



# 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**

**9 APRIL 2024**

**BRUCE LOGAN**  
**ACTING 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 9 APRIL 2024 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 Marc Sutherland, Cr Mark Rodda, Cr Helen Tickle.

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

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

An apology was announced as having been received from Cr Brooke Southwell who is unable to attend the Meeting due to personal leave.

### **MOTION**

**Moved Cr Burke/Cr Betts**

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

**60/24 RESOLVED**

## **2 COMMUNITY CONSULTATION**

NIL

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

### **MOTION**

**Moved Cr Coates/Cr Sutherland**

That the Minutes of the Ordinary Meeting held on Tuesday, 26 March 2024, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

**61/24 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**

Nil

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

#### **9.1 2024 ANZAC DAY MEMORIAL SERVICES WITHIN THE TAMWORTH REGIONAL COUNCIL AREA**

**DIRECTORATE:**

**OFFICE OF THE GENERAL MANAGER**

**AUTHOR:**

**Lisa May, Office of the General Manager Administrator**

#### **MOTION**

##### **Moved Cr Rodda/Cr Coates**

That in relation to the report “2024 Anzac Day Memorial Services within the Tamworth Regional Council Area”, Council nominate Councillor Representation at the following locations:

Attunga

Mayor Russell Webb

Barraba

Cr Stephen Mears

Bendemeer

Cr Judy Coates

Duri

Cr Mark Rodda

Kootingal

Cr Judy Coates

Moonbi Masonic Village RFB

Cr Phil Betts, Wed, 24<sup>th</sup> April

Manilla

Cr Helen Tickle

Manilla Central School

Mayor Russell Webb

Moonbi School

Cr Judy Coates

Nundle

Cr Brooke Southwell

Somerton

Cr Bede Burke

Tamworth Dawn Service

Mayor Russell Webb

Tamworth Service

Mayor Russell Webb

Gipps Street Memorial

Cr Helen Tickle

**62/24 RESOLVED**

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

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

### **MOTION**

#### **Moved Cr Coates/Cr Mears**

That in relation to the report “Audit, Risk and Improvement Committee”, Council receive and note the Minutes of the meeting held 29 February 2024.

**63/24 RESOLVED**

## **9.3 RISK MANAGEMENT POLICY AND RISK APPETITE STATEMENTS REVIEW**

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Megan Patterson, Manager - Risk and Safety

### **MOTION**

#### **Moved Cr Mears/Cr Coates**

That in relation to the report “Risk Management Policy and Risk Appetite Statements Review”, Council:

- (i) adopt the proposed changes to its “Risk Management Policy”;
- (ii) approve the revised “Risk Management Policy” for public exhibition for a period of 28 days;
- (iii) request a subsequent report to a future Ordinary meeting of Council on the outcomes of the public exhibition and present the final “Risk Management Policy” for formal adoption; and
- (iv) receive and note the revised Risk Appetite Statements.

**64/24 RESOLVED**

## **10 COMMUNITY SERVICES**

### **10.1 TAMWORTH CITY CENTRE WORKING GROUP MEETING MINUTES - 15 FEBRUARY 2024**

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

#### **MOTION**

##### **Moved Cr Tickle/Cr Sutherland**

That in relation to the report “Tamworth City Centre Working Group Meeting Minutes - 15 February 2024”, Council:

- (i) receive and note the minutes; and
- (ii) develop a strategy for the ongoing maintenance of the Tamworth CBD and a longer term plan for the continued and future beautification of the CBD.

**65/24 RESOLVED**

### **10.2 TAMWORTH REGIONAL YOUTH COUNCIL - MINUTES OF THE ORDINARY MEETING HELD ON 14 MARCH 2024**

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Haley Fenn, Coordinator Outside School Hours Care and Tamworth Regional Youth Centre

**Reference:** Item 10.4 to Ordinary Council 28 November 2023 - Minute No. 310/23

#### **MOTION**

##### **Moved Cr Sutherland/Cr Burke**

That in relation to the report “Tamworth Regional Youth Council - Minutes of the Ordinary Meeting held on 14 March 2024”, Council:-

- (i) receive and note the minutes; and
- (ii) adopt the amended Terms of Reference.

**66/24 RESOLVED**



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

At 6.55pm, 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 Acting 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 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.

### **67/24 RESOLVED**

#### **12.1 E081-2024 - EXPRESSION OF INTEREST - PROPOSED LEASE OF LAND NEAR DUNGOWAN DAM**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Daniel Coe, Manager - Water and Environmental Operations**

**Reference: Item 8.7 to Ordinary Council 12 December 2023 - Minute No 332/23**

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

## **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 **E081-2024 - EXPRESSION OF INTEREST - PROPOSED LEASE OF LAND NEAR DUNGOWAN DAM**

**DIRECTORATE:** WATER AND WASTE  
**AUTHOR:** Daniel Coe, Manager - Water and Environmental Operations

**Reference:** Item 8.7 to Ordinary Council 12 December 2023 - Minute No 332/23

#### **MOTION**

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

That in relation to the report “E081-2024 - Expression of Interest - Proposed Lease of Land Near Dungowan Dam”, Council

- (i) receive and note the report; and
- (ii) proceed with the future management of the land as per the recommendation detailed in the body of the report.

**68/24 RESOLVED**

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

#### **MOTION**

##### **Moved Cr Mears/Cr Burke**

That Council move into Open Council.

**69/24 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 7.07pm.

Cr Russell Webb, Chairperson

Tuesday, 23 April 2024

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