



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

6 JUNE 2023

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 6 JUNE 2023 at 6.30PM

Table of Contents

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE	3
2	COMMUNITY CONSULTATION.....	3
3	MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL	3
125/23	RESOLVED	3
4	DISCLOSURE OF INTEREST	3
5	MAYORAL MINUTE	3
6	NOTICE OF MOTION.....	3
	OPEN COUNCIL REPORTS	3
7	ENVIRONMENT AND PLANNING.....	3
8	INFRASTRUCTURE AND SERVICES.....	4
	8.1 EASEMENT CREATION FOR UNDERGROUND ELECTRICAL SUPPLY TO SPORT FIELD LIGHTING ON TAMWORTH RIVERSIDE 3 OVAL	4
126/23	RESOLVED	4
	8.2 DRAFT REVISED DROUGHT MANAGEMENT PLAN 2023	4
127/23	RESOLVED	4
	8.3 DRAFT REVISED DEMAND MANAGEMENT PLAN 2023.....	5
128/23	RESOLVED	5
9	GOVERNANCE, STRATEGY AND FINANCE	5
	9.1 DRAFT BANNING NOTICE POLICY	5
129/23	RESOLVED	5
10	COMMUNITY SERVICES	5
11	REPORTS TO BE CONSIDERED IN CLOSED COUNCIL	6
130/23	RESOLVED	6
	PROPOSED ACQUISITION OF AN ELECTRICAL EASEMENT - COOPER STREET BARRABA...	6

	PROPOSED LEASE OF COUNCIL LAND.....	6
	CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA WATER SUPPLY PIPELINE.....	7
	2023 TAMWORTH NAIDOC DEBUTANTE BALL COMMITTEE FEE WAIVER REQUEST.....	7
12	CLOSED COUNCIL REPORTS.....	8
	12.1 PROPOSED ACQUISITION OF AN ELECTRICAL EASEMENT - COOPER STREET BARRABA	8
131/23	RESOLVED	8
	12.2 PROPOSED LEASE OF COUNCIL LAND.....	8
132/23	RESOLVED	8
	12.3 CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA WATER SUPPLY PIPELINE	9
133/23	RESOLVED	9
	12.4 2023 TAMWORTH NAIDOC DEBUTANTE BALL COMMITTEE FEE WAIVER REQUEST.....	9
134/23	RESOLVED	9
13	RESOLUTIONS PASSED IN CLOSED COUNCIL.....	10
135/23	RESOLVED	10

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 Growth and Prosperity, Acting Director Regional Services, Director Water and Waste, and Executive Manager Strategy and Performance.

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 COMMUNITY CONSULTATION

Nil

3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Betts/Cr Southwell

That the Minutes of the Ordinary Meeting held on Tuesday, 23 May 2023, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

125/23 RESOLVED

4 DISCLOSURE OF INTEREST

Cr Marc Sutherland – Cr Marc Sutherland declared a conflict of interest in Item 12.4 “2023 Tamworth NAIDOC Debutante Ball Committee Fee Waiver Request” of the Business Paper, for the reason that he is a member and Chair of the NAIDOC Committee. Cr Sutherland further states that it was a less than significant non pecuniary interest and that he would leave the Chamber and not participate in the debate.

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

7 ENVIRONMENT AND PLANNING

Nil

8 INFRASTRUCTURE AND SERVICES

8.1 EASEMENT CREATION FOR UNDERGROUND ELECTRICAL SUPPLY TO SPORT FIELD LIGHTING ON TAMWORTH RIVERSIDE 3 OVAL

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Amos Fenn, Project Officer
Paul Kelly, Manager - Sports and Recreation

Reference: Item 12.1 to Ordinary Council 14 June 2022 - Minute No 175/22

MOTION

Moved Cr Tickle/Cr Betts

That in relation to the report "Easement Creation for underground electrical supply to sport field lighting on Tamworth Riverside 3 Oval", Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of an easement for electricity supply relating to the installation of new sports field lighting on Lot 35 and Lot 24 in Deposited Plan 95995; and
- (ii) authorise the affixing of the Seal of Council to any plans, instruments or any other documents required to give effect to Council's resolution.

126/23 RESOLVED

8.2 DRAFT REVISED DROUGHT MANAGEMENT PLAN 2023

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

Reference: Item 8.5 to Ordinary Council 27 April 2021 - Minute No 101/21

MOTION

Moved Cr Betts/Cr Coates

That in relation to the report "Draft Revised Drought Management Plan 2023", Council:

- (i) agree to proceed with Option 2 for the water restriction town entry signage;
- (ii) place the revised Drought Management Plan 2023 on public exhibition for a period of no less than 28 days, to allow for final written feedback and comments from residents; and
- (iii) following 28 days public display of the draft revised Drought Management Plan 2023 request the Director of Water and Waste collate the responses received and prepare a further report to Council detailing the responses and any proposed changes.

127/23 RESOLVED

8.3 DRAFT REVISED DEMAND MANAGEMENT PLAN 2023

DIRECTORATE: WATER AND WASTE
AUTHOR: Louise Ferrier, Sustainability Officer - Water
Reference: Item 8.2 Ordinary Council 17 December 2019 - Minute No 455/19
Item 8.13 to Ordinary Council 11 February 2022 - Minute No 16/20

MOTION

Moved Cr Coates/Cr Burke

That in relation to the report “Draft Revised Demand Management Plan 2023”, Council:

- (i) place the revised Demand Management Plan 2023 on public exhibition for a period of no less than 28 days, to allow for final written feedback and comments from residents and businesses; and
- (ii) following a 28 day public display of the draft revised Demand Management Plan 2023, request the Director of Water and Waste collate the responses received and prepare a further report to Council detailing the responses and any proposed changes.

128/23 RESOLVED

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 DRAFT BANNING NOTICE POLICY

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

MOTION

Moved Cr Tickle/Cr Sutherland

That in relation to the report “Draft Banning Notice Policy”, Council:

- (i) authorise the Draft Banning Notice Policy to be placed on public exhibition for a period of 28 Days; and
- (ii) request a further report to Council to consider any feedback received throughout the public exhibition period and present for formal adoption of a final Banning Notice Policy.

129/23 RESOLVED

10 COMMUNITY SERVICES

Nil

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

At 6.44pm, 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 Betts/Cr Southwell

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.

130/23 RESOLVED

PROPOSED ACQUISITION OF AN ELECTRICAL EASEMENT - COOPER STREET BARRABA

DIRECTORATE: WATER AND WASTE

**AUTHOR: Benjamin Sharpham, Water Engineer - Rotation
Daniel Coe, Manager - Water and Environmental Operations**

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)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.

PROPOSED LEASE OF COUNCIL LAND

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Kirrilee Ringland, Manager - Property and Legal Services

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)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.

CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA WATER SUPPLY PIPELINE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
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 dated 24 May 2016 - Minute No 146/16.

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.

2023 TAMWORTH NAIDOC DEBUTANTE BALL COMMITTEE FEE WAIVER REQUEST

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Katey Allwell, Team Leader - Inclusive Community
2 CONFIDENTIAL 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

12 CLOSED COUNCIL REPORTS

12.1 PROPOSED ACQUISITION OF AN ELECTRICAL EASEMENT - COOPER STREET BARRABA

DIRECTORATE: WATER AND WASTE
AUTHOR: Benjamin Sharpham, Water Engineer - Rotation
Daniel Coe, Manager - Water and Environmental Operations

MOTION

Moved Cr Betts/Cr Mears

That in relation to the report "Proposed Acquisition of an Electrical Easement - Cooper Street Barraba", Council:

- (i) agree to pay the owner of Lot 5 in DP1169406 the amount as detailed in the report for the acquisition of an electrical easement and other costs as required; and
- (ii) authorise the affixing of the seal of council to the deed of agreement and any associated documentation required to give effect to Council's resolution.

131/23 RESOLVED

12.2 PROPOSED LEASE OF COUNCIL LAND

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Kirrilee Ringland, Manager - Property and Legal Services

1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Rodda/Cr Burke

That in relation to the report "Proposed Lease of Council Land", Council:

- (i) authorise the Mayor and General Manager to negotiate the Lease of the Council land referred to in the body of this report;
- (ii) authorise the affixing of the Seal of Council to the Lease and any other required documentation to give effect to Council's Resolution.

132/23 RESOLVED

12.3 CONSTRUCTION OF SPLIT ROCK DAM TO BARRABA WATER SUPPLY PIPELINE

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
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 dated 24 May 2016 - Minute No 146/16.

MOTION

Moved Cr Coates/Cr Tickle

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

- (i) authorise the novation of the Deed of Agreement between Council and Spencer Robert Bowman regarding the construction of the Split Rock Dam to Barraba Water Supply Pipeline to reflect the change in ownership of the affected property being Lot 140 in Deposited Plan 752196; and
- (ii) authorise the affixing of the Seal of Council to the Deed of Novation and any other documentation required.

133/23 RESOLVED

Cr Marc Sutherland left the meeting, the time being 06:48 PM

12.4 2023 TAMWORTH NAIDOC DEBUTANTE BALL COMMITTEE FEE WAIVER REQUEST

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Katey Allwell, Team Leader - Inclusive Community
2 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Betts/Cr Mears

That in relation to the report “2023 Tamworth NAIDOC Debutante Ball Committee Fee Waiver Request”, Council subsidise the fees associated with the hire of the Tamworth Regional Entertainment and Conference Centre (TRECC) by the amount disclosed in this report.

134/23 RESOLVED

Cr Marc Sutherland returned to the meeting, the time being 06:52 PM

13 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Coates/Cr Southwell

That Council move into Open Council.

135/23 RESOLVED

At 6.52pm 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 6.53pm.

Cr Russell Webb, Chairperson

Tuesday, 27 June 2023

- oOo -