

# 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

**12 NOVEMBER 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 12 NOVEMBER 2024 at 6:30PM

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PRESENT: Cr Russell Webb (Mayor), Cr Jeff Budd, Cr Charles Impey, Cr Mark

Rodda, Cr Brendon North, Cr Matt Sharpham, Cr Marc Sutherland, Cr

Stephen Mears, 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

Nil

Cr Jeff Budd in attendance via Teams.

#### 2 COMMUNITY CONSULTATION

#### 2.1 ITEM 6.1 QUESTIONS WITH NOTICE AND ITEM 6.2 RAY WALSH HOUSE

Peter Gill addressed Council in support of both recommendations.

#### 2.2 ITEM 6.2 RAY WALSH HOUSE

Suzanne Hansen addressed Council in support of the recommendation.

## 2.3 TEM 7.3 TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 - DIGITAL TRANSITION OF MAPPING

Ben Hopkins addressed Council in opposition to the recommendation.

# 3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

#### **MOTION**

#### Moved Cr Brooke/Cr Impey

That the Minutes of the Ordinary Meeting held on Tuesday, 22 October 2024, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

#### **291/24 RESOLVED**

#### 4 DISCLOSURE OF INTEREST

**Cr Mark Rodda** declared a conflict of interest in Item 7.3 – 'Tamworth Regional Local Environmental Plan 2010 – Digital Transition of Mapping', of the Business Paper, for the reason that he is an employee of the department of Planning, Housing and Infrastructure. Cr Rodda further stated that this was a less than significant, non-pecuniary interest and that he would remain in the Chamber and participate in the debate.

**Cr Brendon North** declared a conflict of interest in Item 7.2 – 'Planning Proposal Secondary Dwellings in Certain Rural Lands', of the Business Paper, for the reason that he owns a decommissioned secondary dwelling that could be recommissioned if the recommendation is adopted by Council. Cr North further stated that this was a pecuniary interest and that he would leave the chamber and not participate in the debate.

#### 5 MAYORAL MINUTE

Nil

#### 6 NOTICE OF MOTION

#### 6.1 QUESTIONS WITH NOTICE

#### **MOTION**

**Moved Cr Impey/Cr Mears** 

That the Questions with Notice be received and noted.

#### 292/24 RESOLVED

#### 6.2 NOTICE OF MOTION - CR STEPHEN MEARS - RAY WALSH HOUSE

#### **MOTION**

#### Moved Cr Mears/Cr Rodda

That in relation to the Notice of Motion "Ray Walsh House", Council:

- (i) resolve to review all options to remediate, or otherwise, Ray Walsh House for the purpose of reoccupation by Council staff and Council operations, if and/or when it is safe to do so;
- (ii) continue to investigate options to improve accommodation for staff over the medium term of up to ten years;
- (iii) request that General Manager develop an options paper that includes all options for the future of Ray Walsh House. This is to include remediation, repurpose, redevelopment or other options for further consideration by Council;
- (iv) that community consultation is entered into relating to all options for Ray Walsh House; and
- (v) the workshops, relating to Ray Walsh House extend invitation to industry professionals with expertise in remediation, building code advisors, renovation and replacement or remediation of all plant and equipment as required.

Nil

COUNCILLORS WHO VOTED FOR

COUNCILLORS WHO VOTED AGAINST

THE DECISION THE DECISION

- 1. Cr Ryan Brooke
- 2. Cr Jeffrey Budd
- 3. Cr Charles Impey
- 4. Cr Stephen Mears
- 5. Cr Brendon North
- 6. Cr Mark Rodda
- 7. Cr Matthew Sharpham
- 8. Cr Marc Sutherland

#### 9. Cr Russell Webb

#### 293/24 RESOLVED

#### 6.3 NOTICE OF MOTION – CR RYAN BROOKE - COUNCIL MEETING VOTES VIA DIVISION

#### **MOTION**

#### Moved Cr Brooke/Cr Impey

That Council amend the Code of Meeting Practice to record all decisions at Council Meetings as a Division.

#### **294/24 RESOLVED**

6.4 NOTICE OF MOTION - CR MARK RODDA - TAMWORTH GLOBAL GATEWAY PARK COMMITTEE

#### **MOTION**

#### Moved Cr Rodda/Cr Mears

That Council establish a Tamworth Global Gateway Park Committee of Councillors and staff to consider, facilitate and provide oversight of operations, investment, maintenance and the sale of properties at the Tamworth Global Gateway Park (TGGP).

#### **MOTION LOST**

COUNCILLORS WHO VOTED FOR	COUNCILLORS WHO VOTED AGAINST	
THE DECISION \	THE DECISION	
1 Cr Ryan Brooke	Cr Jeffrey Budd	
2. Cr Stephen Mears	2. Cr Charles Impey	
3. Cr Mark Rodda	3. Cr Brendon North	
4. Cr Matthew Sharpham	4. Cr Marc Sutherland	
	5. Cr Russell Webb	

#### **295/24 RESOLVED**

#### OPEN COUNCIL REPORTS

#### 7 ENVIRONMENT AND PLANNING

7.1 PROPOSED ROAD NAME FOR APPROVED ARCADIA WEST ENTRANCE DA2023-0212 DURI ROAD, HILLVUE (LOT 6 DP 1211122) - RN2025-0030

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Sam Lobsey, Manager - Development

#### **MOTION**

#### Moved Cr Sutherland/Cr North

That in relation to the report 'Proposed Road Name for Approved Arcadia West Entrance DA2023-0212 Duri Road, Hillvue (Lot 6 DP 1211122) - RN2025-0030', Council:

- (i) approve in principle the road name 'Opal' Way;
- (ii) advertise the proposed road name 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 name, proceed to publish the adopted name in the Government Gazette.

#### **296/24 RESOLVED**

**Cr Brendon North** declared a conflict of interest in this Item of the Business Paper, for the reason that he owns a decommissioned secondary dwelling that could be recommissioned if the recommendation is adopted by Council. Cr North further stated that this was a pecuniary interest and that he would leave the chamber and not participate in the debate.

Cr Brendon North left the Meeting, the time being 7:18pm.

#### 7.2 PLANNING PROPOSAL - SECONDARY DWELLINGS IN CERTAIN RURAL LANDS

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Andrew Spicer, Manager - Future Communities

Mitchell Gillogly, Team Leader - Strategic Planning

Reference: \ Item 7:2 to Ordinary Council 13 August 2024 - Minute

No 201/24

Item 7.1 to Ordinary Council 27 February 2024 - Minute

No 22/24

#### **MOTION**

#### Moved Cr Brooke/Cr Sharpham

That in relation to the report "Planning Proposal - Secondary Dwellings in Certain Rural Lands", Council:

- (i) forward the Planning Proposal to the Department of Planning, Housing and Infrastructure requesting a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979, with the submission to include a request to issue Council with Delegation to be the plan making authority;
- (ii) grant delegation to the Director Liveable Communities to make any necessary changes to the Planning Proposal prior to public exhibition in response to the conditions of the Gateway Determination;
- (iii) publicly exhibit the Planning Proposal in accordance with the Gateway Determination and Council's Community Participation Plan 2019;
- (iv) receive a further report following public exhibition of the Planning Proposal detailing any submissions received; and
- (v) in the event that a Gateway Determination is issued relating to the Planning Proposal – Secondary Dwellings in Certain Rural Lands, amend the Phase 1 Review of the Tamworth Regional Local Environmental Plan 2010 to remove the reference to secondary dwellings permissibility in rural lands to enable the Phase 1 Review to be finalised.

#### **297/24 RESOLVED**

Cr Brendon North returned to the Meeting, the time being 7.19pm.

**Cr Mark Rodda** declared a conflict of interest in this Item of the Business Paper, for the reason that he is an employee of the department of Planning, Housing and Infrastructure. Cr Rodda further stated that this was a less than significant, non-pecuniary interest and that he would remain in the Chamber and participate in the debate.

# 7.3 TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 - DIGITAL TRANSITION OF MAPPING

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Mitchell Gillogly, Team Leader – Strategic Planning

Christopher Faley, Senior Strategic Planner

**MOTION** 

#### Moved Cr Brooke/Cr Sutherland

That in relation to the report "Tamworth Regional Local Environmental Plan 2010 - Digital Transition of Mapping", Council request the Department of Planning, Housing and Infrastructure expedite an amendment to the Tamworth Regional Local Environmental Plan (TRLEP) 2010 in accordance with Section 3.22 of the Environmental Planning and Assessment Act 1979, to transition the TRLEP mapping to the NSW Planning Portal - Digital Environmental Planning Instruments (EPI) Viewer.

#### **298/24 RESOLVED**

7.4 PROPOSED ROAD NAMING FOR STAGE 2 'RUPARI HEIGHTS' SUBDIVISION (NEMINGHA) - RN2025-0027

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: \ \ Sam Lobsey, Manager - Development

MOTION

#### Moved Cr Sutherland/Cr North

That in relation to the report 'Proposed Road Naming for Stage 2 'Rupari Heights' Subdivision (Nemingha), Council:

- (i) approve in principle the road names:
  - a. 'Winners' Close (Nemingha); and
  - b. 'Triumphant' Place (Nemingha);
- (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.

#### 299/24 RESOLVED

#### 8 INFRASTRUCTURE AND SERVICES

Nil

#### 9 GOVERNANCE, STRATEGY AND FINANCE

#### 9.1 CODE OF CONDUCT - PANEL OF CONDUCT REVIEWERS

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

#### **MOTION**

#### **Moved Cr Impey/Cr Sutherland**

That in relation to the report "Code of Conduct - Panel of Conduct Reviewers", Council appoint the following organisations to the panel of conduct reviewers for a term of four years:

- Weir Consulting (National);
- SINC Solutions Pty Ltd;
- Centium Group Pty Ltd;
- Mediate Today Pty Ltd; and
- Nemesis Consulting Group Pty Ltd.

#### 300/24 RESOLVED

#### 9.2 INTEGRATED PLANNING & REPORTING - STATE OF OUR REGION REPORT

DIRECTORATE: OF THE GENERAL MANAGER

AUTHOR: | Karen Litchfield, Acting Executive Manager Strategy &

Performance

#### **MOTION**

#### Moved Cr Sharpham/Cr Sutherland

That in relation to the report "Integrated Planning & Reporting - State of our Region Report", Council note the Integrated Planning and Reporting State of our Region Report.

#### 301/24 RESOLVED

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

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Jodie Archer, Place Manager

**Kay Burnes, Team Leader - Place Management** 

#### **MOTION**

#### Moved Cr Mears/Cr Brooke

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

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

Bendemeer Hall Committee AGM / 23 June 2024

Bendemeer Hall Committee 2024

Dungowan Recreation Ground Committee AGM 7 August 2024

Dungowan Recreation Ground Committee 7 August 2024

Grey Fergie Tractor Muster Committee AGM 31 August 2024

Grey Fergie Tractor Muster Committee 31 August 2024

Loomberah Hall Committee AGM 30 July 2024

Loomberah Hall Committee \ 30 July 2024

Nemingha Hall and Reserve Committee AGM 8 August 2024

Nemingha Hall and Reserve Committee 8 August 2024

Nundle Common Trust 2 September 2024

Somerton War Memorial Hall and Recreation Grounds Committee

24 April 2024

Tamworth Regional Film and Sound Archive Committee AGM

2 July 2024

Tamworth Regional Film and Sound Archive Committee

2 July 2024

Tamworth Regional Film and Sound Archive Committee

17 September 2024;

(ii) appoint the following executive members and members to the Bendemeer Hall Committee as an outcome of the Committee's Annual General Meeting held on 23 June 2024:

Chairperson Edwina Byrne

Deputy Chairperson Kerry Brown

Secretary Carolann Brown

Treasurer Anne Doak

Booking Officer Winston Doak

Members: Louise Brown, Adrienne Jackson, Bradley Hobson, Cody Taylor, Wayne Denholm, Jaki Dressing, Jamie Hook and Kerrie Rule;

- (iii) appoint Adrienne Jackson as Secretary of the Bendemeer Hall Committee as an outcome of its General Meeting held on 23 June 2024;
- (iv) appoint the following executive members and members to the Dungowan Hall Committee as an outcome of the Committee's Annual General Meeting held on 19 August 2024:

Chairperson vacant

Deputy Chairperson Alison Leckie

Secretary Liz Lollback

Assistant Secretary Marie Goodwin

Treasurer Jacqui Gidley-Baird

Booking Officers Marie Goodwin and Alex Steinbeck

Members: Di Brown, Robyn Thompson, John Thompson, Michael Lollback, Wendy McRea, Margaret Brady, Karen Herring and Tracey Crawford;

- (v) appoint Tracey Crawford as Chairperson of the Dungowan Hall Committee as an outcome of its General Meeting held on 19 August 2024;
- (vi) appoint the following executive members and members to the Dungowan Recreation Ground Committee as an outcome of the Committee's Annual General Meeting held on 7 August 2024:

Deputy Chairperson Rob Brady

Secretary and Booking Officer Suzanne O'Keeffe

\Treasurer\ \ Peter O'Keeffe

Members: Ian Pittman, Tony McClelland, Chris Hague, Paul Cox, Dungowan Rural Fire Service - Jack Hahn and Peter McKenzie, Dungowan Hall Trust - John Thompson, Dungowan Rugby League Football Club - Robert Brady, Progress Association - Tony Mumford, Cricket Club - John Trickett and Ian Cooper;

(vii) appoint the following executive members and members to the Grey Fergie Tractor Muster Committee as an outcome of the Committee's Annual General Meeting held on 31 August 2024:

Chairperson Winston Doak

Secretary Anne Doak

Treasurer Greg Offord

Members: Jaki Dressing, Steve Payne, Michael Breedon, Fiona Stanford and Verity Treeve;

- (viii) appoint Dave Axon as a member of the Chairperson of the Grey Fergie Tractor Muster Committee as an outcome of its General Meeting held on 31 August 2024:
- (ix) appoint the following executive members and members to the Loomberah Hall Committee as an outcome of the Committee's Annual General Meeting held on

30 July 2024:

Chairperson Liz Blackburn

Deputy Chairperson Rachel Tongue

Secretary Kate Ponto

Treasurer Tanya McKnight

Booking Officer Karlie Tongue

Members: Ian Pittman, Trish Moore, Janelle Tongue and Matilda Croser;

(x) appoint the following executive members and members to the Nemingha Hall and Reserve Committee as an outcome of the Committee's Annual General Meeting held on 8 August 2024:

Chairperson Angus Newcombe

Deputy Chairperson Steven Hawkins

Treasurer vacant

Booking Officer Kev Squires

Members: Tamworth Radio Control Car Club- Bronwyn Fullford, Bush Cricket Club - Daniel Everingham, Cheryl Parker, Gab squires and Matthew Brock;

(xi) appoint Cheryl Parker as Treasurer of the Nemingha Hall and Reserve Committee as an outcome of its General Meeting held on 8 August 2024;

(xii) appoint the following executive members and members to the Tamworth Regional Film and Sound Archive Committee as an outcome of the Committee's Annual General Meeting held on 2 July 2024:

Chairperson vacant

Deputy Chairperson Vic Kolesnikoff

Secretary Ces Ledwos

Treasurer Miranda Heckenberg

Communications Officer/Social Media Administrator Vic Kolesnikoff

Information Technology Officer Allan Alderson

Members: Ian Austin, Dan Alderson and Robyn Byrnes;

(xiii) accept the resignation of Trish Cunningham from the Tamworth Regional Film and Sound Archive Committee as an outcome of its General Meeting held on 17 September 2024; and

(xiv) appoint John Vickery as Chairperson to the Tamworth Regional Film and Sound Archive Committee as an outcome of its General Meeting held on 17 September 2024.

302/24 RESOLVED

#### 9.4 2024/2025 FACILITY IMPROVEMENT FUND PROGRAM

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Jodie Archer, Place Manager

#### **MOTION**

#### **Moved Cr North/Cr Brooke**

That in relation to the report "2024/2025 Facility Improvement Fund", Council approve the following funding allocations to the total of \$19,324.25:

Barraba Showground Committee

Barraba Showground Sheep Pavilion Roof Replacement

Stage 1;

\$10,000.00

Kootingal Recreational Reserve Committee
 Irrigation Refurbishment;

\$2,567.25

Weabonga Hall and Recreation Reserve Local Committee

Recreation Ground Improvements; and

\$3,757.00

Woolbrook Hall and Park Committee

Upgrade of seating for Woolbrook AIF Hall

\$3,000.00

#### 303/24 RESOLVED

# 9.5 COUNCIL REGISTER OF SPECIAL PURPOSE COMMITTEES, WORKING GROUPS, EXTERNAL BOARDS AND ORGANISATIONS

**DIRECTORATE:** 

OFFICE OF THE GENERAL MANAGER

**AUTHOR:** 

Lisa May, Coordinator Governance and Executive

**Services** 

#### **MOTION**

#### Moved Cr Webb/Cr Impey

That in relation to the report "Council Register of Special Purpose Committees, Working Groups, External Boards and Organisations", Council:

- (i) determine that the status quo remain, except where vacancies currently exist, and that Councillors be appointed as delegates or representatives for the ensuing 12 month term as detailed and documented ATTACHED refer ANNEXURE 1;
- (ii) approve the amendments Register for Council's Special Purposes Committees, Working Groups, External Boards and Organisations as detailed in the report below; and
- (iii) request a review of the Terms of Reference for all Committees where the Councillor membership has changed and refer the Terms of Reference to Council for approval.
- (iv) Councillor Mark Rodda fill the vacancy on the General Manager Review Committee.

#### **AMENDMENT**

#### Moved Cr Rodda/Cr Mears

That in relation to the report "Council Register of Special Purpose Committees, Working Groups, External Boards and Organisations", Council:

- (i) determine that the status quo remain, except where vacancies currently exist, and that Councillors be appointed as delegates or representatives for the ensuing 12 month term as detailed and documented ATTACHED refer ANNEXURE 1;
- (ii) approve the amendments Register for Council's Special Purposes Committees, Working Groups, External Boards and Organisations as detailed in the report below; and
- (iii) request a review of the Terms of Reference for all Committees where the Councillor membership has changed and refer the Terms of Reference to Council for approval.
- (iv) that the General Managers Review Panel consist of all Councillors

#### **AMENDMENT LOST**

COUNCILLORS WHO VOTED AGAINST
THE DECISION
1. Cr Jeffrey Budd
2. Cr Charles Impey
3. Cr Brendon North
4. Cr Marc Sutherland
5. Cr Russell Webb

#### THE ORIGINAL MOTION STANDS

#### 304/24 RESOLVED

#### 9.6 2024 National Roads, Transport and Infrastructure Congress

DIRECTORATE: OFFICE OF THE GENERAL MANAGER

AUTHOR: Lisa May, Coordinator Governance and Executive

**Services** 

#### **MOTION**

#### **Moved Cr North/Cr Sutherland**

That in relation to the report "2024 National Roads, Transport and Infrastructure Congress", Council nominate Mayor Russell Webb and Councillor Brendon North to attend the Conference to be held in Margaret River 3-4 December 2024.

#### 305/24 RESOLVED

#### 10 COMMUNITY SERVICES

Nil

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

At 7.47pm, 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 Mears/Cr Brooke

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.

#### 306/24 RESOLVED

#### **TENDER REGPRO222425 - LINEMARKING**

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager - 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.

#### 12 CLOSED COUNCIL REPORTS

#### 12.1 TENDER REGPRO222425 - LINEMARKING

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Murray Russell, Manager - Operations

#### **MOTION**

#### Moved Cr Mears/Cr Brooke

That in relation to the report "Tender REGPRO222425 - Linemarking", Council:

- approve that the submissions from the following companies be awarded this contract:
  - J&M Road Marking Specialists Pty Ltd;
  - Allstate Linemarking Services Pty Ltd;
  - Oz Linemarking NSW Pty Ltd;
  - Complete Linemarking Pty Ltd; and
  - Jenalad Pty Ltd t/a Whiteline Road Services;
- (ii) approve that provision be allowed for a 12 month extension at Council's

discretion, based on satisfactory supplier performance which may extend the contract to 30 September 2027; and

(iii) authorise the affixing of the Seal of Council to the contract.

#### 307/24 RESOLVED

#### 13 RESOLUTIONS PASSED IN CLOSED COUNCIL

#### **MOTION**

#### Moved Cr Sutherland/Cr Rodda

That Council move into Open Council.

#### 308/24 RESOLVED

At 7.52pm 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 7.52pm

Cr Russell Webb, Chairperson Tuesday, 26 November 2024

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