



# **TAMWORTH REGIONAL COUNCIL**

## **ORDINARY COUNCIL MINUTES**

of the **Meeting of Tamworth Regional Council** held in the **Council Chambers**,  
**Lands Building, 25-27 Fitzroy Street, Tamworth**

**10 JUNE 2025**

**PAUL BENNETT  
GENERAL MANAGER**

# ORDINARY COUNCIL MINUTES

Meeting of Tamworth Regional Council held in the Council Chambers, Lands Building,  
25-27 Fitzroy Street, Tamworth  
**TUESDAY 10 JUNE 2025 at 6.30PM**

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**PRESENT:** Cr Jeffrey Budd, Cr Marc Sutherland, Cr Brendon North, Cr Matt Sharpham, Cr Steve Mears, Cr Brendon North, Cr Charles Impey and Cr Ryan Brooke

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

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

A Leave of Absence granted at the Council Meeting held 27 May 2025, was noted from Cr Mark Rodda.

A Leave of Absence granted at the Council Meeting held 27 May 2025, was noted from Cr Russell Webb.

### **MOTION**

#### **Moved Cr Brooke/Cr Sharpham**

That the Leave of Absence from Cr Rodda and Cr Webb be received and noted.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

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

Nil

**128/25 RESOLVED**

## 2 **COMMUNITY CONSULTATION**

### **2.1 ITEM 7.2 DA2024-0287 - DEMOLITION, STAGED DEVELOPMENT AND MULTI-DWELLING WITH COMMUNITY TITLE SUBDIVISION ON LOT 11 IN DP 231449 - 15 MANILLA ROAD, OXLEY VALE**

Josephine Bennett addressed Council in opposition to the recommendation.

### **2.2 ITEM 7.2 DA2024-0287 - DEMOLITION, STAGED DEVELOPMENT AND MULTI-DWELLING WITH COMMUNITY TITLE SUBDIVISION ON LOT 11 IN DP 231449 - 15 MANILLA ROAD, OXLEY VALE**

Jude Ngwu addressed Council in opposition to the recommendation.

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

#### **MOTION**

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

That the Minutes of the Ordinary Meeting held on Tuesday, 27 May 2025, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

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

Nil

**129/25 RESOLVED**

### 4 **DISCLOSURE OF INTEREST**

Nil

### 5 **MAYORAL MINUTE**

Nil

### 6 **NOTICE OF MOTION**

#### **6.1 NOTICE OF MOTION – CR RYAN BROOKE - QUESTIONS WITH NOTICE - ENVIRONMENTAL SUSTAINABILITY STRATEGY**

#### **MOTION**

#### **Moved Cr Brooke/Cr Mears**

That in relation to “Questions with Notice - Environmental Sustainability Strategy”, Council:

- (i) receive and note the Questions with Notice; and
- (ii) that a report be provided to a future Council meeting within 2025 detailing what actions Council has taken, or is currently undertaking, to meet the targets and objectives of the eight identified themes contained within the Our Environmental Sustainability Strategy and Action Plan 2022-2026.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Charles Impey
4. Cr Stephen Mears
5. Cr Brendon North
6. Cr Marc Sutherland

1. Cr Matthew Sharpham

**130/25 RESOLVED**

## OPEN COUNCIL REPORTS

### 7 ENVIRONMENT AND PLANNING

#### 7.1 TAMWORTH REGIONAL COUNCIL ON-SITE SEWAGE MANAGEMENT SYSTEMS (OSSM) OPERATIONAL STRATEGY

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Rachel Mann, Senior Environmental Health Officer  
**Reference:** Item 7.1 to Ordinary Council 26 November 2024 - Minute No 319/24

#### MOTION

##### Moved Cr Sutherland/Cr Sharpham

That in relation to the report “Tamworth Regional Council On-Site Sewage Management Systems (OSSM) Operational Strategy”, Council adopts the final version of the Tamworth Regional Council On-Site Sewage Management Systems (OSSM) Operational Strategy

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

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

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

Nil

**131/25 RESOLVED**

#### 7.2 DA2024-0287 - DEMOLITION, STAGED DEVELOPMENT AND MULTI-DWELLING WITH COMMUNITY TITLE SUBDIVISION ON LOT 11 IN DP 231449 - 15 MANILLA ROAD, OXLEY VALE

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Sam Lobsey, Manager - Development

#### MOTION

##### Moved Cr Brooke/Cr Sutherland

That in relation to Development Application (DA2024-0287/PAN-412980) for the Demolition of existing dwelling house and outbuildings, Construction in Stages of Eleven (11) dwellings and Community Title Subdivision at Lot 11 DP 231449, 15 Manilla Road, Oxley Vale and Lots 14 and 15 DP 22919, 11-17 and 19-29 Curlew Crescent, Oxley Vale:

- (i) Council determines the lapsing period for the development to be two years in accordance with Section 4.53(2) of the Environmental Planning and Assessment Act 1979; and
- (ii) Council grant consent to the development application subject to the following conditions:

#### Deferred Commencement

- A) This consent shall not operate until suitable drainage easement(s) are created

on Lot 14 in DP 22919 (19-29 Curlew Crescent OXLEY VALE NSW) for proposed stormwater infrastructure necessary to convey major flows generated from the upstream catchment, in accordance with Council's Engineering Design Minimum Standards.

In accordance with Section 76 of the Environmental Planning and Assessment Regulation 2021, a period of two years from the date of this notice is allowed for the satisfaction of the "deferred commencement" requirement. The deferred commencement requirement will be satisfied when Council is given confirmation that drainage easement(s) have been registered on Lot 14 in DP 22919, granted in favour of the benefitting lot(s). Any easement(s) acquired must be suitable for registration of the deposited plan at the Lands Title Office.

#### General

- 1) Development shall take place in accordance with the following endorsed plans:

Plan	Sheet No.	Prepared by	Revision	Dated
Existing Site/ Demolition Plan	WD3	D and C Projects	8	5/12/2024
Site Setout Plan	WD4	D and C Projects	8	5/12/2024
Landscape Plan	WD5	D and C Projects	8	5/12/2024
Units 1-8 Detailed Sites	WD6	D and C Projects	8	5/12/2024
Unit 6 and Existing Culvert Site Detail	WD7	D and C Projects	8	5/12/2024
Unit 9-11 Detailed Site	WD8	D and C Projects	8	5/12/2024
Gated Entry/BBQ Area/Mailbox and Fencing Details	WD9	D and C Projects	8	5/12/2024
Green Space and Manilla Road Connection	WD10	D and C Projects	8	5/12/2024
Staging Plan	WD11	D and C Projects	8	5/12/2024
Typical Design A	WD12	D and C Projects	8	5/12/2024
Typical Design B	WD13	D and C Projects	8	5/12/2024
Typical Design C –	WD14	D and C	8	5/12/2024

Pre and Post Adaptation		Projects		
Typical Design C Elevations and Sections	WD15	D and C Projects	8	5/12/2024
Unit Design D	WD16	D and C Projects	8	5/12/2024
Unit Design E	WD17	D and C Projects	8	5/12/2024
No Parking Sign Locations	WD19	D and C Projects	8	5/12/2024
Plan of Subdivision of Lot 11	22437	Bath Stewart and Associates	Sheets 1 – 3 of 3	Revision B - Undated

- 2) The development must be carried out in accordance with the Development Application and accompanying plans, drawings and other documents as amended by conditions of this consent. Any amendment to the development or to these conditions will require the consent of Council.

#### Staging of the Development

- 3) The development is to be carried out sequentially in three stages as follows:

Stage 1: Subdivision of original Lot 11 into Lot 1 (Common Property), Lots 2, 3, 4 and a Lot 5 (Developmental Lot), associated service infrastructure, community facilities and construction of dwellings 9, 10 and 11 (including one (1) Affordable Housing Unit);

Stage 2: Subdivision of the development lot to create lots 6, 7, 8, 9 and 10 (Developmental Lot) and construction of dwellings 1, 2, 3 and 4 (including one (1) Affordable Housing Unit); and

Stage 3: Subdivision of the development lot to create lots 11, 12, 13 and 14 and construction of dwellings 5, 6, 7 and 8.

#### Onsite Garbage Collection

- 4) To confirm and clarify the terms of this approval, on street kerbside waste collection is not permitted.

#### Building Work

- 5) All building work must be carried out in accordance with the provisions of the National Construction Code (NCC).
- 6) Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:
- Monday to Friday - 7.00am to 5.00pm;
  - Saturday - 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;
  - No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

The applicant shall be responsible to instruct and control any sub-contractors regarding the hours of work.

- 7) To ensure safety, all demolition work shall be carried out in accordance with Workcover Authority requirements and Australian Standard 2601 - The Demolition of Structures.
- 8) Pursuant to Section 75 of the Environmental Planning and Assessment Regulation 2021, all the commitments listed in the relevant BASIX Certificate for the development shall be fulfilled at the milestones listed.
- 9) It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.
- 10) The Applicant shall consult with, as required:
  - a) Essential Energy;
  - b) Natural Gas Company; and
  - c) A Telecommunications carrier;regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the proposed works, either on site or on the adjacent public road(s).
- 11) Any allotment filling that may be required for the development site shall meet the requirements of AS3798 (as amended) – Guidelines on Earthworks for Commercial and Residential Developments. Certification of the allotment filling shall be provided by a geotechnical testing authority registered under NATA. The testing authority shall be required to certify whether the fill complies with the requirements of AS 3798 (as amended).

#### Stormwater

- 12) The stormwater drainage system shall be designed and constructed to comply with the following requirements as a minimum:
  - a) All plumbing within the site must be designed and constructed in accordance with the relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage and Council's current version of the Engineering Design Minimum Standards;
  - b) Temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
  - c) All overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development. A system to prevent overland flows discharging onto adjoining properties shall be implemented;
  - d) Access to Unit 6 must be able to achieve safe wading criteria as specified within the Floodplain Development Manual (Figure L.1);
  - e) On-site detention is required for individual allotments discharging into the Bellas Way piped system. Stormwater detention shall be designed and implemented in accordance with Council's Engineering Design Minimum Standards, and be suitable to maintain pre-developed flows for all storm durations and frequencies in the range from 1 year ARI up to and including the 100-year ARI events;
  - f) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to

any other property is not permitted; and

- g) No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.

The approved points of discharge for the development are defined as:

- h) The existing open channel table drain traversing the site; and/or
- i) The existing surface inlet pit connecting to the Bellas Way piped system (located in the south-west corner of the property).

Note: stormwater discharging to the Bellas Way piped system shall be detained to pre-developed flows prior to release.

- 13) The proposed stormwater servicing strategy for the development site shall be prepared to comply with the general terms and conditions as imposed by the NSW Department of Natural Resources Access Regulator.

#### Traffic and Parking

- 14) All internal driveways, parking areas, loading bays, vehicle turning areas and barriers are to be designed and constructed to comply with Australian Standard (AS/NZS) 2890.1 Parking Facilities – Off-street parking and AS 2890.6 Parking Facilities – Off-street parking for people with disabilities.
- 15) All internal driveways, parking and loading areas to be constructed with a base course of adequate depth to accommodate the design vehicle loading, being sealed with either asphaltic concrete, concrete or interlocking pavers.
- 16) To provide for the safety and security, outdoor lighting in accordance with AS 1158.3.1 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – performance and design requirements shall be provided to all off-street parking areas. The lighting installed must comply with AS 4282 Control of Obtrusive Effects of Outdoor Lighting.
- 17) The occupation or use of the whole or any part of a new building must not commence unless an occupation certificate has been issued in relation to the building or part.

#### Prior to the commencement of work for all stages

- 18) The approved development which is the subject of this development consent must not be commenced until:
  - a) A construction certificate for the building work has been issued by the consent authority, Council (if Council is not the consent authority) or an accredited Certifier;
  - b) The person having the benefit of the development consent has:
    - (i) appointed a Principal Certifier for the building work; and
    - (ii) notified the Principal Certifier that the person will carry out the building work as an owner-builder, if that is the case; and
  - c) The Principal Certifier has, no later than 2 days before the building work commence:
    - (i) notified the consent authority and Council (if Council is not the consent authority) of his or her appointment; and
    - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and

- d) The person having the benefit of the development consent, if not carrying out the work as an owner-builder has;
  - (i) appointed a principal contractor for the building work who must be the holder of a contractor license if any residential building work is involved;
  - (ii) notified the Principal Certifier of any such appointment;
  - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and
  - (iv) give at least 2 days notice to Council of the persons intention to commence the erection of the building.
- 19) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided:
  - a) Must be a standard flushing toilet;
  - b) Must be connected to a public sewer; or
  - c) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.
- 20) The applicant must ensure that a sign containing the following information is erected in a prominent position and maintained on the site at all times:
  - a) The name, address and telephone number of the principal certifying authority for the work;
  - b) The name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - c) A statement that unauthorised entry to the work site is prohibited.

The sign is to be removed when the work has been completed.
- 21) The developer must install water pollution, erosion and sedimentation controls in accordance with the "Managing Urban Stormwater - Soils and Construction" published by the NSW Department of Housing ("The Blue Book").
- 22) The applicant is to notify all adjoining residents five working days prior to demolition. Such notification is to be clearly written, stating the date demolition is to begin. The notification must be placed in the letterbox of every premises (including units, villas if any) either side of and immediately behind the demolition site.
- 23) To ensure the integrity of Council's water main, the water service(s) shall be disconnected at the water meter by a licensed plumber or Council.
- 24) To ensure the integrity of Council's sewer main, the sewer service(s) shall be disconnected at the junction by a licensed plumber or Council
- 25) A peg out survey prepared by a Registered Surveyor is to be submitted to the Certifying Authority to confirm the building may be sited in accordance with approved plans.
- 26) The contractors engaged on the development must maintain public liability

insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.

- 27) Erosion and sediment control measures that will minimise damage to and avoid pollution of the environment are required for this development. An erosion and sediment control plan (ESCP) is to be prepared in accordance with the "Blue Book" Managing Urban Stormwater – Soils and Construction (Landcom 2004). The ESCP is to be submitted to Council for approval and implemented prior to the commencement of any construction works.
- 28) A Traffic Management Plan (TMP) detailing how movements in and out of the site during the construction will be adequately managed so as not to adversely impact the safe operation of the road network shall be submitted to Council. This TMP shall consider both vehicular and pedestrian movements. Where the TMP is of a level of complexity that Traffic Guidance Schemes (TGS's) are required, the TGS's shall be prepared by a person with the applicable certification from Transport for New South Wales (TfNSW) in accordance with AS 1742.3 (as amended) and the TfNSW current version of the "Traffic Control at Worksites" manual.
- 29) A Subdivision Works Certificate shall be obtained from Council for the construction of stormwater infrastructure and water realignment works required for this development.
- 30) Detailed Engineering drawings and associated supporting documents and calculations shall be submitted to Council in support of the Section 138, Section 68 and Construction and/or Subdivision Works Certificate drawings. All engineering drawings and the associated specifications are to be certified by a suitably qualified and experienced design practitioner
- 31) A Construction Management Plan shall be prepared in consultation with, and submitted to, Council prior to the commencement of works. The plan shall include, but not be limited to, the following matters which are to be addressed by a suitably qualified person(s):
  - a) Hours of Work, which must be in accordance with the conditions of this approval;
  - b) Contact details of the site manager and all principal contractors;
  - c) Traffic management, which is to be developed in consultation with the Roads Authority and the Council if required and is to include:
    - i. identification of a work zone;
    - ii. ingress and egress of vehicles to the site from Manilla Road;
    - iii. management of loading and unloading of materials;
    - iv. number and frequency of vehicles accessing the site and construction vehicle routes;
    - v. the times vehicles are likely to be accessing the site;
    - vi. access arrangements and traffic control;
    - vii. details on the temporary relocation of the bus stop;
    - viii. changes to on-street parking restrictions on roads;
    - ix. management of construction traffic and car parking demand

including preparation and distribution of a Transport Access Guide;  
and

- x. management of existing vehicular and pedestrian movements/routes around the site throughout the various stages of construction;
  - d) Erosion and sediment control, identifying appropriate measures to be installed during construction which shall be designed in accordance with the document Managing Urban Stormwater - Soils and Construction Volume 1 (2004) by Landcom;
  - e) Construction noise and vibration management, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436;
  - f) Construction waste management, identifying options for minimizing waste in construction, reuse and recycling of materials, the storage, control and removal of construction waste; and
  - g) Dust control measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physical barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.
- 32) An approval pursuant to Section 138 of the Roads Act 1993, must be obtained from Council to carry out all works and no-stopping signage installation within the Road Reserve. Construction and design plans must be provided to Council for approval. The ongoing maintenance and/or repair of the vehicle crossing is the responsibility of the owner in accordance with section 142 of the Roads Act 1993.

Advisory Note: Transport for New South Wales (TfNSW) concurrence is required prior to issue of a Section 138 Approval for temporary construction access via Manilla Road.

- 33) Pursuant to Section 68 of the Local Government Act 1993, the following works must be approved by Council in order to:
- a) Carry out water supply work;
  - b) Carry out sewer work; and
  - c) Carry out stormwater work.

Engineering design plans, reports and calculations for internal water, stormwater and sewer main realignment, shall be prepared in accordance with Council's current version of the Engineering Design Minimum Standards, and submitted to Council for approval. All plans are to include details of the location of all existing utility services. All engineering drawings and the associated specifications are to be certified by a suitably qualified and experienced design practitioner.

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**Prior to Issue of a Subdivision Works Certificate**

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- 34) A stormwater servicing strategy for the development site shall be prepared and implemented in accordance with the requirements of the Engineering Design

Minimum Standards for Stormwater Drainage. The stormwater servicing strategy for this development must also include detailed plans and calculations for the following:

- a) Conveyance of major flows through the existing open drain with adequate freeboard, and assessment of the requirement for on-site detention for flows generated by the critical storm durations and frequencies in the range from the 1:1-year ARI up to the 1:100-year ARI event, including recommendations for detention of flows generated by individual allotments discharging to the Bellas Way piped system;
  - b) Developed flows leaving the site (detained and/or un-detained) and Q100 overland flow paths, including investigation and implementation of downstream pipework required to convey flows (generated by the upstream catchments contributing to the existing second order stream) through Lot 14 in DP 22919 with adequate freeboard; and
  - c) Minor stormwater network.
- 35) Engineering design plans and construction reports, prepared in accordance with Council's current version of the Engineering Design Minimum Standards as required for stormwater infrastructure, sewer, and water main works, shall be provided to Council for approval prior to issue of a Subdivision Works Certificate. Staging of the development is permitted provided that continuity in the installation of utility services and any civil infrastructure required is not compromised by the staging.

Completed 'Information to be shown on drawings' and 'Checklists' contained within Council's current version of the Engineering Design Minimum Standards for each asset category shall be submitted as confirmation that all works are designed in accordance with recognised and accepted guidelines.

Notwithstanding the requirements of the Engineering Design Minimum Standards, items to be addressed shall include but not be limited to:

- a) Stormwater, and water infrastructure for the development;
- b) A Safety in Design Report;
- c) Certification being provided in accordance with Annexure A of Council's current version of the Engineering Design Minimum Standards; and
- d) An Inspection Test Plan (ITP) for the construction of Council infrastructure required for the development shall be submitted to Council for approval.

Advisory Note 1: All plans shall include details of the location of all existing utility services.

- 36) Pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following design plans and certification to be supplied prior to the issue of a Subdivision Works Certificate. Works required under Section 306 of the Water Management Act 2000 must be completed prior to the release of a Certificate of Compliance, including:

Water

- a) A water network analysis shall be undertaken to confirm that the proposed water supply will satisfy the requirements of Council's Engineering Design Minimum Standards;
- b) Council's water reticulation system shall be modified in accordance with Council's current version of the Engineering Design Minimum Standards. The existing DN100mm water supply main shall be realigned to ensure

clearance from proposed structures and gifted to Council;

- c) Engineering design drawings for the realignment/extension of water supply shall be prepared in accordance with Council's Engineering Design Minimum Standards;
- d) A single water service with appropriate bulk metering and backflow prevention shall be provided to the lot from Council's existing water supply main on Mulconda Close. The size of water service shall be commensurate with the proposed development;
- e) Redundant water service(s) shall be removed and disconnected from the water main;
- f) The developer shall engage a hydraulic engineer to determine the fire fighting and domestic demands and determine an appropriate water service size for the development. If fire hydrants are required, they shall be above ground installations;
- g) A Management Statement shall be prepared for the Owner's Corporation, which incorporates the following requirements:
  - i. the Owner's Corporation of the property shall take full responsibility for operation and maintenance of all water service lines inboard of the property boundary in perpetuity. Such responsibility will start immediately downstream of the bulk water meter and backflow prevention equipment;
  - ii. individual services to the lots to be constructed in accordance with Council's requirements. Council will supply the water meters and dual check valves following payment of applicable charges per meter;
  - iii. Council will retain ownership of the standpipe fittings, namely the water meter, ball valve and dual check valve and will maintain same. This will allow Council to change or upgrade the water meter and associated fittings at its convenience. All other fittings will be the responsibility of the Owner's Corporation;
  - iv. Council will read water meters and invoice property owners accordingly;
  - v. Council will also read the bulk water meter and in the event of an internal water service malfunction the body corporate will be billed for any discrepancy until the internal water service is repaired;
  - vi. the Owner's Corporation shall maintain an insurance policy to fully cover Council workers who enter the property to service or read individual meters; and
  - vii. appropriate public liability insurance shall be maintained by the Owner's Corporation, including insurance against claims for damage etc. caused by the failure of the water main or fittings;
- h) Work shall be undertaken in accordance with Council's current version of its Engineering Design Minimum Standards;
- i) Works on live water mains to be undertaken by Council at full cost to the developer; and
- j) Easements shall be provided over Council infrastructure located within private properties.

Sewer

- k) The proposed development shall be serviced by private sewer main connecting to Council's existing manhole located in the south-western corner of the lot. The developer is responsible for ensuring the development is adequately serviced by private sewer network connected to council's existing sewer;
- l) Private sewer main shall be designed and implemented in accordance with Council's Engineering Design Minimum Standards;
- m) Work shall be undertaken in accordance with Council's current version of Engineering Design Minimum Standards;
- n) Works on live Council sewer mains shall be undertaken by Council at full cost to the developer;
- o) The developer/Owner's Corporation of the property shall take full responsibility for the installation, operation and maintenance of all sewer lines servicing the individual lots;
- p) Sewer easements of appropriate width shall be provided over any Council sewer main within private property; and
- q) For sewer mains no more than 1.5 metres deep, Council's Policy for Sewer 'Excavating/Filling or Building Adjacent to or Over Existing Sewer Mains', requires that structures/footings (applicable to the proposed retaining wall) located within the Zone of Influence of Council's sewer main be designed and constructed to ensure the following:
  - i. The structure (including piling) is not to be constructed within 1.0 metre of Council's sewer main - measured horizontally from the centreline of the sewer;
  - ii. The structure will not suffer damage should the sewer trench subside or be re-excavated for maintenance; and
  - iii. The foundation design ensures no loading from the structure is transmitted to the main.

A certificate signed by a suitably experienced and qualified structural engineer that the design satisfies these conditions is required for approval prior to the issue of a Construction Certificate.

(Note: For additional information please refer to Council's Policy for "Excavating/Filling or Building Adjacent to or Over Existing Sewer Mains")

- 37) Where retaining walls are to be constructed as part of this development, certification of the design of the retaining wall(s) on affected lots by a suitably qualified Civil/Structural Engineer holding Chartered Professional Engineering status shall be submitted to Council prior to the release of the Construction Certificate.

**Prior to the release of the Construction Certificate for EACH stage**

- 38) An amended and detailed landscape plan shall be prepared and submitted to Tamworth Regional Council demonstrating an additional shade tree to be planted for each unit and additional details (planting and structures) for the green space/community area adjoining the pedestrian linkage to Manilla Road.

The plan must also include fencing and gate details at the Mulconda Close entrance and Manilla Road pedestrian entrance, confirming there will be restricted access only to residents.

- 39) A detailed geotechnical site investigation is required, prepared by a qualified consultant Engineer, which shall be submitted with the Engineering drawings to ensure the site is suitable for development and that adequate measures are in place to guarantee the stability of the site. The report shall fully assess the suitability of the site for the development proposed. All recommendations of the investigation shall be incorporated into the Engineering Drawings.
- 40) A written acknowledgement must be received from Council's Development Engineering Division confirming all infrastructure works required for stormwater and proposed water realignment have been completed in accordance with Council's Engineering Design Minimum Standards.
- 41) The developer shall produce written evidence that an agreement can be put in place with Council's Water and Waste Directorate or a waste collection contractor for the collection of rubbish bins from private property prior to issue of any Construction Certificate.
- 42) Retaining walls greater than 600mm above finished ground level or other approved methods necessary to prevent movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by a qualified, practising Structural Engineer. Details are to be included with any Construction Certificate application.
- 43) Prior to the issuance of a Construction Certificate for Unit 5, the Registered Certifier is to be satisfied that the Structural Engineering design of the footings has taken into consideration the location of the bearing capacity of the foundation material and the proximity of the unit to the adjacent drainage easement.

#### Prior to the issue of a Construction Certificate for Stage 1

##### Water and Sewer Headworks

- 44) Pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following contributions to be paid prior to the release of a Construction Certificate:

##### Headworks

Charges	Water Headworks	Sewer Headworks
Stage 1	\$6,552.00	\$3,478.00

Note: The above headworks contributions have been adopted under the FY 2024/2025 Council Annual Operation Plan. Revised rates adopted in subsequent Annual Operation Plans will apply to Headworks Contributions paid in later financial years.

Note: A development contribution invoice may be requested by emailing [Development@tamworth.nsw.gov.au](mailto:Development@tamworth.nsw.gov.au)

- 44) a) In accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Tamworth Regional Council Section 7.11 (formerly known as S94 (Direct)) Development Contributions Plan 2013, the following monetary contributions shall be paid to Council to cater for the increased demand for community infrastructure resulting from the development:

Description	Contribution (\$)
-------------	-------------------

Roads	\$1,983.00
Car Parking	\$ 0.00
Open Space and Recreation	\$ 766.00
Plan Preparation and Administration	\$ 67.00
<b>TOTAL</b>	<b>\$2,816.00</b>

- b) If the contributions are not paid within the financial year that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$CPY} = \frac{\text{\$CDC} \times \text{CPIPY}}{\text{CPIDC}}$$

Where:

- \\$CPY** Is the amount of the contribution at the date of Payment
- \\$CDC** Is the amount of the contribution as set out in this development consent
- CPIPY** Is the latest release of the Consumer Price Index (Sydney - All Groups) for the financial year at the date of Payment as published by the ABS
- CPIDC** Is the Consumer Price Index (Sydney - All Groups) for the financial year at the date of this development consent

- c) The monetary contributions shall be paid to Council Prior to the issue of the Construction Certificate where the development is for building work:

It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Development Contributions Plan may be viewed at [www.tamworth.nsw.gov.au](http://www.tamworth.nsw.gov.au) <<http://www.tamworth.nsw.gov.au>> or a copy may be inspected at Council's Administration Centre during normal business hours.

#### Prior to the issue of a Construction Certificate for Stage 2

##### Water and Sewer Headworks

- 45) Pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following contributions to be paid prior to the release of a Construction Certificate:

## Headworks

Charges	Water Headworks	Sewer Headworks
Stage 2	\$14,976.00	\$6,956.00

Note: The above headworks contributions have been adopted under the FY 2024/2025 Council Annual Operation Plan. Revised rates adopted in subsequent Annual Operation Plans will apply to Headworks Contributions paid in later financial years.

Note: A development contribution invoice may be requested by emailing [Development@tamworth.nsw.gov.au](mailto:Development@tamworth.nsw.gov.au)

## Developer Contributions

- 46) a) In accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Tamworth Regional Council Section 7.11 (formerly known as S94 (Direct)) Development Contributions Plan 2013, the following monetary contributions shall be paid to the Council to cater for the increased demand for community infrastructure resulting from the development:

Description	Contribution (\$)
Roads	\$ 5,220.00
Car Parking	\$ 0.00
Open Space and Recreation	\$ 1,816.00
Plan Preparation and Administration	\$ 160.00
<b>TOTAL</b>	<b>\$ 7,196.00</b>

- b) If the contributions are not paid within the financial year that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$CPY} = \frac{\text{\$CDC} \times \text{CPIPY}}{\text{CPIDC}}$$

Where:

**\\$CPY** Is the amount of the contribution at the date of Payment

**\\$CDC** Is the amount of the contribution as set out in this development consent

**CPIPY** Is the latest release of the Consumer Price Index (Sydney - All Groups) for the financial year at the date of Payment as published by the ABS

CPIDC Is the Consumer Price Index (Sydney - All Groups) for the financial year at the date of this development consent

- c) The monetary contributions shall be paid to Council Prior to the issue of the Construction Certificate where the development is for building work.

It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Development Contributions Plan may be viewed at [www.tamworth.nsw.gov.au](http://www.tamworth.nsw.gov.au) or a copy may be inspected at Council's Administration Centre during normal business hours.

#### Prior to the issue of a Construction Certificate for Stage 3

##### Water and Sewer Headworks

- 47) Pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following contributions to be paid prior to the release of a Construction Certificate:

##### Headworks

Charges	Water Headworks	Sewer Headworks
Stage 3	\$14,976.00	\$6,956.00

Note: The above headworks contributions have been adopted under the FY 2024/2025 Council Annual Operation Plan. Revised rates adopted in subsequent Annual Operation Plans will apply to Headworks Contributions paid in later financial years.

Note: A development contribution invoice may be requested by emailing [Development@tamworth.nsw.gov.au](mailto:Development@tamworth.nsw.gov.au)

##### Developer Contributions

- 48) a) In accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Tamworth Regional Council Section 7.11 (formerly known as S94 (Direct)) Development Contributions Plan 2013, the following monetary contributions shall be paid to Council to cater for the increased demand for community infrastructure resulting from the development:

Description	Contribution (\$)
Roads	\$ 5,220.00
Car Parking	\$ 0.00
Open Space and Recreation	\$ 1,816.00
Plan Preparation and Administration	\$ 160.00
<b>TOTAL</b>	<b>\$ 7,196.00</b>

- b) If the contributions are not paid within the financial year that this consent is granted, the contributions payable will be adjusted in accordance with

the provisions of the Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$CPY} = \frac{\text{\$CDC} \times \text{CPIPY}}{\text{CPIDC}}$$

Where:

**\\$CPY** Is the amount of the contribution at the date of Payment

**\\$CDC** Is the amount of the contribution as set out in this development consent

**CPIPY** Is the latest release of the Consumer Price Index (Sydney - All Groups) for the financial year at the date of Payment as published by the ABS

**CPIDC** Is the Consumer Price Index (Sydney - All Groups) for the financial year at the date of this development consent

- a) The monetary contributions shall be paid to Council Prior to the issue of the Construction Certificate where the development is for building work.

It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Development Contributions Plan may be viewed at [www.tamworth.nsw.gov.au](http://www.tamworth.nsw.gov.au) or a copy may be inspected at Council's Administration Centre during normal business hours.

#### During construction of work for all stages

- 49) All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the National Construction Code (NCC).

#### Inspections

- 50) It is required that a Principal Certifier (PC) be appointed to undertake all critical stage inspections as prescribed under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The owner may appoint either the Council or an accredited certifier to be the PC.

- 51) Inspections are required to be carried out by Council for works as specified below:

- a) New stormwater infrastructure to be constructed on Lot 14 in DP 22919; and  
b) Water realignment works.

Please note that Council's Development Engineering Division requires a minimum of 48 hours' notice for inspections.

- 52) Any damage caused to kerb, guttering and/or footpath during building operations shall be rectified by the owner or the builder to the satisfaction of Council to ensure the integrity of Council's road infrastructure is maintained to

an acceptable standard.

#### Demolition

- 53) Demolition must occur within the provisions of AS2601-2001 “the demolition of structures”.
- 54) Demolition must occur with suitable best practice methods used to suppress dust and noise nuisance to nearby residential receptors.
- 55) All services (including water, sewer, electricity and gas) must be effectively discontinued by appropriately qualified tradespersons.
- 56) Any material not reclaimed for recycling must be disposed of to a licensed landfill facility and documentation retained to demonstrate the disposal location.
- 57) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 6.00pm and Saturdays 8.00am to 1.00pm. No demolition works are to be undertaken on Sundays or Public Holidays.
- 58) A portable toilet with appropriate washing facilities will be required on site prior to commencement of demolition.
- 59) The applicant shall have an occupational hygienist or suitably qualified professional inspect the area marked for demolition and confirm the presence or absence of asbestos prior to demolition.  
(If asbestos is confirmed)
- 60) Demolition works involving the removal and disposal of asbestos containing material (ACM) must only be undertaken by contractors who hold an asbestos removal licence and a demolition licence.
- 61) The demolition site must have a standard commercially manufactured sign containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS” measuring not less than 400mm x 300mm and is to be erected in a prominent visible position on the worksite. The sign must be erected before demolition works commence and must remain in place until such time that all ACM has been removed from the site to an approved waste facility.
- 62) All asbestos laden waste must be disposed of at a landfill licensed by the NSW Environment Protection Authority (EPA). All disposal receipts must be maintained as evidence of proper disposal.
- 63) An asbestos clearance certificate must be provided to Council by an occupational hygienist or suitably qualified consultant declaring the site to be free from all asbestos upon completion of demolition.
- 64) If any unexpected contamination is discovered during demolition or construction works, the appropriate actions shall be taken in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, work health and safety and environmental protocols to address any issues relating to human health and environmental protection. Council’s Environmental Health Section must be notified and all work in the area of discovery is to be immediately ceased until clearance is obtained from Council.
- 65) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the closure of a public place, a hoarding or fence must be erected between the work site and the public place. If the hoarding or fencing is to be placed on or over Council land, the written approval of Council is to be obtained.

- 66) The applicant must ensure that all waste storage containers, including but not limited to skip bins, must be stored within the site unless:
- a) an approval has been issued by Council to place the waste storage container in a public place; and
  - b) where located on the road, it is located only in a position where a vehicle may lawfully park in accordance with the Australian Road Rules to the extent they are adopted under the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.
- 67) Due to the proximity of the subject structure to the property boundary, an identification survey is to be prepared by a Registered Surveyor during construction works for the subject development.
- 68) To the extent that this consent permits filling of the site such fill must be virgin excavated natural material ("VENM").
- VENM includes clay, gravel, sand, soil and rock that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with human-made chemicals as a result of industrial, commercial, mining or agricultural activities and which do not contain sulphidic ores or soils.
- 69) Erosion and sediment control measures in accordance with the ESCP are to be maintained by the developer at all times.
- 70) Any damage caused to Council infrastructure shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of Council's infrastructure.
- 71) Any spillage of materials onto Council infrastructure, as a result of delivery or handling for this development, must be removed as soon as practicable by the developer and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
- 72) The Developer shall ensure that dust suppression is undertaken to ensure there is no visible dust emitted due to any works associated with the works associated with the development. This can be in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving in, out or within the development site does not cause a nuisance to surrounding properties.

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**Prior to the release of the Occupation Certificate for EACH stage**

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- 73) All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent shall be completed prior to the issue of any occupation certificate for the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979.
- 74) A suitable vehicle safety barrier or bollards are to be installed on each side of the driveway where it adjoins the stormwater drainage channel. These safety measures are to be installed prior to the issuance of an Occupation Certificate for dwelling 6.
- 75) The proposal is to be carried out in accordance with the Referral Advice issued by the Transport for New South Wales, reference NTH24/00456/003 dated 4 September 2024, copy and contained in Annexure A of this consent.
- 76) Prior to the provision of any Occupation Certificate for works associated with the applicable stage of the development, the subdivision of Lot 11 in DP 231449 must occur and any works and associated easements required pursuant to a

condition of the subject development consent shall be completed. Evidence shall be submitted to the Principal Certifying Authority to confirm that the community title subdivision of Lot 11 in DP 231449 has been registered by NSW Land Registry Services. In this regard:

Easements for utilities and services, including stormwater, water, and sewer, in favour of the lots benefiting and/or Council shall be provided where services are located on private properties and/or overland flows traverse private property.

- 77) To ensure the ongoing use of units 1 and 11 as 'affordable housing units', prior to the issue of the Occupation Certificate for each dwelling evidence of registration with a community housing provider is to be provided to Council.
- 78) Prior to the issue of an occupation certificate for the relevant unit/s, the applicant must cause a restriction to be registered against the title of the site on which the development is carried out, in accordance with Section 88E of the Conveyancing Act 1919, requiring:
  - a) The relevant unit/s as required by this consent is to be used for the purposes of affordable housing as defined by the Environmental Planning and Assessment Act for a minimum of 15 years from the date of issue of the Occupation Certificate;
  - b) Specifically nominating the relevant units to be allocated as affordable housing; and
  - c) Management of the affordable housing units by a registered community housing provider.
- 79) The no-stopping signage in Mulconda Close as endorsed by this consent must be installed prior to the first Occupation Certificate.

Prior to the issue of a Subdivision Certificate for EACH stage
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- 80) Prior to the issue of a Subdivision certificate for each Stage an occupation certificate must be issued for all buildings that are constructed in the relevant Stage.
- 81) A Certificate of Compliance under Section 307 of the Water Management Act 2000 shall be obtained from Council (as the Local Water Supply Authority) prior to the provision of a Subdivision Certificate. All payments and works required under Section 306 of the Water Management Act 2000 must be received and completed prior to the release of a Certificate of Compliance.
- 82) Prior to the issue of a subdivision certificate, the Community Management Plan must be submitted to and approved by Council to ensure that the management of the subdivision is consistent with the development consent.
- 83) Certification being provided that each lot is serviced with electricity in accordance with recognised standards and community expectations.
- 84) A provisioning confirmation letter shall be submitted with the application for a Subdivision Certificate to confirm that each lot is serviced with telecommunications infrastructure in accordance with recognised standards.
- 85) Easements for utilities and services, in particular sewer, water, and stormwater, in favour of the lot(s) benefiting and/or Council shall be provided where services are located on private properties and/or overland flows traverse private property.
- 86) A Maintenance Bond in accordance with the current version of Council's Engineering Design Minimum Standards shall be paid to Council for all infrastructure works.

- 87) One set of approved construction drawings shall be amended to show the “Work-as-Executed” and be certified by a Registered Surveyor or a Chartered Professional Civil Engineer, in accordance with Council’s Engineering Design Minimum Standards.

A scanned electronic ‘PDF version and an AutoCAD ‘dwg’ version of the signed “Work-as-Executed” plans shall be submitted to Council to ensure that adequate records are maintained of community infrastructure.

- 88) All test results, material certificates, non-conformance reports and signed off Hold/Witness Points as required by the Inspection and Test Plan (ITP) shall be submitted for the review of Council to verify the quality of the completed product.
- 89) To confirm and clarify the terms of Council’s approval, a Subdivision Certificate may not be issued until:
- a) the development, at each stage, is completed in accordance with Development Application No. DA2024-0287; and
  - b) the Community Management Statement for the development provides that development of the lot may only be carried out in accordance with Development Application No. DA2024-0287.

#### Ongoing Use

- 90) The sealing and marking of crossovers and all vehicular parking, manoeuvring and loading areas, and landscaped areas on the site are to be maintained at all times.
- 91) All vehicle movements into and out of the development site shall be in a forward direction.
- 92) The on-site stormwater systems shall be maintained at all times so as to ensure their effective operation for their intended purpose.

Annexure A: Referral Advice issued by the Transport for New South Wales, reference NTH24/00456/003 dated 4 September 2024.

COUNCILLORS WHO VOTED <b>FOR</b> THE DECISION	COUNCILLORS WHO VOTED <b>AGAINST</b> THE DECISION
1. Cr Ryan Brooke 2. Cr Jeffrey Budd 3. Cr Charles Impey 4. Cr Brendon North 5. Cr Matthew Sharpham 6. Cr Marc Sutherland	1. Cr Stephen Mears

**132/25 RESOLVED**

### 7.3 REVIEW OF THE TAMWORTH REGIONAL DEVELOPMENT CONTROL PLAN 2010 (DRAFT AMENDMENT NO. 18)

**DIRECTORATE:** LIVEABLE COMMUNITIES  
**AUTHOR:** Sam Lobsey, Manager - Development

#### MOTION

**Moved Cr Sutherland/Cr Mears**

That in relation to the report “Review of the Tamworth Regional Development Control Plan 2010 (Draft Amendment No. 18)”, Council:

- (i) approve the public exhibition of Draft Amendment No. 18 to the Tamworth Regional Development Control Plan 2010 for a period of 28 days; and
- (ii) in the event that submissions are received during the public exhibition period, receive a subsequent report at a future meeting of Council to detail the outcomes of the public exhibition process. Should no submissions be received, Council adopt Amendment No. 18 at the end of the exhibition period without a further report.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

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

Nil

**133/25 RESOLVED**

## **8 INFRASTRUCTURE AND SERVICES**

Nil

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

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

**DIRECTORATE:**

**OFFICE OF THE GENERAL MANAGER**

**AUTHOR:**

Karen Litchfield, Internal Auditor

#### **MOTION**

**Moved Cr Sharpham/Cr Mears**

That in relation to the report “Audit, Risk and Improvement Committee”, Council receive and note the Minutes of the meeting held 8 May 2025.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

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

Nil

**134/25 RESOLVED**

## **10 COMMUNITY SERVICES**

Nil

## 11 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7.02pm, 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 Sharpham/Cr Mears

That the confidential reports as listed be considered in a Meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993.

COUNCILLORS WHO VOTED <b>FOR</b>	COUNCILLORS WHO VOTED <b>AGAINST</b>
THE DECISION	THE DECISION

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

Nil

### 135/25 RESOLVED

#### 11.1 APPROVAL FOR EASEMENT OVER COUNCIL OWNED LAND - LOT 211 DP 1069964

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER

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

**Reference:** Item 7.2 to Ordinary Council 11 January 2018 - Minute No 5/18  
 Item 12.1 to Ordinary Council 27 August 2019 - Minute No 286/19  
 Item 12.3 to Ordinary Council 26 October 2021 - Minute No 316/21  
 Item 12.10 to Ordinary Council 26 November 2024 - Minute No 345/24

#### 1 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (d)i of the Local Government Act 1993 on the grounds that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

## 12 CLOSED COUNCIL REPORTS

### 12.1 APPROVAL FOR EASEMENT OVER COUNCIL OWNED LAND - LOT 211 DP 1069964

**DIRECTORATE:** OFFICE OF THE GENERAL MANAGER  
**AUTHOR:** Nicholas Hawkins, Commercial Property Officer  
**Reference:** Item 7.2 to Ordinary Council 11 January 2018 - Minute No 5/18  
 Item 12.1 to Ordinary Council 27 August 2019 - Minute No 286/19  
 Item 12.3 to Ordinary Council 26 October 2021 - Minute No 316/21  
 Item 12.10 to Ordinary Council 26 November 2024 - Minute No 345/24

#### MOTION

##### Moved Cr Brooke/Cr Impey

That in relation to the report "Approval for Easement over Council Owned Land - Lot 211 DP 1069964", Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of a Deed of Agreement for the acquisition and registration of an easement over Council land as set out in the body of this report;
- (ii) authorise the General Manager to execute the landowner consent forms described in the body of this report; and
- (iii) authorise the affixing of the Seal of Council to the Deed of Agreement and any other document required to give effect to Council's resolution.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

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

Nil

**136/25 RESOLVED**

## 13 RESOLUTIONS PASSED IN CLOSED COUNCIL

#### MOTION

##### Moved Cr Sutherland/Cr Brooke

That Council move into Open Council.

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

1. Cr Ryan Brooke
2. Cr Jeffrey Budd
3. Cr Charles Impey
4. Cr Stephen Mears
5. Cr Brendon North

Nil

6. Cr Matthew Sharpham
7. Cr Marc Sutherland

**137/25 RESOLVED**

At 7.06pm the Meeting moved back into Open Council.

In accordance with the Tamworth Regional Council Code of Meeting Practice, Section 14.21, the Chairperson provided a summary of the resolutions passed in Closed Council.

**Closure:** There being no further business the Ordinary Meeting of Council concluded at 7.07pm.

Cr Jeffrey Budd, Chairperson

Monday, 30 June 2025

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