



# **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**

**11 MARCH 2025**

**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 11 MARCH 2025 at 6.30PM**

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Minutes

**PRESENT:** Cr Russell Webb (Mayor), Cr Jeff Budd, Cr Mark Rodda, Cr Brendon North, Cr Matt Sharpham, Cr Marc Sutherland, Cr Ryan Brooke

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

## 1 **APOLOGIES AND LEAVE OF ABSENCE**

Apologies were announced as having been received from Cr Stephen Mears who is unable to attend the Meeting due to work outside of the LGA and Cr Charles Impey who is unable to attend the Meeting due to personal reasons.

### **MOTION**

#### **Moved Cr Sutherland/Cr Brooke**

That the apologies be accepted and Cr Stephen Mears and Cr Charles Impey be granted leave of absence from the Meeting.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

**35/25 RESOLVED**

## 2 **COMMUNITY CONSULTATION**

### **2.1 ITEM 10.1 FORMAL PARTNERSHIP AGREEMENT BETWEEN TAMWORTH REGIONAL COUNCIL AND THE TAMWORTH ABORIGINAL COMMUNITY CONTROLLED ORGANISATIONS (TACCO)**

Judy Coates addressed Council in support of the recommendation.

### **2.2 ITEM 10.1 FORMAL PARTNERSHIP AGREEMENT BETWEEN TAMWORTH REGIONAL COUNCIL AND THE TAMWORTH ABORIGINAL COMMUNITY CONTROLLED ORGANISATIONS (TACCO)**

Cathy Trindall addressed Council in support of the recommendation.

### **2.3 ITEM 8.3 PROPOSED TEMPORARY INCREASE IN THE VOLUME OF WATER RESERVED IN CHAFFEY DAM FOR TAMWORTH'S USE**

Robyn Bird addressed Council in support of the recommendation.

### 3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

#### MOTION

#### Moved Cr North/Cr Budd

That the Minutes of the Ordinary Meeting held on Tuesday, 25 February 2025, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

**36/25 RESOLVED**

### 4 DISCLOSURE OF INTEREST

**Cr Brendon North** declared an interest in Item 12.1 'Proposed Lease of Council Land – Part Lot 27 DP 826112 – Tamworth Regional Airport' of the Business Paper for the reason that he undertakes training with the facility from time to time. Cr North further declared that this was a less than significant, non-pecuniary interest and that he would remain in the Chamber and participate in the debate.

### 5 MAYORAL MINUTE

Nil

### 6 NOTICE OF MOTION

Nil

### OPEN COUNCIL REPORTS

### 7 ENVIRONMENT AND PLANNING

#### 7.1 PROPOSED ROAD NAMES FOR APPROVED GNOO GNOO ESTATE SUBDIVISION (LOT 1 DP 1304039) GOONOO GOONOO ROAD, HILLVUE - RN2025-0075

DIRECTORATE:

LIVEABLE COMMUNITIES

AUTHOR:

Kathleen See-Kee, Development Support Officer

#### MOTION

#### Moved Cr Sharpham/Cr North

That in relation to the report "Proposed Road Names for Approved Gnoo Gnoo Estate Subdivision (Lot 1 DP 1304039) Goonoo Goonoo Road, Hillvue - RN2025-0075", Council:

- (i) approve in principle the road names: 'Kelpie' Drive, 'Corriedale' Close, 'Poll Dorset' Close and 'Suffolk' Close;
- (ii) advertise the proposed road names as required by the Roads Act 1993 Section

162, Roads Regulation 2018 Part 2 Division 1 Section 7 to enable interested parties the opportunity to make comment; and

- (iii) provided no submissions are made which object to the proposed road names, process to publish the adopted names in the Government Gazette.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

**37/25 RESOLVED**

## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 TAMWORTH REGIONAL LOCAL TRAFFIC COMMITTEE MEETING - 5 FEBRUARY 2025**

**DIRECTORATE:**  
**AUTHOR:**

**REGIONAL SERVICES**  
**Graeme McKenzie, Manager - Strategy, Assets and Design**  
**Steven Marshall, Strategy, Assets and Design Engineer**

#### **MOTION**

**Moved Cr Budd/Cr Sharpham**

That in relation to the report "Tamworth Regional Local Traffic Committee Meeting – 5 February 2025", Council:

- (i) approve the installation of a 'Give Way' (R1-2) sign, a 'No Overtaking or Passing' (R6-1) sign and other supporting signage at the Llomani Bridge on Old Wallabadah Road, Garoo;
- (ii) approve the Your Local Club Academy Games Triathlon and the subsequent traffic guidance scheme for 12-13 April 2025, 18-19 April 2026 and 10-11 April 2027;
- (iii) approve the Your Local Club Academy Games Road Race and the subsequent traffic guidance scheme for 12 April 2025;
- (iv) approve the installation of 11 '2P' parking bays on O'Connell Street, North Tamworth as per the attached signage and line marking plan;
- (v) approve relocating the existing 'No Stopping' (R5-400) sign on Piper Street, East Tamworth;
- (vi) approve changing the zone times at the bus stop (#1D 234064) on Piper Street, East Tamworth to 6.00am to 6.00pm, Monday to Friday and 8.30am to 2.30pm on Saturday;
- (vii) approve the installation of new line marking at the Peel Street and East Street intersection in Tamworth;
- (viii) approve the proposed alterations to the disabled parking space on Gate Street,

Kootingal;

- (ix) approve the Grey Fergie Tractor Muster and the subsequent traffic guidance scheme for 22 March 2025;
  - (x) approve installation of 'No Parking, Wedding or Funeral Vehicles Excepted' (R5-445n) signs in front of St. Nicholas Catholic Church on White Street, Tamworth; and
- approve the relocation of 'No Stopping' (R5-400) signs on White Street to improve sighting distance and support the introduction of a left-hand turn lane on Carthage Street, Tamworth.

**COUNCILLORS WHO VOTED FOR**

**COUNCILLORS WHO VOTED AGAINST**

**THE DECISION**

**THE DECISION**

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

**38/25 RESOLVED**

**8.2 TRIAL OF FREE POOL ENTRY DAYS AT TAMWORTH REGIONAL COUNCIL AQUATIC FACILITIES**

**DIRECTORATE:**

**REGIONAL SERVICES**

**AUTHOR:**

Paul Kelly, Manager - Sports and Recreation  
Gary Johnson, Aquatics Coordinator

**Reference:**

Item 6.3 to Ordinary Council 10 December 2024 - Minute No 351/24

**MOTION**

**Moved Cr Sutherland/Cr Sharpham**

That in relation to the report "Trial of Free Pool Entry Days at Tamworth Regional Council Aquatic Facilities", Council:

- (i) receive and note the report on the trial of free entry days; and
- (ii) develop a plan for the provision of free entry days next summer that are conducted in partnership with other agencies and report back to Council prior to the commencement of next pool season.

**COUNCILLORS WHO VOTED FOR**

**COUNCILLORS WHO VOTED AGAINST**

**THE DECISION**

**THE DECISION**

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

**39/25 RESOLVED**



### 8.3 PROPOSED TEMPORARY INCREASE IN THE VOLUME OF WATER RESERVED IN CHAFFEY DAM FOR TAMWORTH'S USE

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Bruce Logan, Director - Water and Waste  
**Reference:** Item 8.3 to Ordinary Council 12 June 2018 - Minute No 190/1  
Item 8.3 to Ordinary Council 24 July 2018 - Minute No 116/18

#### MOTION

##### Moved Cr Brooke/Cr Sutherland

That in relation to the report "Proposed Temporary Increase in the Volume of Water Reserved in Chaffey Dam for Tamworth's Use", Council strongly support the proposed temporary changes to the Peel Water Sharing Plan to increase the volume of water reserved in Chaffey Dam for Tamworth's use.

#### COUNCILLORS WHO VOTED **FOR** THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

#### COUNCILLORS WHO VOTED **AGAINST** THE DECISION

Nil

40/25 **RESOLVED**

### 8.4 CURBY RECYCLING PROGRAM CHANGES

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Doug Hughes, Manager - Waste & Resource Recovery

#### MOTION

##### Moved Cr Budd/Cr Brooke

That in relation to the report "Curby Recycling Program Changes", Council:

- (i) continue to support the Curby program, allowing residents of Tamworth to utilise the service via Council's collection, transport and processing arrangements;
- (ii) provide support to residents by utilising existing budgeted funds to pre-purchase 10,000 Curby program bags;
- (iii) make Curby program bags accessible at Council customer services hubs and branch offices with terms and conditions of issuing bags to be established; and
- (iv) re-assess support of the program once the initial allocation of bags has been exhausted.

#### COUNCILLORS WHO VOTED **FOR** THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North

#### COUNCILLORS WHO VOTED **AGAINST** THE DECISION

Nil

4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

**41/25 RESOLVED**

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

### **9.1 INTRODUCTION OF POLICY - BANK GUARANTEES**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Benjamin Mobilio, Senior Development Engineer

#### **MOTION**

**Moved Cr North/Cr Sutherland**

That in relation to the report “Introduction of Policy - Bank Guarantees”, Council:

- (i) endorse the public exhibition of the Draft Bank Guarantee Policy for a period of 28 days;
- (ii) in the case that there are no further changes requested to the Draft Policy or no negative submission received, authorise the adoption of the Draft Policy for inclusion in the General Policy Register; and
- (iii) in the case that there are changes requested or negative submissions received, request a further report to Council to consider the feedback received during the public exhibition period and present the final Bank Guarantee Policy for adoption.

COUNCILLORS WHO VOTED **FOR**  
 THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST**  
 THE DECISION

Nil

**42/25 RESOLVED**

### **9.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE**

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

#### **MOTION**

**Moved Cr Sharpham/Cr Budd**

That in relation to the report “Audit, Risk and Improvement Committee”, Council:

- (i) receive and note the Minutes of the meeting held 6 February 2025; and
- (ii) accept the Annual Report presented by the Audit, Risk and Improvement Committee.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

**43/25 RESOLVED**

### 9.3 T035-2025 PANEL TENDER FOR LEGAL SERVICES

**DIRECTORATE:**  
**AUTHOR:**

**OFFICE OF THE GENERAL MANAGER**  
Karen Litchfield, Internal Auditor

#### MOTION

#### Moved Cr North/Cr Budd

That in relation to the report "T035-2025 Panel Tender for Legal Services", Council award the Panel Tender to the following firms based on an assessment by the Tender Assessment Panel:

1. Bradley Allen Love
2. Lindsay Taylor Lawyers
3. Maddocks
4. Marsdens Law Group
5. Moray & Agnew
6. Shaw Reynolds Lawyers
7. Sparke Helmore Solicitors
8. Urban Legal.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

**44/25 RESOLVED**

#### 9.4 CLOSING THE GAP - PARTNERSHIP WORKING GROUP - ABORIGINAL AND TORRES STRAIT ISLANDER LED REVIEW ASSEMBLY- 1-3 APRIL 2025

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

##### MOTION

##### Moved Cr Sutherland/Cr Brooke

That in relation to the report “Closing The Gap - Partnership Working Group - Aboriginal and Torres Strait Islander Led Review Assembly- 1-3 April 2025”, Council:

- (i) approve Councillor Marc Sutherland to attend as a nominated delegate for the Tamworth Region; and
- (ii) gives authority for Councillor Marc Sutherland to speak on behalf of Tamworth Regional Council and support any recommendations made at the assembly.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

45/25 **RESOLVED**

#### 9.5 CODE OF MEETING PRACTICE

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

##### MOTION

##### Moved Cr Budd/Cr Sharpham

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

- (i) amend Section 5.2 to allow Councillors to participate via audio visual link in the event Councillors are unable to attend the Meeting due to work commitments or other circumstances with the approval of the Mayor;
- (ii) determine that change to the Code is not substantial and does not require to be publicly advertised; and
- (iii) exclude attendance via audio visual link in the closed session of Council.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland

Nil

7. Cr Russell Webb

**46/25 RESOLVED**

## **10 COMMUNITY SERVICES**

### **10.1 FORMAL PARTNERSHIP AGREEMENT BETWEEN TAMWORTH REGIONAL COUNCIL AND THE TAMWORTH ABORIGINAL COMMUNITY CONTROLLED ORGANISATIONS (TACCO)**

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

#### **MOTION**

**Moved Cr Sutherland/Cr Brooke**

That in relation to the report “Formal Partnership Agreement Between Tamworth Regional Council and the Tamworth Aboriginal Community Controlled Organisations (TACCO)”, Council:

- (i) enter into a formal partnership agreement with the Tamworth Aboriginal Community Controlled Organisations;
- (ii) authorise the Mayor to sign the formal Partnership Agreement; and
- (iii) commit to a joint ceremony to acknowledge and celebrate the signing of the Partnership Agreement.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

**47/25 RESOLVED**

## **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.

The General Manager advised the Chairperson that no written public submissions were received however, advised that Cr Rodda had approached the Acting Executive Manager – Strategy and Performance requesting that Item 12.5 ‘Code of Conduct Matter’ be considered in Open Council. The General Manager advised the under Section 10A (2) (i) of the Local Government Act and Clause 7.47 of the Procedures for the Administration of Code of Conduct that the matter must be heard in Closed Council.

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 Budd/Cr Sutherland

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.

COUNCILLORS WHO VOTED <b>FOR</b>	COUNCILLORS WHO VOTED <b>AGAINST</b>
THE DECISION	THE DECISION
1. Cr Ryan Brooke	Nil
2. Cr Jeffrey Budd	
3. Cr Brendon North	
4. Cr Mark Rodda	
5. Cr Matthew Sharpham	
6. Cr Marc Sutherland	
7. Cr Russell Webb	

**48/25 RESOLVED**

### 11.1 PROPOSED LEASE OF COUNCIL LAND - PART LOT 27 DP 826112 - TAMWORTH REGIONAL AIRPORT

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

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

**Reference: Item 15.1 to Ordinary Council 9 March 2021 - Minute No 58/21**

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.

### 11.2 PROPOSED LEASE OF COUNCIL LAND - PART LOT 1 DP 1264030

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

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

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.

### 11.3 REQUEST TO TRANSFER LEASE OF COUNCIL OWNED LAND - BRIDGE STREET, WEST TAMWORTH

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

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

**Reference: Item 12.1 to Ordinary Council 13 February 2024 - Minute No. 15/24**

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.

#### **11.4 LEASE TO OORANGA - SOMERTON WAR MEMORIAL HALL**

**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) (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 CODE OF CONDUCT MATTER**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Karen Litchfield, Internal Auditor**

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (i) of the Local Government Act 1993 on the grounds that the matter and information is alleged contraventions of any code of conduct requirements applicable under section 440.



## 12 CLOSED COUNCIL REPORTS

Cr Brendon North declared an interest in this item of the Business Paper for the reason that he undertakes training with the facility from time to time. Cr North further declared that this was a less than significant, non-pecuniary interest and that he would remain in the Chamber and participate in the debate.

### 12.1 PROPOSED LEASE OF COUNCIL LAND - PART LOT 27 DP 826112 - TAMWORTH REGIONAL AIRPORT

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer  
**Reference:** Item 15.1 to Ordinary Council 9 March 2021 - Minute No 58/21

#### MOTION

##### Moved Cr Sharpham/Cr Sutherland

That in relation to the report "Proposed Lease of Council Land - Part Lot 27 DP 826112 - Tamworth Regional Airport", Council:

- (i) authorise the Mayor and General Manager to negotiate and enter into a lease agreement on the terms set out in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the lease agreement and any other associated documentation in order to give effect to Council's Resolution.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

**49/25 RESOLVED**

### 12.2 PROPOSED LEASE OF COUNCIL LAND - PART LOT 1 DP 1264030

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer

#### MOTION

##### Moved Cr North/Cr Budd

That in relation to the report "Proposed Lease of Council Land - Part Lot 1 DP 1264030", Council:

- (i) authorise the Mayor and General Manager to negotiate the lease agreement on the terms detailed in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the lease agreement and any other associated documentation in order to give effect to Council's Resolution.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil



2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

**50/25 RESOLVED**

### **12.3 REQUEST TO TRANSFER LEASE OF COUNCIL OWNED LAND - BRIDGE STREET, WEST TAMWORTH**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer

**Reference:** Item 12.1 to Ordinary Council 13 February 2024 - Minute No 15/24

#### **MOTION**

##### **Moved Cr Budd/Cr Sharpham**

That in relation to the report "Request to Transfer Lease of Council Owned Land - Bridge Street, West Tamworth", Council:

- (i) authorise the Mayor and General Manager to negotiate and enter into a Deed of Assignment of Lease in relation to the lease of the property described in the body of this report;
- (ii) execute anything necessary for the surrender or extinguishment of the current sublease, and;
- (iii) authorise the affixing of the Seal of Council to any Deed of Assignment of Lease, Transfer of Lease or any other associated document required to give effect to Council's Resolution.

#### **COUNCILLORS WHO VOTED FOR THE DECISION**

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

#### **COUNCILLORS WHO VOTED AGAINST THE DECISION**

Nil

**51/25 RESOLVED**

### **12.4 LEASE TO OORANGA - SOMERTON WAR MEMORIAL HALL**

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

**1 CONFIDENTIAL ENCLOSURES ENCLOSED**

#### **MOTION**

##### **Moved Cr Brooke/Cr Sutherland**

That in relation to the report "Lease to Ooranga - Somerton War Memorial Hall",

Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of a lease agreement as set out in the body of this report; and
- (ii) authorise the affixing of the Seal of Council to the lease agreement and any other associated documents.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Mark Rodda
5. Cr Matthew Sharpham
6. Cr Marc Sutherland
7. Cr Russell Webb

Nil

**52/25 RESOLVED**

Cr Mark Rodda left the Meeting, the time being 7:28pm.

## **12.5 CODE OF CONDUCT MATTER**

**DIRECTORATE:**

**OFFICE OF THE GENERAL MANAGER**

**AUTHOR:**

**Karen Litchfield, Internal Auditor**

**2 CONFIDENTIAL ENCLOSURES ENCLOSED**

### **MOTION**

**Moved Cr Budd/Cr North**

That in relation to the report “Code of Conduct Matter”, Council:

- (i) Not adopt the investigator’s recommendation to formally censure Cr Rodda for the breach under section 440G of the Act due to the seriousness of the breach that warrants further penalties to be considered by the Office of Local Government;
- (ii) Under Section 7.58 of the Procedures for the Administration of the Code of Conduct, Council formally censure Cr Rodda for the breach under section 440G of the Local Government and that the matter be referred to the Office of Local Government for further action under the misconduct provisions of the Local Government Act;
- (iii) Under Section 7.59 of the Procedures for the Administration of the Code of Conduct the grounds on which Council is satisfied that the Councillor should be censured are:
  - Allegation 1 - On or about 1 August 2024, Cr Rodda placed a post on his Facebook page that contained comments which could be seen as a personal attack on council staff and offensive and humiliating to them (particulars A and B). Additionally, the comments had the potential to bring disrepute to council staff and the Council as a whole (all particulars).
  - The comments from the Facebook post comprising the particulars of this allegation are as follows:
    - (A) ‘Size of Council’s “Comms” team aka The Ministry of Public Enlightenment

and Propaganda’.

(B) ‘Out of touch elected councillors and senior council staff’.

- The finding of allegation 1 is found to be substantiated (in relation to particulars A and B).
- The substantiated allegation constitutes a breach of the Code of Conduct pursuant to the following clauses:

3.1 You must not conduct yourself in a manner that:

(a) is likely to bring the council or other council officials into disrepute.

3.6 You must not harass or unlawfully discriminate against others.

3.7 For the purposes of this Code, “harassment” is any form of behaviour towards a person that:

- (a) is not wanted by the person;
- (b) offends, humiliates or intimidates the person; and
- (c) creates a hostile environment.

7.6 You must not engage in any of the following inappropriate interactions:

(h) Councillors and Administrators making personal attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this Code in public forums including social media.

8.28 You must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

(a) is offensive, humiliating, threatening or intimidating to other Council officials or those that deal with Council.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North
4. Cr Matthew Sharpham
5. Cr Marc Sutherland
6. Cr Russell Webb

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

**53/25 RESOLVED**

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

### **MOTION**

**Moved Cr Sutherland/Cr North**

That Council move into Open Council.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Brendon North

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

4. Cr Matthew Sharpham
5. Cr Marc Sutherland
6. Cr Russell Webb

**54/25 RESOLVED**

At 7.54pm 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 7.58pm

Cr Russell Webb, Chairperson

Tuesday, 25 March 2025

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