



TAMWORTH REGIONAL COUNCIL

ORDINARY COUNCIL MINUTES

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

10 MARCH 2026

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 MARCH 2026 at 6PM

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

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

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 MINUTES OF PREVIOUS MEETING SUBMITTED FOR APPROVAL

MOTION

Moved Cr Budd/Cr Mears

That the Minutes of the Ordinary Meeting held on Tuesday, 24 February 2026, 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 Mark Rodda
7. Cr Matthew Sharpham
8. Cr Marc Sutherland
9. Cr Russell Webb

Nil

30/26 RESOLVED

3 DISCLOSURE OF INTEREST

Cr Marc Sutherland declared a conflict of interest in Item 9.1 "Provision of Service Delivery at Council Facility – Tamworth Regional Youth Centre" of the Business Paper for the reason that his son attends Birralee. Cr Sutherland further declared that this was a less than significant, non-pecuniary conflict of interest and that he would remain in the Chamber and participate in the debate.

4 MAYORAL MINUTE

Nil

5 NOTICE OF MOTION

5.1 NOTICE OF MOTION – CR RYAN BROOKE - INVESTIGATE ESTABLISHING AN AFFORDABLE HOUSING CONTRIBUTION SCHEME

MOTION

Moved Cr Brooke/Cr Mears

That Council:

- (i) note that the provision of social and affordable rental housing is identified as an action of critical importance under Priority 3 of the Tamworth Regional Housing Strategy 2024;
- (ii) note that Local Councils can require affordable housing contributions to be paid when development or rezonings are being undertaken in their local government area;
- (iii) investigate creating an Affordable Housing Contribution Scheme to facilitate the creation of affordable housing stock within our local government area; and
- (iv) request a future report on a draft Affordable Housing Contribution Scheme be presented to Council for review.

AMENDMENT

Moved Cr Budd/Cr North

With regard to Social and Affordable Housing issues that are effecting not only Tamworth Region but our nation as a whole, we acknowledge the commendable work already being conducted by Tamworth Regional Council in line with Priority 3 of the Tamworth Regional Housing Strategy.

We recognise the links and direct flow on effect to the current and impending increase to Worker Accommodation and its critical importance across all of our Region.

Councillors call for an essential workshop on these issues so that Councillors and staff can identify further options and actions moving forward.

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

THE AMENDMENT BECOMES THE MOTION

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

31/26 RESOLVED

OPEN COUNCIL REPORTS

6 ENVIRONMENT AND PLANNING

6.1 DA_REV2026-0001 - DIVISION 8.2 REVIEW OF THE DETERMINATION OF DA2025-0204 - SUBDIVISION OF THE SITE INTO 47 RESIDENTIAL LOTS WITH ASSOCIATED ROAD AND SERVICE INFRASTRUCTURE ON LOT 1 DP 1017953, 18-50 MAYNE DRIVE WESTDALE NSW 2340

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

MOTION

Moved Cr Budd/Cr Sharpham

That in relation to the Division 8.2 Review of the Determination of DA2025-0204 - Subdivision of the site into 47 residential lots with associated road and service infrastructure at Lot 1 DP 1017953, 18-50 Mayne Drive Westdale NSW 2340, Council change the determination to an approval subject to the following conditions:

General Conditions of Consent

- 1) *Development must be carried out in accordance with the following approved plans:*
 - a) *Subdivision Plan prepared by Spiire, Rev 04, Drawing No. 00068-76, dated 3 September 2024; and*
 - b) *Subdivision Wastewater Management Report, prepared by Decentralised Water Australia, Revision R.0905.001.01, dated 30 January 2026.*
- 2) *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.*
- 3) *Construction of each stage shall minimise traffic impacts on the newly constructed pavements associated with the development. In this regard, an alternate construction access to each stage shall be nominated, constructed, used and maintained in accordance with a Traffic Management Plan to be submitted to Council.*
- 4) *The development shall 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.*
- 5) *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.*
- 6) *Any existing State Survey Mark or Cadastral Survey Mark shall be preserved during construction and not disturbed unless authority has been obtained from the Surveyor-General in accordance with the Surveyor-General's Directions published by the NSW Land and Property Information Service. In this regard, the Principal Contractor is responsible for the protection of the mark.*
- 7) *The Applicant shall consult with, as required:*

- a) *Essential Energy*
- b) *Natural Gas Company*
- 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).

- 8) *The General Terms of Approval from state authorities must be complied with prior to, during, and at the completion of the development. The General Terms of Approval are:*
 - a) *NSW Rural Fire Service, Reference DA20250326001137-Review of Determination-1, dated 23 December 2025.*

A copy of the General Terms of Approval is attached to this determination notice.

- 9) *Any water well/bore located within development site shall be decommissioned and capped.*

Internal Roads

- 10) *The current Right of Way on Lots 3,4,5 DP 1038239 shall be converted to a 20-metre-wide public road that satisfies RDS 1 of Council's current version of the Engineering Design Minimum Standards. This is required for the full frontage of all lots to ensure that public road facilities are established at an appropriate standard having regard to the traffic generated by the proposed development. Design Vehicles for the Development shall be in accordance with Part 2.5.5 of Council's Engineering Design Minimum Standards.*
- 11) *Road construction to a minimum width of 22 metres that satisfies RDS 3 of Council's current version of the Engineering Design Minimum Standards is required for the full frontage and/or sideage of all lots created on Lot 1 DP 1017953 to ensure that public road facilities are established at an appropriate standard having regard to the traffic generated by the proposed development. Design Vehicles for the Development shall be in accordance with Part 2.5.5 of Council's Engineering Design Minimum Standards.*
- 12) *Temporary bitumen sealed turning circles of sufficient radius to allow a 12.5-metre-long service vehicle to turn around in one movement shall be provided outside the end of all roads where future stages of development are proposed. The turning circle shall be located wholly within the road reserve provision (or right of carriageway) and shall be dedicated as such prior to the issue of a subdivision certificate for that stage. Temporary sight boards shall also be provided.*

Stormwater

- 13) *A stormwater servicing strategy for the development site shall be prepared and submitted to Council for approval in accordance with the requirements of Part 3 of Council's current version of Engineering Design Minimum Standards*
- 14) *The stormwater servicing strategy for this development must also include calculations and associated commentary for the following: -*
 - a) *Method of conveying pre-developed flows from upstream catchments through and around the development site;*
 - b) *Minor and major stormwater network including the discharge and*

connection detail to Council's stormwater network located in Wylie Park;

- c) Piped and overland flows discharging to Timbumburi Creek; and*
- d) Interallotment drainage discharging to Timbumburi Creek.*

The stormwater servicing strategy to be approved by Council prior to any Subdivision Works Certificate for the development and shall be used to address all the required stormwater drainage design for the development site.

- 15) For any stages of the development where undetained flows are directed to adjoining properties, a written agreement shall be provided to Council indicating the landowners consent prior to the issue of a Construction Certificate for the respective stage. Any agreement shall be outlined in the appropriate easement(s) in favour of the benefitting lot(s) on the title prior to Subdivision release for the respective stage.*
- 16) In the event that the nominated overland flow paths cannot adequately demonstrate compliance with respect to the:
 - a) Depth of flow within the nominated reserve; and*
 - b) Safe velocity to depth ratio (including crossings of footpaths and cycleway where appropriate).**

Additional capacity within the piped drainage system shall be provided so that compliance can be achieved.

- 17) Any land associated with the proposed stormwater system within the development site shall be dedicated to Council as Drainage Reserve with the exception of any required interallotment drainage.*
- 18) Interallotment stormwater drainage systems shall be designed to accommodate the Building Code of Australia requirements for stormwater discharge and be constructed to provide adequate drainage facilities for each lot.*

If the interallotment system is designed so that drainage water is discharged through privately owned properties. Easements shall be provided on each lot over the inter-allotment drainage system. The easement shall be in favour of the lots/land that benefit.

Street Lighting

- 19) Street lighting is to be provided to ensure an acceptable level of lighting for pedestrian traffic and security for the development site. Street lighting within the development site shall be provided and comply with the requirements of AS/NZS1158 (as amended)*

Any lights to be installed must be in accordance with National Airports Safeguarding Framework (NASF) Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports. Some of the site will be in Zone C, where the maximum intensity of (night) light sources measured at 3° above the horizontal should be 150 candela (cd).

- 20) No new electricity lines shall traverse any residential allotment.*

Landscaping

- 21) Street trees shall be provided in accordance with Council's Engineering Design Minimum Standards.*

Prior to the Commencement of Works

- 22) A Subdivision Works Certificate shall be obtained from Council prior to commencement of any subdivision works.
- 23) 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 and implemented prior to the commencement of any construction works.
- 24) 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 Australian Standard (AS) 1742.3 (as amended) and the TfNSW current version of the "Traffic Control at Worksites" manual.
- 25) 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 the Council prior to the commencement of work and upon request, during the progress of the work.
- 26) A minimum of one week's notice, in writing, of the intention to commence works on public land shall be provided to Council together with the name of the principal contractor and any major subcontractors engaged to carry out the works.
- 27) A sign shall be erected within the development site stating that unauthorised entry to the work site is prohibited. The sign shall include the name of the principal contractor, the name of the site supervisor and a telephone number at which the site supervisor may be contacted outside normal working hours. The signs shall be removed when all works have been completed.

Prior to Issue of a Subdivision Works Certificate

- 28) Certification being provided in accordance with Annexure A of Council's current version of the Engineering Design Minimum Standards.
- 29) Engineering design plans, reports and calculations prepared in accordance with Council's current version of the Engineering Design Minimum Standards for are required for stormwater drainage, roads, and footpaths during construction. 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.
- 30) A pavement design report that complies with the requirements of Council's current version of the Engineering Design Minimum Standards shall be submitted to Council for approval. Any pavement that will be used by construction vehicles for access to the site shall be designed for construction loading.

- 31) *An Inspection Test Plan (ITP) for the construction of roads and drainage infrastructure required for the development shall be submitted to Council's Development Engineering Division for approval to ensure the quality of construction meets the design criteria.*
- 32) *A landscaping plan shall be submitted to Council for approval. The landscaping plan shall comply with the requirements of Council's current version of the Engineering Design Minimum Standards. Notwithstanding other requirements, street trees shall be provided at an average spacing of 30m.*
- 33) *Electrical reticulation construction plans stamped and approved by Essential Energy, LED street lights are installed in accordance with Australian Standards and Council's Minimum Standards and satisfactory arrangements have been made for the provision of electricity to all Lots.*
- 34) *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.*
- 35) *Pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following detailed design plans submitted for approval prior to the issue of a Subdivision Works Certificate.*

Water

- *A satisfactory Water Servicing Strategy for the proposed development, including water network analysis and any proposed staging is to be provided for approval by Council prior to the submission of detailed engineering drawings and application for a Construction Certificate.*

Sewer

- *A satisfactory Sewer Servicing Strategy for the proposed development, including any proposed staging, is to be provided for approval by Council prior to the submission of detailed engineering drawings and application for a Construction Certificate.*

36) Before the issue of a Subdivision Works Certificate:

- a) *The class and number of ecosystem credits in the below table must be retired to offset the residual biodiversity impacts of the development;*
- b) *The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator; and*
- c) *Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund detailed in the below table must be provided to the consent authority.*

<i>Impacted Plant Community Type</i>	<i>Number of Ecosystem Credits</i>	<i>IBRA Subregion</i>	<i>Plant Community Type(s) that can be used to Offset the Impacts from Development</i>
<i>PCT 599 Blakely's Red Gum - Yellow</i>	<i>85</i>	<i>Peel, Eastern Hunter, Inverell</i>	<i>White Box - Yellow Box – Blakely's Red Gum Grassy</i>

<p>Box grassy tall woodland on flats and hills in the Brigalow Belt South Bioregion and Nandewar Bioregion</p>		<p>Basalts, Kaputar, Liverpool Plains, Liverpool Range, Northern Basalts, Tomalla and Walcha Plateau. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.</p>	<p>Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highland This includes PCT's: 74, 75, 83, 250, 266, 267, 268, 270, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 286, 298, 302, 312, 341, 342, 347, 350, 352, 356, 367, 381, 382, 395, 401, 403, 421, 433, 434, 435, 436, 437, 451, 483, 484, 488, 492, 496, 508, 509, 510, 511, 516, 528, 538, 544, 563, 567, 571, 589, 590, 597, 599, 618, 619, 622, 633, 654, 702, 703, 704, 705, 710, 711, 796, 797, 799, 847, 851, 921, 1099, 1303, 1304, 1307, 1324, 1329, 1330, 1332, 1383, 1606, 1608, 1611, 1691, 1693, 1695, 1698, 3314, 3359, 3363, 3373, 3376, 3387, 3388, 3394, 3395, 3396, 3397, 3398, 3399, 3406, 3415, 3533, 4147, 4149, 4150</p>
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37) Prior to the issue of a Subdivision Works Certificate a Biodiversity Management Plan must be prepared to the satisfaction of Tamworth Regional Council and include the following:

- a) Identification of the development site as per the Biodiversity Development Assessment Report (BDAR) by Cedar Ecology, Version 1, dated 10 March 2025 and approved plans;**
- b) Identification of the areas of land that are to be retained as outlined in the BDAR;**

- c) *Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR; and*
- d) *The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity.*

During Works

General

- 38) *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.*

- 39) *The Developer shall be responsible to instruct and control their contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act 1997, in the event that the building operations cause noise to emanate from the property on Sundays or Public Holidays or otherwise than between the hours detailed above.*

- 40) *A copy of the current stamped approved engineering construction plans and specification must be kept on site for the duration of the works and be made available upon request to either the Principal Certifier or an Officer of Council.*

- 41) *Erosion and sediment control measures in accordance with the ESCP are to be maintained by the developer at all times.*

- 42) *The Traffic Management Plan (inclusive of any TGS's) shall be implemented, and any associated barriers, signage and controls shall be maintained in a functional state at all times.*

- 43) *The footpath and/or road reserve shall not be used for construction purposes or placing of building materials, construction fencing without prior written approval from Council. Approval will only be considered in extreme or highly constrained circumstances.*

- 44) *The Developer shall ensure that dust suppression is undertaken to ensure there is no visible dust emitted due to any 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.*

- 45) *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.*

- 46) *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.*

- 47) A compliance survey shall be undertaken at subgrade level and each subsequent pavement layer level for all road works associated with this development to ensure that the required pavement thickness, as per the pavement design, has been achieved. The compliance survey must be submitted to Council prior to sealing of the road.

Contamination

- 48) If any unexpected contamination is discovered during works on the development, the appropriate actions shall be taken in accordance with State Environmental Planning Policy (Resilience & Hazards) 2021, work health and safety and environmental protocols to address any issues relating to human health and environmental protection. Council's Environmental Health Division must be notified and all work in the area of discovery is to be immediately ceased until clearance is obtained from Council.

Allotment Filling

All allotment filling 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 AS2870.1 (as amended) – Residential Slabs and Footings – Construction, as “controlled fill”.

- 49) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility. Documentation demonstrating the classification and the volume of material removed should be readily available to Council upon enquiry

Aboriginal Heritage

While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

- a) the work in the area of the discovery must cease immediately;
- b) the following must be notified:
 - i) for a relic – the Heritage Council; or
 - ii) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- a) for a relic – the Heritage Council; or
 - b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.
- 50) If any human remains (or suspected human remains) are discovered and/or harmed within the study area, the proponent must:
- a) immediately cease all activity in the vicinity of the suspected human remains;

- b) ensure no further harm occurs, secure the area so as to avoid further impact to the remains;*
- c) notify NSW Police;*
- d) notify Heritage NSW Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location; and*
- e) not recommence any work at the particular location unless authorised in writing by Heritage NSW.*

Demolition

- 51) All demolition work must be carried out in accordance with Workcover Authority requirements and Australian Standard S2601 – The Demolition of Structures.*

Electricity

- 52) Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).*

Biodiversity

- 53) When site works are being carried out the measures required by the Biodiversity Management Plan must be implemented at all times.*

Prior to Issue of a Subdivision Certificate

- 54) All works as required by these conditions of consent shall be complete.*
- 55) Pursuant to Section 306 of the Water Management Act 2000, Council (as the Local Water Supply Authority) requires the following works to be undertaken and contribution payments made prior to the release of a Subdivision Certificate.*

Headworks

- Water - \$4,858 per additional lot; and*
- Sewer - \$1,805 per additional lot connected to Council reticulated sewer;*

The above amounts have been adopted under the 2025/26 Council Annual Operation Plan. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of subsequent Annual Operation Plans.

Water

- Council’s water reticulation system shall be extended to provide adequate service to the development.*
- A single water service shall be provided to each lot.*
- The water extension shall be in accordance with Council’s Water Supply Strategy.*
- Work shall be undertaken in accordance with Council’s Engineering Minimum Standards.*
- Work on live water mains shall be undertaken by Council at full cost to the developer.*

NB: The water meters will not be connected until the subdivision has been released by Council.

Sewer

- Council’s sewerage system shall be extended to provide adequate service to the development.
- A single sewer service shall be provided to each lot. With the exception of Lot 122 (within RU4 zoning) and those lots identified in the Subdivision Wastewater Management Report, prepared by Decentralised Water Australia (dated 30 January 2026), which may be serviced by Onsite Sewer Management System (OSSM).
- The sewer extension shall be in accordance with Council’s Sewerage Strategy.
- Work shall be undertaken in accordance with Council’s Engineering Minimum Standards.
- Work on live sewer mains shall be undertaken by Council at full cost to the developer.
- Sewer easements of minimum 3.0m width are to be provided over all sewer mains within private property.
- The existing dwelling on Lot 1 DP 1017953 must be connected to Council reticulated sewer infrastructure and the existing onsite sewerage management system be decommissioned.

56) Pursuant to Section 307 of the Water Management Act 2000, a Certificate of Compliance must be obtained from the Council (as the Local Water Supply Authority) prior to the provision of any Subdivision Certificate. All payments and works required under Section 306 of the Water Management Act 2000 must be completed prior to the release of a Certificate of Compliance.

57) 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:

<i>Description</i>	<i>Contribution (\$ per Lot)</i>
<i>Roads</i>	<i>\$ 1,978.50</i>
<i>Open Space and Recreation</i>	<i>\$ 610.50</i>
<i>Plan Preparation and Administration</i>	<i>\$ 54.00</i>
TOTAL	\$ 2,643.00

a) 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:

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

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.

b) The monetary contributions shall be paid to Council:

- i) Prior to the issue of the Subdivision Certificate where development is for subdivision.**

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

NB: 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.

- 58) A construction validation report shall be prepared by the Applicant's Consulting Engineer, inclusive of all test results and materials certificates, verifying that all works have been completed in accordance with the drawings and specifications.**
- 59) One set of approved construction drawings shall be amended to show the "Work-As-Executed" and submitted to Council. The drawings shall be revision/version "W" and be certified by a Registered Surveyor or a Chartered Professional Civil Engineer.**

An 'AutoCAD' file of the "Work-As-Executed" plans shall be submitted to Council to upload into Council's Geographic Information System.

A 'PDF' version of the "Work-As-Executed" plans shall also be submitted to ensure that adequate electronic records are maintained of community infrastructure.

Where allotment filling has been carried out, the "Works-As-Executed" plans shall indicate the contours prior to and after filling and also the compaction test results.

- 60) Certification being provided that each lot is serviced with electricity in accordance with recognised standards.**
- 61) Certification being provided that each lot is serviced with telecommunications infrastructure in accordance with recognised standards.**
- 62) For developments where allotment filling has been undertaken, a copy of the NATA testing authority certification for compliance to the requirements of AS2870.1 (as amended) – Residential Slabs and Footings – Construction shall be provided to Council.**
- 63) A Maintenance Bond in accordance with the current version of Council's Engineering Minimum Standards shall be paid to Council for all Council**

infrastructure works.

- 64) *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.*
- 65) *Easements for utilities and services, including sewer and stormwater, 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.*
- 66) *As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision.*
- 67) *An application (together with a plan) must be submitted to Council for road names. The suggested names must be supported with reasons (historical or otherwise).*
NB: Council's Development Hub should be contacted via email at development@tamworth.nsw.gov.au or phone (02) 6767 5507 for assistance with road naming.
- 68) *Certification being provided that street lighting design and installation complies with the requirements of AS1158 (as amended).*
- 69) *Before the issue of a Subdivision Certificate, a Public Positive Covenant pursuant to 88E of the Conveyancing Act 1919 is to be registered on proposed Lots 118, 119, 120, and 122 that large mature trees will be retained.*
- 70) *Prior to the issue of a Subdivision Certificate, documentation shall be provided to Council confirming that the proposed development has satisfied the General Terms of Approval issued by the NSW Rural Fire Service (refer to ANNEXURE 1).*
- 71) *The boundary fence between Lot 1 DP 1017953 and Lot 3 DP 1038239 shall be upgraded for a span of approximately 700.6 metres. The fence shall be a minimum of 1.1m and a maximum of 1.5m in height and include a bottom wire, belly wire, top wire, and 1050mm of netting.*

.....
ANNEXURE 1

NSW Rural Fire Service, Reference DA20250326001137 - Review of Determination-1, dated 23 December 2025.

0 COUNCILLORS WHO VOTED **FOR**
THE DECISION

1. Cr Jeffrey Budd
2. Cr Charles Impey
3. Cr Brendon North
4. Cr Matthew Sharpham
5. Cr Russell Webb, Deputy Mayor

COUNCILLORS WHO VOTED **AGAINST**
THE DECISION

1. Cr Ryan Brooke
2. Cr Stephen Mears
3. Cr Mark Rodda
4. Cr Marc Sutherland

32/26 RESOLVED

6.2 TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 - AMENDMENT TO THE SECONDARY DWELLINGS IN CERTAIN RURAL LANDS MAP LAYER

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Mitchell Gillogly, Team Leader – Strategic Planning
Reference: Item 7.1 Ordinary Council Meeting 27 February 2024 - Minute 22/24
Item 7.2 Ordinary Council Meeting 13 August 2024 - Minute 201/24
Item 7.2 Ordinary Council Meeting 12 November 2024 - Minute 297/24
Item 7.1 Ordinary Council Meeting 11 November 2025 - Minute 279/25

MOTION

Moved Cr Brooke/Cr Sutherland

That in relation to the report “Tamworth Regional Local Environmental Plan 2010 - Amendment to the Secondary Dwellings in Certain Rural Lands Map Layer”, Council request the Department of Planning, Housing and Infrastructure to amend the Tamworth Regional Local Environmental Plan 2010 in accordance with Section 3.22 of the Environmental Planning and Assessment Act 1979, to remove the ‘Secondary Dwelling Inclusion Area Map’ layer and insert this map into the ‘Additional Permitted Use Maps’ layer in the NSW Planning Portal Digital Environmental Planning Instrument Viewer.

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 Mark Rodda
7. Cr Matthew Sharpham
8. Cr Marc Sutherland
9. Cr Russell Webb

Nil

33/26 RESOLVED

6.3 REQUEST FOR OBJECTION IN SECTION 82 OF THE LOCAL GOVERNMENT ACT IN RELATION TO A MANUFACTURED HOME ESTATE ON LOT 349 DP 753848, AND LOT 39 DP 22919, BROWNS LANE OXLEY VALE TO FACILITATE CONSTRUCTION OF DWELLINGS ONSITE AS OPPOSED TO MANUFACTURING OFF-SITE.

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Nicole Chegwyn, Team Leader - Building Certification

MOTION

Moved Cr North/Cr Sharpham

That in relation to the report “Request for Objection in Section 82 of the Local Government Act in Relation to a Manufactured Home Estate on Lot 349 DP 753848, and Lot 39 DP 22919, Browns Lane Oxley Vale to Facilitate Construction of Dwellings

On-Site as Opposed to Manufacturing Off-Site.” Council:

- (i) support the Section 82 Objection lodged under Section 68 Application (LG2026-0277) by Browns Lane Developments Pty Ltd in relation to facilitating construction of manufactured homes on site at Lot 349 DP 753848 and Lot 39 DP 22919 Browns Lane Oxley Vale; and
- (ii) seek the concurrence of Departmental Chief Executive under Section 23A of the Local Government Act 1993, in accordance with the Section 82 Objection.

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

34/26 RESOLVED

7 INFRASTRUCTURE AND SERVICES

Nil

8 GOVERNANCE, STRATEGY AND FINANCE

8.1 OPEN SPACE MANAGEMENT GUIDE - FEBRUARY 2026 UPDATE

DIRECTORATE:

REGIONAL SERVICES

AUTHOR:

Paul Kelly, Manager - Sports and Recreation
Samuel Eriksson, Sports and Recreation Strategy Officer

MOTION

Moved Cr Sutherland/Cr Brooke

That in relation to the report “Open Space Management Guide - February 2026 Update”, Council adopt the guide titled “Open Space Management Guide, February 2026”.

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

35/26 RESOLVED

8.2 PROPOSED LICENCE TO BARRABA RUGBY LEAGUE FOOTBALL CLUB INCORPORATED

DIRECTORATE: REGIONAL SERVICES
AUTHOR: Paul Kelly, Manager - Sports and Recreation

MOTION

Moved Cr Sutherland/Cr Impey

That in relation to the report “Proposed Licence to Barraba Rugby League Football Club Incorporated of Part Lot 195 in Deposited Plan 752197”, Council:

- (i) authorise the Mayor and General Manager to negotiate the terms of a new licence to Barraba Rugby League Football Club Incorporated as set out herein; and
- (ii) authorise the affixing of the Seal of Council to the licence document and any other associated documentation.

COUNCILLORS WHO VOTED **FOR**
THE DECISION

COUNCILLORS WHO VOTED **AGAINST**
THE DECISION

1. Cr Ryan Brooke

Nil

2. Cr Jeffrey Budd

3. Cr Charles Impey

4. Cr Stephen Mears

5. Cr Brendon North

6. Cr Mark Rodda

7. Cr Matthew Sharpham

8. Cr Marc Sutherland

9. Cr Russell Webb

36/26 RESOLVED

9 COMMUNITY SERVICES

Cr Marc Sutherland declared a conflict of interest in this Item of the Business Paper for the reason that his son attends Birralee. Cr Sutherland further declared that this was a less than significant, non-pecuniary conflict of interest and that he would remain in the Chamber and participate in the debate.

9.1 PROVISION OF SERVICE DELIVERY AT COUNCIL FACILITY - TAMWORTH REGIONAL YOUTH CENTRE

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Haley Fenn, Team Leader, Inclusive Community
David Lightowler, Manager - Community Safety and Wellbeing

MOTION

Moved Cr Sutherland/Cr Brooke

That in relation to the report “Provision of Service Delivery at Council Facility - Tamworth Regional Youth Centre”, Council:

- (i) approve the utilisation of Tamworth Regional Youth Centre by Birralee Multifunctional Aboriginal Children’s Service for delivery of programs and activities for young people;
- (ii) endorse the development of a formal agreement outlining responsibilities, child

safe requirements and operational arrangement; and

- (iii) notes the alignment of this initiative with Tamworth Youth Strategy 2024-2028 and its contribution to improved outcomes for young people in the region.

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 Mark Rodda 7. Cr Matthew Sharpham 8. Cr Marc Sutherland 9. Cr Russell Webb	Nil

37/26 RESOLVED

9.2 BIOSECURITY OPERATIONAL REQUIREMENTS

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: David Lightowler, Manager - Community Safety and Wellbeing

MOTION

Moved Cr North/Cr Budd

That in relation to the report “Biosecurity Operational Requirements”, Council:

- (i) receive and note the report
(ii) approve the increase in budget of \$149,000.

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 Mark Rodda 7. Cr Matthew Sharpham 8. Cr Marc Sutherland 9. Cr Russell Webb	Nil

38/26 RESOLVED

9.3 TAMWORTH YOUTH STRATEGY - PROGRESS REPORT

DIRECTORATE: LIVEABLE COMMUNITIES
AUTHOR: Haley Fenn, Team Leader, Inclusive Community

MOTION

Moved Cr Brooke/Cr Mears

That in relation to the report “Tamworth Youth Strategy - Progress Report”, Council:

- (i) receive and note the report; and

(ii) acknowledge and recognise the achievements of the 2025 Youth 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
6. Cr Mark Rodda
7. Cr Matthew Sharpham
8. Cr Marc Sutherland
9. Cr Russell Webb

Nil

39/26 RESOLVED

10 REPORTS TO BE CONSIDERED IN CLOSED COUNCIL

At 7.38pm, 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 Budd/Cr Impey

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 **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 Mark Rodda
7. Cr Matthew Sharpham
8. Cr Marc Sutherland
9. Cr Russell Webb

Nil

40/26 RESOLVED

10.1 T059/2008 TAMWORTH EFFLUENT REUSE FARM OPERATIONS - HARLEY HAY LEGAL MATTER

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

Reference: Item 12.3 to Ordinary Council 23 February 2021 - Minute No 45/21
Item 12.4 to Ordinary Council 25 May 2021 - Minute No 155/21
Item 12.12 to Ordinary Council 14 February 2023 - Minute No 22/23

1 CONFIDENTIAL ENCLOSURES ENCLOSED

The Council will determine this matter in part of the Meeting closed to the public pursuant to Section 10A(2) (g) of the Local Government Act 1993 on the grounds that the matter and information is advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

10.2 REPLACEMENT OF SIX LIGHT TRUCKS WITH SIX HEAVY DUTY 4x4 VEHICLES

DIRECTORATE: REGIONAL SERVICES

AUTHOR: George Shearman, Manager - Plant Fleet and Building Services

1 CONFIDENTIAL ENCLOSURES ENCLOSED

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

11 CLOSED COUNCIL REPORTS

11.1 T059/2008 TAMWORTH EFFLUENT REUSE FARM OPERATIONS - HARLEY HAY LEGAL MATTER

DIRECTORATE: WATER AND WASTE

AUTHOR: Daniel Coe, Manager - Water and Environmental Operations

Reference: Item 12.3 to Ordinary Council 23 February 2021 - Minute No 45/21
Item 12.4 to Ordinary Council 25 May 2021 - Minute No 155/21
Item 12.12 to Ordinary Council 14 February 2023 - Minute No 22/23

MOTION

Moved Cr Mears/Cr North

That in relation to the report "T059/2008 Tamworth Effluent Reuse Farm Operations - Harley Hay Legal Matter", Council:

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

COUNCILLORS WHO VOTED **FOR**

COUNCILLORS WHO VOTED **AGAINST**

THE DECISION	THE DECISION
1. Cr Ryan Brooke	Nil
2. Cr Jeffrey Budd	
3. Cr Charles Impey	
4. Cr Stephen Mears	
5. Cr Brendon North	
6. Cr Mark Rodda	
7. Cr Matthew Sharpham	
8. Cr Marc Sutherland	
9. Cr Russell Webb	

41/26 RESOLVED

11.2 REPLACEMENT OF SIX LIGHT TRUCKS WITH SIX HEAVY DUTY 4x4 VEHICLES

DIRECTORATE: REGIONAL SERVICES
AUTHOR: George Shearman, Manager - Plant Fleet and Building Services

1 CONFIDENTIAL ENCLOSURES ENCLOSED

MOTION

Moved Cr Sharpham/Cr Mears

That in relation to the report “Replacement of Six Light Trucks with Six Heavy Duty 4x4 Vehicles”, Council:

- (i) purchase six Toyota Landcruiser 70 series heavy duty 4x4 vehicles fitted with aluminium trays and storage from Servco Australia Tamworth Pty Ltd (ABN 28 628 011 905) at state government contract rates for the amount of \$530,084.28 ex GST; and
- (ii) dispose of the six old light truck units via government approved auction.

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

42/26 RESOLVED

12 RESOLUTIONS PASSED IN CLOSED COUNCIL

MOTION

Moved Cr Mears/Cr Brooke

That Council move into Open Council.

COUNCILLORS WHO VOTED FOR	COUNCILLORS WHO VOTED AGAINST
THE DECISION	THE DECISION
1. Cr Ryan Brooke	Nil

2. Cr Jeffrey Budd
3. Cr Charles Impey
4. Cr Stephen Mears
5. Cr Brendon North
6. Cr Mark Rodda
7. Cr Matthew Sharpham
8. Cr Marc Sutherland
9. Cr Russell Webb

43/26 RESOLVED

At 7.45pm 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 7.46pm.

Cr Russell Webb, Chairperson

Tuesday, 24 March 2026

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