

TAMWORTH REGIONAL COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **Meeting of Tamworth Regional Council** will be held in the **Council Chambers**, **Lands Building**, **25-27 Fitzroy Street**, **Tamworth**, commencing at **6.30pm**.

ORDINARY COUNCIL AGENDA

11 NOVEMBER 2025

PAUL BENNETT GENERAL MANAGER

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Council

Meeting Date: 2nd and 4th Tuesday of the month commencing at 6:30pm.

Matters determined by Ordinary meetings will include all those non-delegable functions identified in Section 377 of the Local Government Act as follows:

- "the appointment of a general manager
- the making of a rate
- a determination under section 549 as to the levying of a rate
- the making of a charge
- the fixing of a fee
- the borrowing of money
- the voting of money for expenditure on its works, services or operations
- the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)
- the acceptance of tenders which are required under this Act to be invited by the council
- the adoption of an operational plan under section 405
- the adoption of a financial statement included in an annual financial report
- a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
- the fixing of an amount or rate for the carrying out by the council of work on private land
- the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work
- the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979
- the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194
- a decision under section 356 to contribute money or otherwise grant financial assistance to persons
- the making of an application, or the giving of a notice, to the Governor or Minister
- this power of delegation
- any function under this or any other Act that is expressly required to be exercised by resolution of the council."

Other matters and functions determined by Ordinary Council Meetings will include:

- Notices of Motion
- Notices of Motion of Rescission
- Council Elections, Polls, Constitutional Referendums and Public Hearings/Inquiries
- Ministerial Committees and Inquiries
- Mayor and Councillors Annual Fees
- Payment of Expenses and Provision of Facilities to Mayor and Councillors
- Local Government Remuneration Tribunal
- Local Government Boundaries
- NSW Ombudsman
- Administrative Decisions Tribunal
- Delegation of Functions by the Minister
- Delegation of Functions to General Manager and Principal Committees
- Organisation Structure
- Code of Conduct
- Code of Meeting Practice
- Honesty and Disclosure of Interests
- Access to Information
- Protection of Privacy
- Enforcement Functions (statutory breaches/prosecutions/recovery of rates)
- Dispute Resolution
- Council Land and Property Development
- Annual Financial Reports, Auditors Reports, Annual Reports and Statement of the Environment Reports
- Performance of the General Manager
- Equal Employment Opportunity
- Powers of Entry
- Liability and Insurance
- Membership of Organisations

Membership: **All Councillors** Quorum: **Five members** Chairperson: The Mayor **Deputy Chairperson:** The Deputy Mayor

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Community Consultation Policy

The first 30 minutes of Open Council Meetings is available for members of the Public to address the Council Meeting or submit questions either verbally or in writing, on matters INCLUDED in the Business Paper for the Meeting.

Members of the public will be permitted a maximum of three minutes to address the Council Meeting. An extension of time may be granted if deemed necessary.

Members of the public seeking to represent or speak on behalf of a third party must satisfy the Council or Committee Meeting that he or she has the authority to represent or speak on behalf of the third party.

Members of the public wishing to address Council Meetings are requested to contact Council either by telephone, in person or online prior to 4:30pm the day prior to the Meeting to address the Council Meeting. Persons not registered to speak will not be able to address Council at the Meeting.

Council will only permit three speakers in support and three speakers in opposition to a recommendation contained in the Business Paper. If there are more than three speakers, Council's Governance division will contact all registered speakers to determine who will address Council. In relation to a Development Application, the applicant will be reserved a position to speak.

Members of the public will not be permitted to raise matters or provide information which involves:

- personnel matters concerning particular individuals (other than Councillors);
- personal hardship of any resident or ratepayer;
- 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, or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret:
- information that would, if disclosed prejudice the maintenance of law;
- matters affecting the security of the Council, Councillors, Council staff or Council property;
- advice concerning litigation or advice that would otherwise be privileged form production in legal proceedings on the ground of legal professional privilege;
- information concerning the nature and location of a place or an item of Aboriginal significance on community land;
- alleged contraventions of any Code of Conduct requirements applicable under Section 440; or
- on balance, be contrary to the public interest.

Members of the public will not be permitted to use Community Consultation to abuse, vilify, insult, threaten, intimidate or harass Councillors, Council staff or other members of the public. Conduct of this nature will be deemed to be an act of disorder and the person engaging in such behaviour will be ruled out of the order and may be expelled.

Disclosure of Political Donations or Gifts

If you have made a relevant planning application to Council which is listed for determination on the Council Business Paper you must disclose any political donation or gift made to any councillor or employee of the Council within the period commencing two years before the application is made and ending when the application is determined (Section 147(4) Environmental Planning and Assessment Act 1979).

If you have made a relevant public submission to Council in relation to a relevant planning application which is listed for determination on the Council Business Paper you must disclose any political donation or gifts made to any councillor or employee of the Council by you as the person making the submission or any associate within the period commencing two years before the submission is made and ending when the application is determined (Section 147(5) Environmental Planning and Assessment Act 1979).

AGENDA

- 1 APOLOGIES AND LEAVE OF ABSENCE
- 2 COMMUNITY CONSULTATION
- 3 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

RECOMMENDATION

That the Minutes of the Ordinary Meeting held on Tuesday, 28 October 2025, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

4 DISCLOSURE OF INTEREST

Pecuniary Interest

Non Pecuniary Conflict of Interest

Political Donations

5 MAYORAL MINUTE

Nil

6 NOTICE OF MOTION

Nil

OPEN COUNCIL REPORTS

- 7 ENVIRONMENT AND PLANNING
- 7.1 AMENDMENT TO THE TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 PLANNING PROPOSAL SECONDARY DWELLINGS IN CERTAIN RURAL LANDS

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Mitchell Gillogly, Team Leader – Strategic Planning

Reference: Item 7.2 to Ordinary Council 12 November 2024 - Minute No

297/24

6 ANNEXURES ATTACHED

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report "Amendment to the Tamworth Regional Local Environmental Plan 2010 - Planning Proposal - Secondary Dwellings in Certain Rural Lands", Council:

(i) approve the proposed changes to the Planning Proposal – Secondary Dwellings in Certain Rural Lands as detailed in this report;

- (ii) adopt the proposed amendments to the Tamworth Regional Local Environmental Plan 2010 in accordance with the Planning Proposal Secondary Dwellings in Certain Rural Lands; and
- (iii) exercise the plan-making authority functions as authorised by the Gateway Determination under Section 3.36 of the Environmental Planning and Assessment Act 1979, to amend the Tamworth Regional Local Environmental Plan 2010.

SUMMARY

The purpose of this report is to seek a resolution of Council to proceed to amend the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)* in accordance with the *Planning Proposal - Secondary Dwellings in Certain Rural Lands* (Planning Proposal) including the proposed amendments recommended in this report.

The Planning Proposal has been publicly exhibited and State agency consultation has been undertaken. The proposed amendments have been considered in light of comments received and some changes are proposed as detailed in this report.

Council has been authorised as the local plan-making authority under Section 3.36 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* to amend the *TRLEP 2010.* This means that Council has delegation from the Department of Planning, Housing and Infrastructure (DPHI) to make the amendments to the Local Environmental Plan.

COMMENTARY

Background

The process to permit secondary dwellings in certain rural lands commenced with the Review of the TRLEP 2010 - Phase 1 Planning Proposal 2024 (Phase 1 Planning Proposal). Due to timeframe delays outside of Council's control subsequent amendments have been undertaken and a new Planning Proposal - Secondary Dwellings in Certain Rural Lands (Planning Proposal) has been prepared for consideration.

A timeline of key events and outcomes is shown in **Table 1**.

	Table 1 - Timeline of key events and outcomes				
Date	Event / Decision	Outcome / Significance			
27 February 2024	Council Meeting – Prepare the Phase 1 Planning Proposal and forward to Department of Planning, Housing and Infrastructure (DPHI).	Council resolved to prepare the Phase 1 Planning Proposal and undertake public exhibition.			
28 March 2024	Submission to DPHI for a Gateway Determination.	Phase 1 Planning Proposal formally submitted seeking a Gateway Determination.			
28 May 2024	Gateway Determination Issued.	DPHI approved the Phase 1 Planning Proposal to proceed to public exhibition, subject to conditions. This included permitting secondary dwellings on all rural zoned land.			

13 August 2024	Council Meeting – Post Exhibition - Phase 1 Planning Proposal.	Recommendation to adopt the amended Phase 1 Planning Proposal and proceed to finalisation under delegated plan-making powers. The Planning Proposal was amended to only permit secondary dwellings in RU1 and RU4 zones outside the proposed Namoi Regional Jobs Precinct (RJP). This was based on state agency consultation.
12 November 2024	Council Meeting - Amend Phase 1 Planning Proposal and prepare separate Planning Proposal - Secondary Dwellings in Certain Rural Lands.	Council resolved to remove the secondary dwelling component from the Phase 1 Planning Proposal and prepare a standalone Planning Proposal – Secondary Dwellings in Certain Rural Lands. This was in consideration of the uncertainty regarding the timeframe for public exhibition of the proposed Namoi RJP.
21 November 2024	Submission to DPHI for a Gateway Determination.	Planning Proposal - Secondary Dwellings in Certain Rural Lands formally submitted seeking a Gateway Determination.
18 December 2024	Gateway Determination Issued.	DPHI approved the Planning Proposal - Secondary Dwellings in Certain Rural Lands to proceed to public exhibition, subject to conditions.
7 March 2025	First Gateway Alteration issued by DPHI.	DPHI approved a Gateway Alteration for Planning Proposal – Secondary Dwellings in Certain Rural Lands to extend the required exhibition date until May 2025 to coincide with the draft Tamworth Regional Rural Land Strategy exhibition.
5 May – 5 June 2025	Public Exhibition Period.	Planning Proposal – Secondary Dwellings in Certain Rural Lands exhibited via the NSW Planning Portal. Community consultation included digital/print/social media and community information sessions held across Tamworth, Kootingal, Nundle, Barraba, and Manilla. Exhibition occurred concurrently with the
		draft Tamworth Regional Rural Lands Strategy.

May–June 2025	State agency consultation.	Government agencies consulted (refer to Table 3 of this report). Responses led to refinement of secondary dwelling inclusion mapping for the Planning Proposal – Secondary Dwellings in Certain Rural Lands .
16 May 2025	Phase 1 Planning Proposal published on the NSW Legislation website.	Broader LEP review changes under the Phase 1 Planning Proposal formally incorporated into <i>TRLEP 2010</i> .
1 September 2025	Second Gateway Alteration issued by DPHI.	DPHI approved a Gateway Alteration for Planning Proposal – Secondary Dwellings in Certain Rural Lands for an extension of time to complete the planning proposal.
11 November 2025	Council Report – Post Exhibition.	Recommendation to adopt the amended Planning Proposal – Secondary Dwellings in Certain Rural Lands and proceed to finalisation under delegated plan-making powers.

The Gateway Determination and DPHI cover letter to Council for the *Planning Proposal – Secondary Dwellings in Certain Rural Lands* are **ATTACHED**, refer **ANNEXURE 1**.

The Gateway Alterations and cover letter to Council for the *Planning Proposal* – Secondary *Dwellings in Certain Rural Lands* are **ATTACHED**, refer **ANNEXURE 2**.

Community Consultation

The Planning Proposal was placed on public exhibition via the NSW Planning Portal from 5 May to 5 June 2025. This occurred concurrently with the public exhibition of the draft Tamworth Regional Rural Lands Strategy.

Community Consultation included digital/print media (Facebook/Community Group newsletters), radio, television and Council's website.

Community Information Sessions were held in Tamworth and surrounds as identified in **Table 1**:

Table 1 – Community Information Sessions			
Date	Location	Event/Audience	
15/05/2025	Denman Ave, Kootingal	Kootingal community	
17/05/2025	Jenkins Street, Nundle	Nundle community	
15/05/2025	Fitzroy Street	Tamworth community	
17/05/2025	Queen Street, Barraba	Barraba community	

17/05/2025 Manilla Street, Manilla Manilla community
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Online submissions were invited using the Council 'Have Your Say' portal which was linked to the NSW Planning Portal where the submissions were formally recorded.

The 'Have Your Say' Statistics and Analysis is **ATTACHED**, refer **ANNEXURE 3**.

Community Feedback

A total of 11 public submissions were received during the public exhibition period.

Table 2 provides a response to the submissions and any amendments required to the Phase 1 Planning Proposal.

Copies of the full public submissions, are **ENCLOSED** for the information of Councillors, refer **CONFIDENTIAL ENCLOSURE 1**.

Teler CONFIDENTIAL ENCLOSURE 1.					
Table 2 – Issues R	Table 2 – Issues Raised in Submissions				
Submission (No. Submissions)	Council Response	Potential Change/s to Planning Proposal			
Support permitting secondary dwellings in certain rural areas. (seven)	Support noted.	Nil			
Does not support secondary dwellings within the proposed Namoi Regional Jobs Precinct. (three)	The Planning Proposal excludes the proposed Namoi Regional Jobs Precinct. Therefore, secondary dwellings will continue to be prohibited in this area.	Nil			
Requirements on maximum size and distance from principal dwelling (five)	Submissions raised concerns that the existing size and placement requirements under clause 5.5 of the TRLEP 2010 are inflexible and should be removed. Clause 5.5 nominates the following requirements; The maximum size of a secondary dwelling, being 130m2 or 25% of the total floor area of the principal dwelling is too restrictive; and The requirement for a secondary dwelling to be no more than 100m from the principal dwelling is too restrictive.	Nil			

	The intent of size and placement requirements is to minimise land use conflicts while providing an avenue for land owners to provide additional accommodation. The principal purpose of the rural zones is to sustain and protect agricultural pursuits, therefore any proposal which potentially introduces additional sensitive receivers (secondary dwellings) needs to be carefully considered to ensure they do not impact on the ability of adjoining landowners to carry out agricultural pursuits. It is considered the size and placement requirements are reasonable and no change is proposed as part of this Planning Proposal.	
Lot sizes should be reduced in rural areas (one)	The submission raised that minimum lot sizes in rural areas should be reduced to be able to encourage additional housing rather than only allowing secondary dwellings. This submission is noted, however is outside of the scope of this Planning Proposal.	Nil

Consultation and submissions from public authorities and government agencies

Council consulted with the public authorities and government agencies listed in the Gateway Determination and identified in **Table 3**. Agencies were provided with 30 working days (six weeks) to respond.

Table 3 - Public authority and government agency consultation			
Public authorities and government agencies consulted	Response received (Y/N)		
Department of Climate Change, Energy, the Environment and Water – Heritage NSW	Υ		
Department of Primary Industries and Regional Development - Agriculture	Υ		
Airservices Australia	N		
Civil Aviation Safety Authority	Υ		
Tamworth Airport Manager	Υ		
NSW Rural Fire Service	Υ		
Department of Climate Change, Energy, the Environment and Water - Conservation Programs, Heritage and	Υ		

Regulation Group	
Department of Primary Industries and Regional Development	Υ
NSW Environment Protection Authority	Υ
Transport for NSW	Υ

A detailed analysis of the public authority and government agency submissions, including the Council response, is **ATTACHED**, refer **ANNEXURE 4**. Copies of the public authority and government agency submissions are **ATTACHED**, refer **ANNEXURE 5**.

There were several stand out issues identified as shown in **Table 4**. Importantly, **Table 4** does not cover all the issues in detail nor serve to replace the analysis in the **ATTACHED**, refer **ANNEXURE 4**.

	Table 4 – Key themes raised in public authority and government agency submissions		
The	me	Council Comment	
1.	Protection of agricultural land: Concerns raised that permitting secondary dwellings in rural zones may increase land-use conflict by providing additional housing in company with agricultural practices.	Council acknowledges the need to protect high-value agricultural land and confirms that the planning proposal has been carefully designed to avoid potential impacts on productive farmland. Secondary dwellings are proposed only in suitable areas of the RU1 Primary Production and RU4 Primary Production Small Lots zones, expressly excluding the proposed Namoi Regional Jobs Precinct (RJP). These dwellings will not create additional land titles or subdivision opportunities, ensuring no fragmentation of rural land. The size and placement of secondary dwellings in relation to the primary dwelling will be restricted by clause 5.5 of the <i>TRLEP 2010</i> and be subject to a merit assessment as part of the development assessment process. By supporting family succession and on-farm accommodation, the proposal strengthens agricultural resilience rather than diminishing it.	
2.	Heritage: Potential impact on Aboriginal heritage and Local and State heritage listed items.	This Planning Proposal includes a significant portion of the rural lands in the Tamworth LGA, therefore it is not considered practicable to undertake a LGA wide Aboriginal Cultural Heritage Assessment Report or Statement of Heritage Impact.	

		It is considered that any Development Application for a secondary dwelling will be subject to a merit assessment, which will include consideration of any impact on Aboriginal cultural values and Local or State heritage listed items.
3.	Biodiversity: There will likely be an increase in development applications for secondary dwellings where native vegetation will be cleared.	Any Development Application for a secondary dwelling will be subject to a merit assessment. This will involve consideration of the impact on biodiversity. Furthermore, the Planning Proposal excludes the Conservation zones which have high value biodiversity values.

Amendments to the exhibited version of the Planning Proposal

Following consultation with government agencies and public authorities, the secondary dwelling inclusion area map has been amended in response to a submission from the NSW Environment Protection Authority (NSW EPA). The submission noted that by identifying potential conflicts early this can help protect existing operations and future residents. Many scheduled activities occur in rural land such as large-scale poultry farms, feedlots, quarries, mines and treatment facilities to name a few. In this regard, Development Applications must consider any existing nearby scheduled activity as part of the merit assessment process to determine if the new development is appropriate.

Upon further analysis, the cluster of scheduled activities in Glen Artney and Westdale have been identified as an area of potential land use conflicts if additional sensitive receivers are permitted under the planning proposal. These scheduled activities include the abattoirs, earthmoving business and Westdale Sewerage Treatment Plant.

Therefore, the secondary dwelling inclusion map has been amended to exclude areas around the abattoirs and Westdale Sewerage Treatment Plant (200m buffer from lot boundary) to protect receivers/residents from land use conflicts, protect industry from possible encroachment or limitations, and ensure compliance with regulatory requirements.

A comparison of the public exhibition Secondary Dwelling Inclusion Map and post exhibition map is shown in **Figures 1** and **2** below.



Figure 1 – Exhibited Secondary dwelling inclusion map



Figure 2 – Post exhibition mapping amendment.

In addition, Lot 777 DP 1158251 (circled red) has been removed as this lot has been rezoned from RU4 – Primary Production Small Lots to R1 – General Residential as part of the Stratheden residential estate in the time since exhibition of the Planning Proposal.

Section 9.1 Ministerial Directions

In the letter from the DPHI accompanying the Gateway Determination **ATTACHED**, refer **ANNEXURE 1**, two Section 9.1 Ministerial Directions were identified as remaining unresolved due to the inconsistency of the Planning Proposal. The two areas were specified as relating to Direction 4.3 Planning for Bushfire Protection and Direction 5.3 Development Near Regulated Airports and Defence Fields. These are discussed in greater detail in **Table 5**:

Table 5 – Inconsis	Table 5 – Inconsistency with Section 9.1 Ministerial Directions				
Section 9.1 Direction	Council Comments				
Direction 4.3 Planning for Bush Fire	This Direction applies to all local government areas where a planning proposal will affect, or is in proximity to, land mapped as bushfire prone land.				
Protection	This Planning Proposal seeks to permit secondary dwellings in certain areas of the RU1 – Primary Production and RU4 - Primary Production Small Lots zones. A significant portion of these lands are likely mapped as bushfire prone land.				
	Consultation has been undertaken with the NSW Rural Fire Service (NSW RFS) in accordance with the Gateway Determination.				
	The NSW Rural Fire Service considered PP-2024-2541 and stated in its response:				
	"Future dwellings will require development consent. Where on mapped bushfire prone land, dwelling(s) will be required to satisfy the requirements of Planning for Bushfire Protection guidelines."				
	The above would be standard practice as part of the development application process. Therefore, in accordance with the Gateway Determination, Council has been advised of the DPHI Secretary's agreement to the inconsistency with Direction 4.3 Planning for Bushfire Protection.				
Direction 5.3 Development Near Regulated Airports and	This Direction applies to all local government areas where a planning proposal will create, alter or remove a zone or provision relating to land near a regulated airport. The Tamworth Regional Airport is a regulated airport.				
Defence Fields	This Planning Proposal seeks to permit secondary dwellings on certain lands adjacent and in proximity to the Tamworth Regional Airport.				
	The Civil Aviation and Safety Authority (CASA), Airservices Australia and Manager of the Tamworth Regional Airport were consulted in accordance with the Gateway Determination.				

Neither CASA nor the Manager of the Tamworth Regional Airport raised objections as future secondary dwellings would be subject to a merit assessment. No response was received from Airservices Australia.

In accordance with the Gateway Determination, Council has been advised of the DPHI Secretary's agreement to the inconsistency with Direction 5.3 Development Near Regulated Airports and Defence Fields

Conclusion

This Planning Proposal supports sustainable rural growth by allowing secondary dwellings in selected RU1 and RU4 zones, excluding high-value agricultural land and the proposed Namoi Regional Jobs Precinct. It aligns with *Blueprint 100*, the *Tamworth Regional Housing Strategy 2024*, and the *New England North West Regional Plan 2041* by promoting housing diversity, ageing in place, and rural succession planning. The proposal balances housing needs with agricultural protection, minimising land use conflict through clear planning controls. Overall, it strengthens community resilience, supports local families, and encourages sustainable development across the Tamworth region while preserving the area's agricultural productivity and rural character.

It is recommended that Council adopt the amended Planning Proposal including the amendments outlined in this report. The finalised Planning Proposal is **ATTACHED**, refer **ANNEXURE 6**. It is further recommended that the amended Planning Proposal be forwarded to the NSW Parliamentary Counsel and Department of Planning, Housing and Infrastructure for finalisation and that Council proceeds to make the amendment to the *TRLEP 2010* under delegated authority.

(a) Policy Implications

The review of the *Tamworth Regional Local Environmental Plan 2010* is a direct action of the *Tamworth Regional Blueprint 100 Part One, Blueprint 100 Part Two: Local Strategic Planning Statement 2020 and Blueprint 100 Delivery Plan 2023-2025.* The contents of the draft *Planning Proposal - Secondary Dwellings in Certain Rural Lands* are consistent with the outcomes identified within Blueprint 100.

(b) Financial Implications

Nil

(c) Legal Implications

The Planning Proposal will result in an amendment to Council's statutory planning instrument, the *TRLEP 2010*, and will affect the legal use of land in certain areas of the RU1 – Primary Production and RU4 - Primary Production Small Lots zones.

(d) Community Consultation

Extensive landowner, community and Government agency consultation has been undertaken in connection with the exhibition of the Planning Proposal as outlined in the body of the report.

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable Built Environment

Focus Area 3 – Prosperity and Innovation

Focus Area 9 - Open and Collaborative Leadership

7.2 EXHIBITION OF THE TAMWORTH REGIONAL COUNCIL DEVELOPMENT CONTROL PLAN 2010 – SITE-SPECIFIC STRATHEDEN RESIDENTIAL PRECINCT, OXLEY VALE

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Dan Whale, Senior Development Assessment Planner

Reference: Item 7.1 to Ordinary Council 23 November 2021 - Minute No.

333/21

Item 7.1 to Ordinary Council 11 April 2023 - Minute No. 69/23

1 ANNEXURES ATTACHED

GENERAL MANAGER'S ADVISORY NOTE TO:

Councillors

Applicants

Persons making public submissions (written or verbal) Members of the Public

Record (Division) of Voting

In accordance with Section 375A(3) of the Local Government Act 1993, a Division is required to be called whenever a motion for a planning decision is put at a meeting of the Council or a Council Committee.

A DIVISION under Section 375A(3) of the Act is required on this Planning Application.

Relevant Planning Application

In accordance with Section 10.4(4) of the Environmental Planning and Assessment Act 1979, a person who makes a relevant planning application to Council is required to disclose the following reportable political donations and gifts (if any) made by a person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of the Council;
- (b) all gifts made to any local councillor or employee of the Council.

Relevant Public Submission

In accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979, a person who makes a relevant public submission to Council in relation to a relevant planning application made to the Council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing two years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of the Council;
- (b) all gifts made to any local councillor or employee of the Council.

Disclosure of Reportable Political Donations and Gifts

Planning Applications

Nil

Public Submissions

Nil

RECOMMENDATION

That in relation to the report "Exhibition of the Tamworth Regional Council Development Control Plan 2010 – Site-Specific Stratheden Residential Precinct, Oxley

Vale", Council:

- (i) approve the public exhibition of the draft site-specific development controls for the Stratheden Precinct, Oxley Vale for a period of not less than 28 days in accordance with Division 2 of the Environmental Planning and Assessment Regulation 2021; and
- (ii) note that a subsequent report will be presented to a future meeting of Council detailing the outcomes of the public exhibition process.

SUMMARY

The Tamworth Regional Development Control Plan 2010, (TRDCP) was adopted by Council on 12 October 2010, and became effective from the gazettal of the Tamworth Regional Local Environmental Plan 2010 (TRLEP) on 21 January 2011.

This report seeks a resolution of Council to proceed to public exhibition of the draft Site-Specific Development Controls for the Stratheden Residential Precinct. The draft development controls provide specific land-use guidelines for the future development of the site and are underpinned by a structure plan that provides and encourages high quality design and housing diversity.

COMMENTARY

Tamworth Regional Council - Blueprint 100

The basis for land use planning of the Stratheden Precinct has been established by the Blueprint 100 process which includes in Part 2 Council's adopted Local Strategic Planning Statement (LSPS). Stratheden is specifically referenced in Blueprint 100 as a major site for the residential accommodation of the growing population of Tamworth and the wider region. The priority themes of Blueprint 100 have been considered as part of the planning proposal process, and the precinct aligns with Blueprint 100 in the following manner:

- providing a more diverse range of housing choices for varying demographics;
- increasing affordability by promoting a mixture of lot sizes and housing types;
- supporting residential expansion in "Stratheden" (Action 2.1.2);
- influencing developers at the early stages of their master planning (Action 6.2.3);
- including urban design measures that control and manage stormwater (Action 6.2.1);
- encouraging one and two-bedroom units in nominated medium density areas (Compact Lots);
- protecting and supporting our natural environment and resources through responsive initiatives and development practices;
- promotion of walking and cycling paths throughout the "Stratheden" Precinct; and
- promoting a compact urban growth area to ensure easy access to essential facilities, efficient delivery of infrastructure and protection of environmental lands.

The planning proposal is therefore consistent with the objectives of Blueprint 100 Part 1 and Blueprint 100 Part 2 – Tamworth Regional LSPS.

Background

Extensive planning has been undertaken for the Stratheden Precinct and wider locality. These include studies that have underpinned earlier rezoning as well as recent structure and infrastructure planning for the area, including the development of site-specific development controls. The land is currently zoned for residential purposes, namely R1 – General Residential and R2 – Low Density Residential. The Stratheden Precinct is shown in Figure 1.

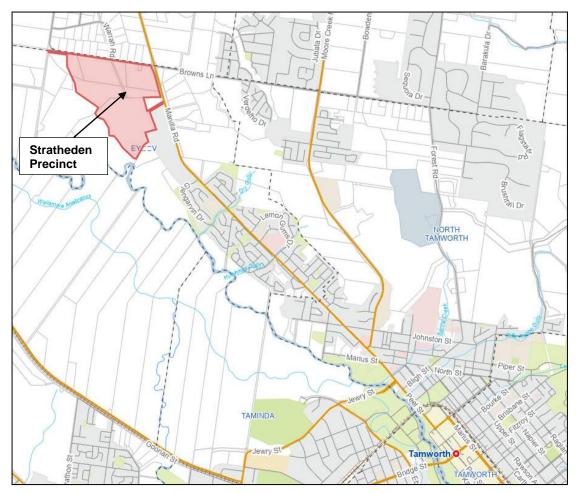


Figure 1: "Stratheden" Precinct

The site was originally rezoned by the publication of Amendment No. 26 to the TRLEP on the NSW Legislation website on 2 June 2023. Extensive community consultation was undertaken in association with the public exhibition of the rezoning prior to adoption by Council.

Council initiated additional investigations and "charrette" workshops with the land owners and stakeholders to develop a structure plan which addresses housing diversity, urban design, stormwater management, road and subdivision design and dwelling density targets.

Based on the development of the structure plan, a Planning Proposal for the Stratheden Precinct was reported to the Ordinary Council Meeting on 23 November 2021, with a resolution to obtain a 'Gateway Determination' from the Department of Planning, Industry and Environment (DPIE). The Planning Proposal sought to amend the TRLEP to support the outcomes of the "charrette" workshops by enabling an increase in housing density and diversity, residential amenity and supporting the needs of future residents.

The subject site is identified as a key future residential release area in the New England North West Regional Plan (NENWRP) 2036, Blueprint 100 Part 1 and Blueprint 100 Part 2 which is the Tamworth Regional LSPS 2020.

As a result, the proposed site-specific development controls have strategic alignment with both Tamworth Regional Council's principal land use planning strategies and the Regional Plan.

Proposed Amendments to Site-Specific Development Controls

The objectives of the draft development controls are to promote a mixture of lot sizes and housing types, incorporate high quality urban design principles, and improve the management of stormwater and natural amenity within the drainage reserve corridor.

Based on these objectives, the key amendments proposed to the current DCP are:

Desired Future Character Statements

• Introduction of *Desired Future Character Statements* which are designed to provide objectives for the future development of the Stratheden Precinct and to emphasise the importance of housing diversity, high quality urban design principles and enhancement of the drainage reserve corridor.

High Quality Urban Design

- Preparation of a structure plan that incorporates principles of high quality urban design as they relate to lot orientation, road layout, street amentity, design standards for buildings and linkages between the built form and quality public open space.
- Inclusion of the draft Structure Plan documents and other supporting diagrams to provide clear and concise information on how to apply the controls and to reduce ambiguity.

Dwelling Density Requirements

 Requirement for a minimum net residential density of 10 dwellings per hectare to be implemented for the R1 zoned area of the site and a minimum net residential density of two dwellings per hectare for the R2 zoned land. These dwelling density targets aim to promote the development of a mixture of housing typology and lot sizes while ensuring lot yield is aligned with infrastructure provisioning. This will be enforced through the draft Development Controls and by a new clause and a dwelling density map in the TRLEP.

Compact Lots

Inclusion of specific controls relating to medium density development located in the identified "compact lots" area in the draft Structure Plan. These include the relaxation of some planning controls in order to facilitate the development of medium density development in these areas. Compact lots (250m² – 600m²) have specifically been identified around high amenity areas, such as the public open spaces and the drainage reserve corridor.

Natural Amenity

 Identification of the drainage reserve corridor which will serve to maintain the natural features of this area and contribute to the urban landscape and opportunity for passive recreation. Specific controls require passive recreation to be encouraged subject to approval from relevant agencies regarding provision of footpaths, cycleways, seating, etc., which are to be shown on subdivision plans. Existing trees must be retained within the drainage reserve corridor, while Compact Lots must address the drainage reserve corridor where access is provided from the rear.

Road Widths

• Enabling a combination of laneways, nine metre and eleven metre wide local roads, collector roads and a boulevard from Browns Lane.

The draft Site-Specific Development Controls for the Stratheden Precinct are **ATTACHED**, refer **ANNEXURE 1**.

(a) Policy Implications

The introduction of a Site-Specific Stratheden Precinct Chapter in the TRDCP will guide future residential development for the Stratheden Precinct.

(b) Financial Implications

Nil

(c) Legal Implications

The draft Site-Specific Development Controls, once adopted and incorporated in the *Tamworth Regional Development Control Plan 2010*, will provide a statutory framework for consideration of future development applications in the Stratheden Precinct.

(d) Community Consultation

A lengthy and extensive consultation process was undertaken in connection with the original rezoning of the subject lands.

Further community consultation for a period of not less than 28 days will be undertaken in accordance with Division 2 of the Environmental Planning and Assessment Regulation 2021. This is not only to meet the requirements of the legislation, but also to provide an additional opportunity for community input into the detailed site-specific development controls for the site.

(e) Delivery Program Objective/Strategy

Focus Area 3 – Prosperity and Innovation

7.3 PLANNING PROPOSAL - ESTABLISHMENT OF THE TAMWORTH SPECIAL ENTERTAINMENT PRECINCTS

DIRECTORATE: LIVEABLE COMMUNITIES

AUTHOR: Mitchell Gillogly, Team Leader – Strategic Planning

Reference: Item 7.1 to Ordinary Council 25 February 2025 - Minute No

21/25

4 ANNEXURES ATTACHED

That in relation to the report "Planning Proposal – Establishment of the Tamworth Special Entertainment Precincts" Council:

(i) forward the Planning Proposal, draft Precinct Management Plan and draft Development Control Plan 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 local 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, technical modifications in consideration of acoustic testing during the 2026 Tamworth Country Music Festival and future Night-time Economy Strategy;
- (iii) amend the boundary of the Tamworth Sports and Entertainment Precinct to follow the alignment of the Ringers Road;
- (iv) publicly exhibit the Planning Proposal in accordance with the Gateway Determination and Council's Community Participation Plan 2019; and
- (v) receive a further report following public exhibition of the Planning Proposal, draft Precinct Management Plan and draft Development Control Plan detailing any submissions received.

SUMMARY

The purpose of this report is to seek a resolution of Council to amend the *Tamworth Regional Local Environmental Plan 2010* (*TRLEP 2010*) in accordance with the Planning Proposal to designate two new Special Entertainment Precincts (SEPs) in Tamworth. The identified SEPs are:

- Tamworth Central Business District (Tamworth CBD) bounded by Darling Street, Marius Street, Murray Street, Kable Avenue, the Peel River and Part Lot 5 DP 1225365; and
- Tamworth Sports and Entertainment Precinct (TSEP) bounded by Goonoo Goonoo Road, The Ringers Road, Greg Norman Drive, Cartwheel Way, Longyard Drive, Stockmans Way and the southern boundary of Lot 12 DP 240631.

SEPs are part of the NSW Government Vibrancy Reforms which have been established to boost night-time economy and support the arts and live music sector while balancing the needs of businesses and residents.

COMMENTARY

BACKGROUND

On 25 February 2025, Council resolved to endorse the establishment of SEPs, being the Tamworth CBD and Tamworth Sports and Entertainment Precinct. Early engagement for the SEPs included a community forum and stakeholder engagement workshops to provide opportunities for stakeholders including local businesses, venue owners, state government agencies, community members and relevant Council staff, to have input into the SEPs. The purpose of the early engagement was to:

- understand the level of support for the proposed SEPs;
- gather feedback to ensure the SEPs balance the needs of residents and businesses; and
- assist Council to make informed decisions about how best to manage and regulate SEP sound levels and trading hours.

COMMENTARY

Special Entertainment Precincts are designated areas where tailored trading hours and sound management conditions encourage live performance, investment, support later-trading businesses, and foster safe, diverse and vibrant going-out districts. SEPs aim to improve the night-time economy within the precinct by facilitating favourable conditions for live music, entertainment and hospitality venues and other businesses.

It is proposed to create two SEPs in Tamworth in the following locations:

- Tamworth Central Business District The Tamworth Central Business District (CBD) has long been a focal point for live entertainment, particularly during the Tamworth Country Music Festival. It is a key commercial and entertainment precinct that attracts a diverse range of visitors throughout the day and night. Council's Blueprint 100 also identifies the need to facilitate shop top housing in Tamworth CBD with the SEP providing certainty for developers regarding noise considerations.
- Tamworth Sports and Entertainment Precinct The Tamworth Sports and Entertainment Precinct hosts significant events including concerts, and major equine and sporting events. This precinct is a significant economic driver for Tamworth, and the SEP will ensure significant events remain a focal point for the precinct. The Longyard Commercial Precinct is also located within this SEP.

These two precincts align with the strategic vision of Tamworth as a leading entertainment, cultural and events hub, further reinforcing Tamworth's reputation as the Country Music Capital of Australia.

The location and boundaries of the SEPs are ATTACHED, refer ANNEXURE 1.

Planning Proposal

The Planning Proposal will insert a new local provision within Part 7 of the *TRLEP 2010* to allow for the creation of the SEPs. Additionally, it is proposed to create a new LEP map layer titled Special Entertainment Precinct Map and to designate the Tamworth CBD and the Tamworth Sports and Entertainment Precinct as SEPs.

The Planning Proposal is **ATTACHED**, refer **ANNEXURE 2**.

Development Control Plan

The Development Control Plan will refer to the contents of the Precinct Management Plan (PMP), including precinct trading hours and the sound management framework including the plan for regulating sound from entertainment activity.

The draft Development Control Plan is ATTACHED, refer ANNEXURE 3.

Precinct Management Plan

A SEP is required to be supported by a Precinct Management Plan (PMP), the purpose of which is to facilitate a balanced approach to the management of entertainment sound and to establish trading hours within the SEPs.

The draft Precinct Management Plan is ATTACHED, refer ANNEXURE 4.

The PMP is the central tool that will be utilised in managing the SEPs and includes:

trading hours and conditions to support venues and businesses within the SEPs;

	Licenced Premises	Unlicenced Premises
	(e.g Hotels / Nightclubs / Small bars / Clubs /	

	Restaurants / Cafes)			
	Indoor	Outdoor	Indoor	Outdoor
Base hours	10am – Midnight	10am – Midnight	6am – Midnight	10am - Midnight

Note: the PMP does not override the liquor licence hours, which will continue to be regulated by Liquor and Gaming NSW. Businesses with a liquor licence must contact Liquor and Gaming NSW to amend their licence conditions.

- entertainment sound controls for venues and new mixed-use development;
- sound level criteria to identify levels at which complaints are measured against;
- identification of the role of all stakeholders including residents, businesses, Council, NSW Police and Liquor and Gaming NSW in managing sound complaints by outlining complaint handling procedures;
- the resolution process for entertainment sound related issues from residents and businesses:
- details of the monitoring and evaluation program to be undertaken with stakeholders to guide continual improvement and refinements to the PMP to facilitate a successful night-time economy; and
- identification of the process for considering the removal of businesses from the SEP or the removal the SEP.

As required by the NSW 24-Hour Commission, following public exhibition of the Planning Proposal and subject to Council's adoption, an initial 12-month trial period would first apply to operation of the SEPs. This would enable monitoring of their operation and assessment of their success against the objectives identified in the Draft PMP prior to the SEP being formally established. A Special Entertainment Precinct Project Advisory Group comprising Council, Transport for NSW, Tamworth Liquor Accord, NSW Police, Department of Health and business/community members has been established to monitor the SEPs operation.

STRATEGIC ALIGNMENT

The establishment of Special Entertainment Precincts aligns with several key State and Local strategies and Policies, including:

- 24-Hour Economy Commissioner Act 2023 and the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023 - the aim of the Reforms is to foster a safe and thriving night-time economy by supporting the live music sector, streamlining liquor licensing, and simplifying regulations for Licenced venues;
- Cultural State Environmental Planning Policy aimed at supporting live entertainment, hospitality and cultural activities, and is a key step to creating a more vibrant night-time economy in NSW;
- The New England North West Regional Plan 2041 sets a 20-year strategic land use planning framework for the region, aiming to protect and enhance the region's assets and plan for a sustainable future. Objectives for the Region include enhancing the diversity and strength of Central Business Districts and town centres, and supporting a diverse visitor economy;
- Tamworth Community Strategic Plan 2025–2035 sets out the community's priorities and aspirations, outlines strategies and actions to achieve those goals, and

guides all other council plans and activities to ensure a shared direction for the community's future. Strategies in the Plan include 'Enhance and revitalise city and town centres', and 'Encourage night-time social connections';

- Tamworth Blueprint 100 Community Strategic Plan 2025-2035 (Part 1) includes in particular, focus areas relating to prosperity and innovation, celebrating cultures and heritage and a strong and vibrant identity;
- Tamworth Regional Local Strategic Planning Statement 2020 (Blueprint 100 Part
 2) relevantly includes priorities to create a prosperous region and celebrate our culture and heritage, and to encourage shop top and apartment living in Tamworth Central Business District:
- Tamworth Tomorrow (2022-2026) Economic Development and Investment Strategy in particular, encourages leveraging local events and cultural activities to promote and drive regional innovation and industry development;
- Visitor Economy Plan (2022-2027) noting the potential for SEPs to contribute to the region's economy and vibrancy by encouraging live music, performance venues and the night-time economy;
- A Thriving Creative Ecosystem: Tamworth Region Creative Communities Plan 2024–2029 the Plan prioritises further developing the Tamworth Country Music Festival, building on Tamworth's music culture with permanent outdoor stages and outdoor performance spaces, and developing cultural precincts; and
- Australian Equine and Livestock Events Centre; Strategic Masterplan (AELEC)
 2022 to 2032 guides the future direction and investment, which includes pursuing other (non-equine) event opportunities which can improve operating viability and/ or generate additional economic and socio-economic benefit.

Council is currently preparing a draft Night-time Economy Strategy which introduces initiatives to manage and develop economic activities that take place in the evening. These initiatives aim to create vibrant and safe environments by supporting a wide range of night-time businesses and activities.

CONCLUSION

The introduction of the SEPs is expected to encourage investment in entertainment venues, support local artists and performers, provide certainty for businesses, developers and residents regarding noise regulations and enhance Tamworth's appeal as a live music and entertainment destination.

The Special Entertainment Precinct Planning Proposal seeks to amend the *TRLEP 2010* to establish precincts in the Tamworth Central Business District and Tamworth Sports and Entertainment Precinct that aim to promote economic activity and vibrancy which will support the night-time economy.

The SEPs are supported by a draft Development Control Plan and draft Precinct Management Plan which include sound management controls establishing sound criteria for licensed venues and new residential development to minimise impacts on sensitive receivers, including residential properties within and near the centres, as well as details relating to extended trading hours.

(a) Policy Implications

The designation of Tamworth CBD and Tamworth Sports and Entertainment Precinct as Special Entertainment Precincts will be enabled by an amendment to the *Tamworth Regional Local Environmental Plan 2010* to establish the SEPs.

The implementation of the SEPs will also require an amendment to the *Tamworth Regional Development Control Plan 2010*.

(b) Financial Implications

Council has received \$200,000 of funding through the NSW Government *Special Entertainment Precinct Kickstart Grant Program* to support the implementation and development of the SEPs. The funding does not cover staff hours.

(c) Legal Implications

The establishment of the SEPs will result in an amendment to Council's statutory planning instrument, *Tamworth Regional Local Environmental Plan 2010*.

(d) Community Consultation

A basis of the SEPs is the ongoing engagement and support of active participation with business, venues and residents to ensure the successful implementation and ongoing management of the SEPs. As the SEP process evolves, residents and stakeholders will be kept informed and will have opportunities to provide feedback through the SEP process including during the 12-month trial.

However, the requirements for community engagement in relation to the Planning Proposal are specified by the Minister for Planning and Public Spaces or their delegate in the DPHI Gateway Determination. Further consultation with the community and agencies will be required as part of the Gateway Determination.

(e) Delivery Program Objective/Strategy

Focus Area 3 – Prosperity and Innovation

Focus Area 7 – Celebrate of Cultures and Heritage Focus Area 8 – A Strong and Vibrant Identity

8 INFRASTRUCTURE AND SERVICES

8.1 Forest Road Landfill - Conceptual Landfill Staging and Final Landform

DIRECTORATE: WATER AND WASTE

AUTHOR: Doug Hughes, Manager - Waste & Resource Recovery

Reference: Item 8.7 to Ordinary Council 13 October 2020 - Minute No

311/20

3 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Forest Road Landfill - Conceptual Landfill Staging and Final Landform", Council receive and note this report.

SUMMARY

A review of the life of the landfill at the Forest Road Waste Management Facility (FRWMF) has been completed, including long term conceptual staging plans and a final landform for the Forest Road Landfill. These plans outline how landfilling activities will be staged over the life of the landfill, with priority given to optimising the use of the existing landfill site.

The conceptual plans, which are incremented over five-year intervals and assume a constant landfill disposal volume, show the staged progress of the landfill over time. Although timing can, and will, change, as it is highly dependent on the amount of disposal volume received.

COMMENTARY

The current site of the Forest Road Waste Management Facility (FRWMF) is shown in the document **ATTACHED**, refer **ANNEXURE 1**. Council has engaged a consultant, Anderson Consulting, to review and optimise the landfill staging and final landform design. The designs are to:

- provide Council with an estimated life of the landfill at the FRWMF to allow better informed decisions in the future;
- inform Council regarding the optimisation of existing and future landfill airspace;
- allow the calculation of estimated costs to continue landfilling activities, including works
 to allow commencement of landfilling works in some areas and works associated with
 closing and rehabilitating parts of the landfill in a staged process over time. These
 actions and estimated costs will be included in future capital works programs, and in
 financial modelling, to ensure sufficient income is raised to fund ongoing operations of
 the waste and resource recovery activities including the Landfill;
- allows staff to plan and undertake works required to facilitate the proposed stages at the landfill: and
- inform the community regarding changes to the look and appearance of the landfill over time.

The final landform design plan is **ATTACHED**, refer **ANNEXURE 2**. The document was produced with reference to the previously adopted "Forest Road Landfill – Site Master Plan", adopted by Council on 13 October 2020. There have been some alterations to the design to improve the life of the landfill. These alterations include:

- maximising use of the existing landfill footprint;
- maximising landfill void space by further removal of in situ soil and rock from the quarry area;
- improving the integration of the final landform with the future quarry / western void landfill area by removing the concave final shape in the previous design; and
- stormwater and leachate management control enhancements during the landfill development.

The above changes have improved the total volume of waste available within the landfill, giving a new estimated landfill life of 59 years, see table below:

Landfill Design Version	Potential Landfill Capacity	Estimated Life
	(cubic metres)	

2020 Master Plan	2,772,472	31 Years
Proposed Landfill Design	5,313,110	59 Years
Variance	2,540,638	28 Years

Please note the timing can and will change as it is highly dependent on the amount, and type, of disposal volume received.

Key aspects of the new plans include:

- to maximize use of existing landfill space, further landfilling in the North East corner of the existing landfill will be completed. This area is the most visible part of the site from properties in the adjacent Forest Hills development and may lead to some complaints from residents. Landfilling in the area is expected to commence in late 2026 and continue for a further four years when landfilling, in this area, will be completed and permanently capped. Once capped this are will provide a visual buffer to the landfill for the Forest Hills community;
- landfilling will then progress generally in a southerly direction from upgradient to downgradient. Landfill areas are to be taken to final grade so that progressive capping can be undertaken. This will facilitate the separation of stormwater and leachate as well as minimising the area of intermediate capping and potential generation of leachate. Ongoing final capping will be undertaken as the landfill reaches final design shape;
- the existing landfill area is licensed. The adjacent area, referred to as the quarry or western void, is not currently approved for landfilling. This is the area that landfilling operations will move to in approximately 10 years' time. To allow landfilling in this area considerable preliminary work is required including:
 - modify the current licence to allow landfill in the quarry/western void area from the NSW Environmental Protection Authority (EPA);
 - this license will dictate requirements to allow landfilling in the area, but, at a minimum, it is believed the license will require the area be lined before landfilling commences to prevent leachate leaving the site (as per the requirements of the 2016 Solid Waste Landfill Guidelines);
 - the timeframe for the necessary approvals and preliminary work is considerable and, given timing of when landfilling in the area is required to start, work on these activities has recently commenced; and
 - assuming the quarry/western void requires lining, the slope of the embankments in some locations may have to be flattened to allow the installation of the liner. This may require changes to the current boundary of the landfill; and
- current plans do not include landfilling of the current site of the Small Vehicle Transfer Station.

The conceptual staging drawings for the landfill have been produced with each stage being in five-year increments. These increments have been based on a landfilling volume of 88,770 cubic metres (m3) per year, which corresponds to Council's current Environmental Protection Licence (EPL) landfill limits (licence # 5921).

A summary of the calculated estimated cost report from Anderson Consulting for each timeperiod is included in the document **ATTACHED**, refer **ANNEXURE 3**. The table provides both estimated capital costs (e.g., cell construction and capping installation) and ongoing estimated maintenance costs (maintenance of final cap) over the defined active landfill timeframe. Please note that there will be ongoing maintenance costs beyond the scope of this report (i.e. greater than 50 years).

Period Increments	Cell Construction	Capping	Total Capital	Capping Maintenance
	\$	\$	\$	\$
0 to 5 Years	31,942	2,358,481	2,390,423	163,119
6 to 10 Years	1,227,252	4,942,342	6,169,594	1,625,411
11 to 15 Years	10,377	766,246	776,623	1,360,496
16 to 20 Years	269,320	1,623,705	1,893,025	1,249,488
21 to 25 Years	766,301	2,124,125	2,890,426	1,860,032
26 to 30 Years	3,300,822	4,369,262	7,670,084	2,458,842
31 to 35 Years	5,523,942	4,143,946	9,667,888	3,404,118
36 to 40 Years	4,248,840	7,323,557	11,572,397	4,320,780
41 to 45 Years	1,887,189	12,482,798	14,369,987	7,220,935
46 to 50 Years	101,123	8,990,703	9,091,826	8,854,817
51 to 55 Years	220,322	19,299,722	19,520,044	7,756,111
TOTAL	17,587,430	68,424,887	86,012,317	40,274,149

Please note that these estimated costs have been adjusted for inflation and exclude costs associated with the landfill gas network.

(a) Policy Implications

Nil

(b) Financial Implications

The estimated costs for each 5 year increment will be included in financial modelling for Waste and Resource Recovery to ensure sufficient income is generated to fund these activities into the future.

(c) Legal Implications

Operations at the Forest Road Waste Management Facility including landfilling are controlled by a license issued by the regulator - the NSW EPA

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 6 – Working With and Protecting our Environment

Focus Area 2 – A Liveable Built Environment

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 COUNCIL INVESTMENTS OCTOBER 2025

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services

Hannah Allwood, Accountant

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Council Investments October 2025", Council receive and note the report.

SUMMARY

In accordance with *Local Government (General) Regulation 2021*, Clause 212, the purpose of this report is to:

- provide Council with a register of investments held as at 24 October 2025; and
- provide Responsible Accounting Officer certification that investments comply with: the Local Government Act 1993, Local Government (General) Regulation 2021 and Council's Investment Policy.

The register and accompanying certification can be found ATTACHED, refer ANNEXURE 1.

COMMENTARY

The register **ATTACHED**, refer **ANNEXURE 1**, shows Council's cash and investment holdings as at 24 October 2025.

The Australian Bureau of Statistics will publish the September quarter inflation data in late October, which could impact the RBA's next rate announcement on Tuesday 4 November 2025.

As at 24 October, 2025, Council's portfolio performed above the industry average, returning 4.35% against the three-month Bank Bill Swap rate (3mBBSW) of 3.50%; This is down slightly when compared to the 4.40% average return in September 2025.

(a) Policy Implications

All of Council's investments are held in accordance with the Tamworth Regional Council Investment Policy.

(b) Financial Implications

Nil

(c) Legal Implications

All of Council's investments are held in accordance with the Tamworth Regional Council Investment Policy, which accords with the requirements of:

- Local Government Act 1993 Section 625;
- Local Government Act 1993 Order (of Minister) dated 16 November 2000; The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A (2), 14C (1) and 2;
- Local Government (General) Regulation 2021 Clauses 212; and
- Local Government Code of Accounting Practice & Financial Reporting Update No 15 dated June 2007.

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

9.2 TAMWORTH REGIONAL COUNCIL CONSOLIDATED FINANCIAL REPORTS FOR PERIOD ENDED 30 JUNE 2025 – FILE NO

DIRECTORATE: OFFICE OF THE GENERAL MANAGER
AUTHOR: Sherrill Young, Manager - Financial Services

Reference: Item 9.10 Ordinary Council Meeting 23 September 2025 -

Minute No 241/25

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Tamworth Regional Council Consolidated Financial Reports for Period Ended 30 June 2025", Council receive and note the report as presented.

SUMMARY

The purpose of this report is to present to Council and the public, the Audited Financial Reports and Auditor's Report for Tamworth Regional Council for the period ended 30 June 2025, **ATTACHED**, refer **ANNEXURE 1**. The figures contained in this report represent the operations and financial position of Council on a consolidated basis being the General, Water and Sewerage Funds combined with Central Northern Libraries.

COMMENTARY

The Financial Reports for Tamworth Regional Council for the period ended 30 June 2025, have now been audited and lodged with the Office of Local Government. The Auditor General has supplied unqualified Financial Audit Reports in relation to Council's Consolidated Fund, as well as for Council's Water, Sewerage, Waste, Airport and Pilot Training Facility Business Operations.

Notification of the completion and availability of the financial reports has been placed on Council's website in accordance with Division 15, Section 413k of the *Local Government* (General) Regulation 2021. In accordance with Section 420 of the Act, submissions in

relation to the Financial Reports have been invited from the public. Any submissions received will be referred to the Auditor General and reported to Council in due course.

Consolidated Financial Results

Income Statement	Report Year 2024/2025 (\$'000)	Prior Year 2023/2024 (\$'000)
Total Income from Continuing Operations	272,929	219,743
Total Expenses from Continuing Operations	201,903	186,828
Net Operating Result from Continuing Operations	71,026	32,915
Net Operating Result before capital grants and contributions	(11,228)	(2,786)

The above table shows a significant increase in Council's Net Operating Result from Continuing Operations of \$38.1M, however this increase is largely due to "gifted" assets from other levels of government in the form of assets related to the Dungowan Dam Pipeline as well as Rangari Road infrastructure. Gifting of assets comes with future liabilities. Compared to the 23/24 financial year non-cash contributions increased by \$42.6M, a considerable amount.

If all grant income and contributions (cash and non-cash) were removed from Council's income statement for the last two financial years Councils income for 24/25 when compared to the 23/24 financial year increased by \$12.9M; this increase is due to increased rates and annual charges along with improved returns on Council's investments. When compared to the previous financial year Council's expenditure increased by \$15M. There are a several reasons for this increase in expenditure including increased loss on disposal of assets including a \$4.7M loss on the decommissioning of the old Dungowan Dam Pipeline.

Balance Sheet	Report Year 2024/2025 (\$'000)	Prior Year 2023/2024 (\$'000)
Total current assets (a)	259,494	229,337
Total current liabilities (b)	54,081	59,125
Net current assets (c = a - b)	205,413	170,212
Total non-current assets (d)	2,719,500	2,559,097
Total non-current liabilities (e)	78,244	87,921
Total equity (f = c + d - e)	2,846,669	2,641,388

Balance sheet items worthy of mention and/or explanation are expenditure on asset renewal of \$67.6M, an increase of \$29.2M when compared to the previous financial whilst

expenditure on new assets remained steady at \$40M an increase of \$800K when compared to the previous year.

Consolidated Performance Measurements	Report Year 2024/2025 (\$'000)	Prior Year 2023/2024 (\$'000)
Operating Performance Ratio	(2.07)%	(0.90)%
Unrestricted Current Ratio	1.88x	2.05x
Debt Service Cover Ratio	3.34:1	3.36:1
Own Source Operating Revenue Ratio	61.80%	70.81%
Rates, Annual Charges, Interest and Extra Charges Outstanding (%)	7.33%	8.59%
Building and Infrastructure Renewals Ratio (%)	139.22%	74.59%
Asset Maintenance Ratio	91.30%	91.10%

Consolidated Performance Measures

The following comments are made in relation to Industry Standard Performance Measurements that are relevant to Tamworth Regional Council.

Operating Performance Ratio: (2.07)%

This ratio shows the operating result as a percentage of operating revenue to give the degree of the surplus or deficit achieved. The result should be a surplus (positive) to show there is capacity to maintain existing levels of services and asset renewals and to fund new capital works. Council continues to have an unsatisfactory operating performance result and the further deterioration from 23/24 to 24/25 is due to a decrease in operating grants and contributions combined with an increase in operational expenditure. Council needs to act to reduce its reliance on operating grants, no small feat given its extensive infrastructure network.

Unrestricted Current Ratio: 1.88x

This shows the degree to which current assets that have no external restrictions exceed unrestricted current liabilities as an indication of the ability to meet short term obligations. The ratio is above the minimum benchmark of 1.5x.

Debt Service Cover Ratio: 3.34:1

This shows the degree to which the operating cash result exceeded the commitment to loan principal and interest repayments, with a ratio above the minimum benchmark of 2.0 considered satisfactory.

Own Source Operating Revenue Ratio: 61.80%

This is a comparison of revenues other than grants and contributions to total revenues, to show the level of reliance on external funding sources. The deemed minimum benchmark is 60% and whilst Council is above the benchmark it has decreased by 10% from 23/24

financial year and is another indicator that Council needs to reduce its reliance on operating grants as mentioned above.

Rates, Annual Charges, Interest and Extra Charges Outstanding: 7.33%

The outstanding % is a comparison of the closing unpaid debtor balances for the year to the total collectible (opening arrears plus revenue raised) for the year. The result has improved by 1.26% from the previous year. This improvement is potentially due to the popularity of bill smoothing via payment options such as BPay.

Building and Infrastructure Renewals ratio: 139.22%

This ratio shows expenditure on the renewal of building and infrastructure assets as a percentage of the annual depreciation for those assets, to indicate the degree to which asset condition is being maintained. Whilst this ratio has improved from the previous year there are many flaws in the logic behind this ratio including the premise that asset renewal happens systematically over an assets life which just isn't the case in reality. This ratio however is required to be included by the Office of Local Government but is unaudited.

Asset maintenance ratio: 91.30%

This shows the actual expenditure on the maintenance of assets as a percentage of the estimated amount required to ensure assets reach their estimated useful lives per asset management plans. This ratio remains steady when compared to the previous year however it is very subjective due to its reliance on estimates and is unaudited.

Cash Balances and Allocations

The full details of cash reserves are provided in Note C1 -3 of the financial reports.

The following tables provide a summary of the cash reserves per fund that make up the total closing balance for cash and investments.

General Fund '000	Opening Balance	Net Movements	Closing Balance
Unexpended Loans	1,793	(1,248)	545
Developer Contributions	14,847	7,239	22,086
Unexpended Grants	16,375	(9,345)	7,030
Waste Management	25,378	(1,145)	24,233
Deposits, Retentions & Bonds	3,055	574	3,629
Internal Restrictions	22,421	(2,797)	19,624
Unrestricted	1,493	27	1,520
Total General Fund Cash Reserves			78,667

Water Fund '000	Opening Balance	Net Movements	Closing Balance
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Water Fund '000	Opening Balance	Net Movements	Closing Balance
Unexpended Loans	0	0	0
Developer Contributions	15,565	4,194	19,759
Unexpended Grants	14	69	83
Water Reserves	17,603	2,742	20,345
Total Water Fund Cash Reserves			40,187

Sewer Fund '000	Opening Balance	Net Movements	Closing Balance
Unexpended Loans	1,526	(190)	1,336
Developer Contributions	16,769	1,649	18,418
Unexpended Grants	777	(25)	752
Sewer Reserves	68,545	11,279	79,824
Total Sewer Fund Cash Reserves			100,330

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Council's website was updated on 3 November 2025, to advise the community that the financial reports were being presented at this Meeting and were available on Council's website, and that submissions could be made within seven days of the Meeting.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and Collaborative Leadership

10 COMMUNITY SERVICES

10.1 SRI LANKA VERSUS AUSTRALIA OVER 65 SERIES FEE WAIVER REQUEST TAMWORTH VETERANS CRICKET

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Richard Willis, Sport and Recreation Development Officer

Paul Kelly, Manager - Sports and Recreation

RECOMMENDATION

That in relation to the report "Sri Lanka Versus Australia Over 65 Series Fee Waiver Request - Tamworth Veterans Cricket", Council approve a complete fee waiver for all fees associated with the event:

SUMMARY

Tamworth Veterans Cricket will be hosting the touring Australian and Sri Lanka over 65's Masters Series in Tamworth from 8 to 10 March 2026.

Given the opportunity to showcase Tamworth's sporting facilities to an international audience and Tamworth's ability to host significant sporting events, Tamworth Regional Council has been asked to consider waiving the fees associated with this event.

COMMENTARY

Tamworth Veterans Cricket will be hosting the touring Australian and Sri Lanka over 65's Masters Series in Tamworth from 8 to 10 March 2026, at No. 1 Oval.

Tamworth Veterans Cricket has confirmed that the series will feature two teams: an Australian side comprising players selected from across the country, playing a visiting Sri Lankan representative team.

Tamworth Veterans Cricket has requested Council consider waiving the fees associated with the event. This will minimise the costs incurred by Tamworth Veterans Cricket and the associated players.

Specific costs associated with the event are detailed below in Table 1:

Table 1 - Event costs

Item	Costs (GST Inclusive)
No. 1 Oval field hire and preparation	\$1,191.80
Tamworth Promotional Signage	\$603.60
Total	\$1,795.40

On receipt of a complete fee waiver request, Council's technical staff first apply Council's adopted Sport Event Subsidisation Policy (SESP). The SESP ensures Council applies a consistent and transparent framework to requests for Council fee subsidy/waivers when a major event is hosted in the region. Importantly, the SESP allows Council to manage the finite resources specifically allocated to support hosting sporting events in the region in an equitable manner.

Using the SESP, this event only qualifies for a 20% fee subsidy, which would not normally trigger a full fee waiver. However, it does present a valuable opportunity to promote Tamworth's sporting infrastructure to an international audience and demonstrate the city's

capacity to host major sporting events. In light of these strategic benefits, it is recommended that Council approve a full fee waiver for this event.

(a) Policy Implications

Nil

(b) Financial Implications

The Sports and Recreation division has an annual budget allocation for events subsidised under the SESP. The fees associated with this event will be covered by this budget allocation. The total remaining in this budget is detailed in Table 2.

Table 2 – SESP budget

2025/26 budget	\$44,071.00
Budget at the time of this report	\$34,031.00
Budget remaining if this fee waiver is applied	\$32,235.60

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable and Built Environment

10.2 HOCKEY NSW FUNDING REQUEST

DIRECTORATE: CREATIVE COMMUNITIES AND EXPERIENCES
AUTHOR: Linda Bridges, Coordinator Visitor Economy

Paul Kelly, Manager - Sports and Recreation

RECOMMENDATION

That in relation to the report "Hockey NSW Funding Request", Council approves the request of \$10,000 to host a NSW Boys State Championships in Tamworth in 2026.

SUMMARY

Tamworth Regional Council are in discussions with Hockey NSW to potentially bring a NSW Boys State Championships to Tamworth in 2026, attracting more than 800 competitors from all over NSW.

Like all significant sporting events, these come at a cost, and Hockey NSW are seeking a cash contribution from Council in an effort to offset their costs for hosting it in a regional area.

Given the substantial economic benefit to the community and the opportunity to showcase the Tamworth Hockey Complex and Tamworth's ability to host state level sporting events, Council has been asked to consider supporting the event.

COMMENTARY

Hockey NSW host a range of age championships across NSW each year. Tamworth Regional Council is working with Hockey NSW in an effort to secure one of these significant events, this being the NSW Under 16 Boys Championship in July 2026.

This State level competition will attract 40 teams from across NSW to Tamworth for the championship, resulting in more than 800 competitors over three days. As a result, this event is estimated to have a economic benefit of \$681,377.

Council staff are also working closely with Tamworth Hockey Association (THA), who will assist Hockey NSW in the running of the event, scheduled to be held from 17 to 19 July 2026. THA are very keen to host the NSW Under 16 Boys event as it will be on the back of their annual York Cup and Kim Small Shield carnival, where all required marquees and support infrastructure will already be installed around the facility. Hosting these two significant events over consecutive weekends allows this infrastructure to be installed and then used twice before having it removed from site.

Given the significance of this State level event, Hockey NSW has requested Council support the event by financially contributing \$10,000 toward the cost of holding the event at the Tamworth Hockey Complex. Financial assistance will minimise the costs incurred by Hockey NSW to host the event outside of the metropolitan area as well as reducing the associated cost to players to participate.

This event is an excellent opportunity for Tamworth to host another significant sporting event that delivers economic, social, and community benefits. Council support is recommended to secure the event, which will reinforce Tamworth's reputation as a hub for state and national sporting events.

(a) Policy Implications

Nil

(b) Financial Implications

\$10,000 funding for the event will be from the General Fund.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

(e) Delivery Program Objective/Strategy

Focus Area 2 – A Liveable Built Environment

Focus Area 3 – Prosperity and Innovation

Focus Area 8 – A Strong and Vibrant Identity

11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

RECOMMENDATION

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.

11.1 PROPOSED LICENCE - INTERNATIONAL FLIGHT TRAINING TAMWORTH (IFTT) FACILITY - KITCHEN AND DINING HALL

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.

SUMMARY

The purpose of this report is to seek Council's authorisation to negotiate and enter into a licence agreement in relation to the International Flight Training Tamworth (IFTT) Kitchen and Dining Hall with the party identified in the body of this report.

11.2 TENDER T086-2025 - DESIGN AND CONSTRUCT POWERSTATION MUSEUM ENGINE SHED EXTENSION

DIRECTORATE: REGIONAL SERVICES

AUTHOR: Mark Gardiner, Manager - Project Planning and Delivery

Lisa Hannaford, Project Administrator

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)i&(d)ii 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 and information that would, if disclosed, confer a commercial advantage on a competitor of Council.

SUMMARY

The purpose of this report is to recommend Council resolves to decline the tenders submitted in response to Request for Tender number T086-2025 and to enter into negotiations with one or more of the tenderers (in accordance with Section 178(3)(e) of the NSW Local Government (General) Regulation 2021), with a view to entering into a design and construct contract.

Tamworth Regional Council invited submissions from contractors via a Request for Tender on the open market in accordance with Section 167 of the NSW Local Government Regulation. Due to budget constraints, Council needs to negotiate details with preferred tenderer(s) to refine the scope of work to achieve an affordable outcome, and therefore cannot accept a tender at this stage.

The reason for declining to invite fresh tenders or applications under Sections 178(3)(b)-(d) of the Local Government Regulation is that, despite not being able to accept a tender at this point in time, Council project staff are confident that through negotiations Council will be able to enter into a contract to deliver the project and this will result in the best outcome for the project and the community.

Background

Council received funding for this project from the NSW Government's Creative Capital

Funding Program under the Collective Care and Conservation Enabling Digitisation stream.

The project will see the existing engine shed extended at the northeast end to create a workshop area; this extension is shown schematically in Figure 1 below. This workshop space will enable the care of collection objects by the Powerstation Museum volunteers and staff, including digitisation, increasing access to the collection in both a digital and physical context.



Figure 1: proposed engine shed extension

Following confirmation of funding, a project team from within Council's Regional Services directorate undertook project planning, including engaging an engineering consultant to develop preliminary design options. A quantity surveyor (QS) prepared construction estimates for these preliminary design options to inform project affordability. During this project planning phase, extensive complications and delays were encountered due to various site constraints, including proximity to boundaries, building over sewer, heritage impacts and car parking, necessitating extensive assistance from consultants to obtain development consent (DA2024-0189).

Tender Scope

Following development consent being obtained, a tender for the design and construction of the Powerstation Museum Engine Shed Extension was advertised for a period of approximately five weeks and closed on 16 October 2025. Tenderers were required to provide a schedule of prices including:

- detailed design and preparation of design drawings for the upgrade;
- obtain all relevant approvals and comply with the development consent;
- construction of the upgrade in accordance with the approved design drawings; and
- completion of all quality and handover documents including works as executed drawings and warranty information.