE REVIEW PANEL

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Jason Collins, Executive Manager - Strategy and Performance

MOTION

Moved Cr Wilson/Cr Betts

That in relation to the report "General Manager's Performance Review Panel", Council to keep the status quo of the Mayor, Cr Col Murray; Deputy Mayor, Cr Phil Betts; Cr Helen Tickle; and Cr Juanita Wilson until after the local government elections.

265/21 RESOLVED

9.5 PLACE MANAGEMENT AND SECTION 355 COMMITTEE ACTIVITIES

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Kay Burnes, Senior Place Manager

MOTION

Moved Cr Wilson/Cr Webb

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

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

Bendemeer Town Hall Committee - AGM	18 July 2021
Bendemeer Town Hall Committee	18 July 2021
Kootingal Recreational Reserve Committee	16 February 2021
Kootingal Recreational Reserve Committee	5 May 2021
Kootingal War Memorial Hall Committee - AGM	4 June 2021
Kootingal War Memorial Hall Committee	4 June 2021
Nundle Go For Gold Festival Committee	30 June 2021
Somerton War Memorial Hall and Recreation Grounds Committee	17 March 2021
Woolbrook Hall and Park Committee	25 February 2020
Woolbrook Hall and Park Committee	21 June 2021
Woolbrook Hall and Park Committee	12 July 2021
Woolbrook Hall and Park Committee - AGM	2 August 2021
Woolbrook Hall and Park Committee	2 August 2021;

(ii) adopt the recommendation of the Bendemeer Town Hall Committee’s Annual General Meeting held 18 July 2021, to appoint the following executive members and members:

Chairperson	Kerry Brown
Secretary	Carolann Brown
Treasurer	Anne Doak
Booking Officer	Winston Doak

Members: Margaret Hemmings, Glen Wilkinson, Jeanette Dietrich and Bec Bullock;

(iii) adopt the recommendation of the Kootingal War Memorial Hall Committee’s Annual General Meeting held 4 June 2021, to appoint the following executive members and members:

Chairperson	Pam Crayn
Deputy Chairperson	Lyn Eccleston
Secretary	Vacant

Treasurer Pauline Barber
Booking Officer Pauline Barber

Members: Meghan Moffat, Vicki McDonald, Sally Harrison, Andy Eccleston, John Barber. Noting that the position of Secretary will remain vacant until such time the committee appoint the nominated person as a committee member. Post such time the Committee may then call for the position of Secretary from the existing Committee member list;

- (iv) adopt the recommendation of the Nundle “Go For Gold” Festival Committee’s Ordinary Meeting held 30 June 2021, to appoint committee members:

Megan Trousdale, Teresa Eather, Mark Eather and Pip Joy; and

- (v) adopt the recommendation of the Woolbrook Hall and Park Committee’s Annual General Meeting held 2 August 2021, to appoint the following executive members and members:

Chairperson: Tony Haling
Deputy Chairperson Timothy Laurie
Secretary Belinda Laurie
Treasurer Natalie Clifford
Booking Officer Belinda Laurie

Members: Jessica Goodwin, Michael Pullin, Ellie Pullin, Emma Baker, Rhonda Olrich, Gary Olrich, J Guerrini, Mark Riordan, and Richard Prior.

266/21 RESOLVED

9.6 COUNCIL INVESTMENTS AUGUST 2021

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Acting Chief Financial Officer

MOTION

Moved Cr Rodda/Cr Tickle

That in relation to the report “Council Investments August 2021”, Council receive and note the report.

267/21 RESOLVED

9.7 2020/2021 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS FOR AUDIT

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Acting Chief Financial Officer

MOTION

Moved Cr Betts/Cr Webb

That in relation to the report “2020/2021 General Purpose and Special Purpose Financial Reports for Audit” for the period ending 30 June 2021, Council:

- (i) resolve to present the Audited General Purpose and Special Purpose Financial Reports, together with the Auditors Reports at a Public Meeting to be held as

part of Council's Meeting on 23 November 2021, in accordance with Section 419 (1) of the Local Government Act 1993;

- (ii) record as an opinion of Council pursuant to Section 413 (2c) of the Local Government Act 1993 (NSW) (as amended), that the General Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2021:
- (a) have been prepared in accordance with:
- the Local Government Act 1993 (as amended) and Regulations made thereafter;
 - the Australian Accounting Standards and professional pronouncements; and
 - the Local Government Code of Accounting Practice and Financial Reporting;
- (b) the General Purpose Financial Report presents fairly Council's operating result and financial position for the year;
- (c) the General Purpose Financial Report accords with Council's accounting and other records; and
- (d) the signatories are not aware of anything that would make the General Purpose Financial Report false or misleading in any way;
- (iii) record as an opinion of Council pursuant to the Local Government Code of Accounting Practice and Financial Reporting, that the Special Purpose Financial Reports for Tamworth Regional Council for the period ending 30 June 2021:
- (a) have been prepared in accordance with:
- the NSW Government Policy Statement "Application of National Competition Policy to Local Government";
 - the Division of Local Government Guidelines "Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality"; and
 - the Local Government Code of Accounting Practice and Financial Reporting; and
 - the NSW Office of Water "Best-Practice Management of Water Supply and Sewerage Guidelines".
- (b) the Special Purpose Financial Reports present fairly the operating result and financial position for each of Council's declared Business Activities for the year;
- (c) the Special Purpose Financial Reports accord with Council's accounting and other records; and
- (d) present overhead reallocation charges to the water and sewerage businesses as fair and reasonable; and
- (e) the signatories are not aware of anything that would make the Special Purpose Financial Reports false or misleading in any way.

268/21 RESOLVED

9.8 ANNUAL OPERATIONAL PLAN 2021/2022 BUDGET VARIATION REPORT - AUGUST 2021

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Acting Chief Financial Officer
Reference: Item 9.5 to Ordinary Council 29 June 2021 - Minute No 180/21

MOTION

Moved Cr Wilson/Cr Impey

That in relation to the report “Annual Operational Plan 2021/2022 Budget Variation Report – August 2021”, Council note and approve the variations to the existing budget processed in August and included in the attached Annexure.

269/21 RESOLVED

10 COMMUNITY SERVICES

Cr Charles Impey declared a conflict of interest in this Item of the Business Paper, for the reason that he is a teacher and as such is acquainted with some of the incoming Youth Council Representatives in that capacity. Cr Impey further stated that it was a less than significant non pecuniary interest and he would remain in the Chamber.

10.1 TAMWORTH REGIONAL YOUTH COUNCIL UPDATE

DIRECTORATE: PLANNING AND COMPLIANCE
AUTHOR: Katey Allwell, Team Leader Inclusive Community

MOTION

Moved Cr Impey/Cr Wilson

That in relation to the report “Tamworth Regional Youth Council - Update”, Council:

- (i) receive and note the report;
- (ii) approve the Draft Revised Tamworth Regional Youth Council Terms of Reference;
- (iii) acknowledge and recognise the achievements of the outgoing Tamworth Regional Youth Council; and
- (iv) appoint the members of the incoming Tamworth Regional Youth Council:
 - 1) Abigail Clark
 - 2) Andrew Macinas
 - 3) Brady Endemi
 - 4) Bronte Keenan
 - 5) Caitlin Blanch
 - 6) Caitlin Ferris
 - 7) Calli Nagle
 - 8) Cameron Rake
 - 9) Charlee Marshall
 - 10) Charlotte Leonard
 - 11) Chloe-Lee Opie
 - 12) Eli Lambert

- 13) Elle Woods
- 14) Erica Hall
- 15) Evelyn Murdoch
- 16) Isla Farr
- 17) Jack Lyon
- 18) Lachlan Power
- 19) Miller Lloyd
- 20) Tarly Olsen

(v) appoint Cr Charles Impey as the Councillor representative.

270/21 RESOLVED

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 6.51pm, 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 Webb/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.

271/21 RESOLVED

TENDER T042/2022 TAMWORTH AND SURROUNDS FOOTPATH CONSTRUCTION WORKS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Mark Gardiner, Manager Project Planning and Delivery

The Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A(2) (c),(d)i&(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, 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.

POSSIBLE PURCHASE OF CHALLENGE MRF SITE AND TAKEOVER OF BUSINESSES

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

Reference: Item 12.6 to Ordinary Council 27 October 2020 - Minute No 338/20

7 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) 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 CLOSED COUNCIL REPORTS

12.1 TENDER T042/2022 TAMWORTH AND SURROUNDS FOOTPATH CONSTRUCTION WORKS

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Mark Gardiner, Manager Project Planning and Delivery

MOTION

Moved Cr Betts/Cr Maxwell

That in relation to the report "Tender T042/2022 Tamworth and Surrounds Footpath Construction Works", Council:

- (i) accept the tender submitted by Danste Civil Pty Ltd (ABN 29 603 317 871) for T042/2022 Tamworth and Surrounds Footpath Construction Works for an initial lump sum contract of \$238,265.50 excluding GST; and
- (ii) authorise the Seal of Council to be affixed to this contract.

272/21 RESOLVED

12.2 POSSIBLE PURCHASE OF CHALLENGE MRF SITE AND TAKEOVER OF BUSINESSES

DIRECTORATE: WATER AND WASTE

AUTHOR: Bruce Logan, Director Water and Waste

Reference: Item 12.6 to Ordinary Council 27 October 2020 - Minute No 338/20

7 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Maxwell

That in relation to the report "Possible Purchase of Challenge MRF Site and Takeover of Businesses", Council agree to pursue actions as detailed in Option 3 listed under Recommendations in the report.

273/21 RESOLVED

13 **RESOLUTIONS PASSED IN CLOSED COUNCIL**

MOTION

Moved Cr Tickle/Cr Maxwell

That Council move into Open Council.

274/21 RESOLVED

At 7.06pm 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 7.06pm.

Cr Col Murray, Chairperson

Tuesday, 12 October 2021

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