



# TAMWORTH REGIONAL COUNCIL

## ORDINARY COUNCIL MINUTES

of the Meeting of Tamworth Regional Council held in the Council Chambers, 4th  
Floor Ray Walsh House, 437 Peel Street, Tamworth

**10 AUGUST 2021**

**PAUL BENNETT  
GENERAL MANAGER**

# ORDINARY COUNCIL MINUTES

**Meeting of Tamworth Regional Council held in the Council Chambers, 4th Floor Ray  
Walsh House, 437 Peel Street, Tamworth  
TUESDAY 10 AUGUST 2021 at 6:30PM**

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Minutes

**PRESENT:** Cr Col Murray (Mayor), Cr Phil Betts, Cr Charles Impey, Cr Glenn Inglis, Cr Mark Rodda, Cr Helen Tickle, Cr Russell Webb and Cr Juanita Wilson.

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

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

An apology was announced as having been received from Cr Jim Maxwell who is unable to attend the Meeting due to a minor health reason.

### **MOTION**

#### **Moved Cr Betts/Cr Inglis**

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

**227/21 RESOLVED**

## **2 COMMUNITY CONSULTATION**

### **2.1 ITEM 7.1 COMMUNITY CONSULTATION OUTCOMES AND FINALISATION OF THE TAMINDA EMPLOYMENT LANDS PLANNING PROPOSAL**

Mr Dean Tapp addressed Council in support of the recommendation.

### **2.2 ITEM 7.1 COMMUNITY CONSULTATION OUTCOMES AND FINALISATION OF THE TAMINDA EMPLOYMENT LANDS PLANNING PROPOSAL**

Ms Kim Samuel addressed Council in opposition to the recommendation.

### **2.3 ITEM 7.1 COMMUNITY CONSULTATION OUTCOMES AND FINALISATION OF THE TAMINDA EMPLOYMENT LANDS PLANNING PROPOSAL**

Mr Peter Holt addressed Council in opposition to the recommendation.

### **2.4 ITEM 7.1 COMMUNITY CONSULTATION OUTCOMES AND FINALISATION OF THE TAMINDA EMPLOYMENT LANDS PLANNING PROPOSAL**

Mr Mark Tooker addressed Council in opposition to the recommendation.

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

#### **MOTION**

#### **Moved Cr Inglis/Cr Betts**

That the Minutes of the Ordinary Meeting held on Tuesday, 27 July 2021, copies of which were circulated, be taken as read and confirmed as a correct record of the proceedings of the Meeting, save and except for the times when Cr Glenn Inglis left and returned to the Meeting be corrected.

**228/21 RESOLVED**

### **4 DISCLOSURE OF INTEREST**

Nil

### **5 MAYORAL MINUTE**

#### **5.1 ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (COMPLIANCE FEES) REGULATION 2021**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Col Murray, Mayor**

#### **MOTION**

#### **Moved Cr Murray/Cr Inglis**

That in relation to the report “Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021”, Council:

- (i) write to the Hon Rob Stokes, Minister for Planning and Public Spaces to:
  - express Council’s extreme disappointment at the lack of genuine consultation with local government in its recent decision to make the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021; and
  - request that the decision be reversed and that the State Government implement (at the least) a two year moratorium on the removal of the Compliance levy for all Councils, to enable a transition to any new scheme;
- (ii) place on the agenda of the next Namoi Joint Organisation meeting a recommendation seeking urgent collective action among its members to advocate in opposition to the latest State Government Regulation prohibiting compliance levies on Development Applications; and
- (iii) write to the Member for Tamworth Kevin Anderson seeking his urgent support and assistance for an immediate review and moratorium on the recent Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021, to allow councils additional time to investigate alternative funding models to enable continuation of current compliance services to local communities.

**229/21 RESOLVED**

## 6 NOTICE OF MOTION

Nil

## OPEN COUNCIL REPORTS

## 7 ENVIRONMENT AND PLANNING

### 7.1 COMMUNITY CONSULTATION OUTCOMES AND FINALISATION OF THE TAMINDA EMPLOYMENT LANDS PLANNING PROPOSAL

**DIRECTORATE:** PLANNING AND COMPLIANCE

**AUTHOR:** Andrew Spicer, Senior Integrated Planner

**Reference:** Item 7.1 to Ordinary Council 22 October 2019 - Minute No 373/19

#### MOTION

#### Moved Cr Betts/Cr Impey

That in relation to the report “Community Consultation Outcomes and Finalisation of the Taminda Employment Lands Planning Proposal”, Council:

- (i) determine not to make the Local Environmental Plan pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (ii) proceed to finalise the process by writing to the Department of Planning Industry and Environment in accordance with the prescribed guidelines advising of the outcome and attaching the relevant documentation including the resolution of Council; and
- (iii) not pursue payment of the third instalment of the fee for processing the Planning Proposal being an amount of \$7,873.00 on the basis of Council resolving not to make the Local Environmental Plan.

#### 230/21 RESOLVED

#### COUNCILLORS WHO VOTED FOR THE DECISION

1. Cr Phil Betts
2. Cr Charles Impey
3. Cr Glenn Inglis
4. Cr Col Murray
5. Cr Helen Tickle
6. Cr Juanita Wilson

#### COUNCILLORS WHO VOTED AGAINST THE DECISION

1. Cr Mark Rodda

Due to technical difficulties Cr Russell Webb could not vote on this Item.

**7.2 AMENDMENT TO THE TAMWORTH REGIONAL LOCAL ENVIRONMENTAL PLAN 2010 - PLANNING PROPOSAL TO FACILITATE THE ONGOING OCCUPATION OF THE INTERNATIONAL FLIGHT TRAINING TAMWORTH ACCOMMODATION FACILITY**

**DIRECTORATE: PLANNING AND COMPLIANCE**

**AUTHOR: Sonya Vickery, Integrated Planner - IP&R**

**MOTION**

**Moved Cr Tickle/Cr Wilson**

That in relation to the report “Amendment to the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010) – Regional Workforce Support Infrastructure”, Council:

- (i) forward the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) requesting an amendment to Schedule 1 of the TRLEP 2010 in accordance with Section 3.22 OR requesting a Gateway Determination in accordance with Sections 3.33 and 3.34 of the Environmental Planning and Assessment Act 1979;
- (ii) request that the Minister for Planning, Industry and Environment exercise his plan making powers to delegate to Council the authority to make the plan pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (iii) upon receipt of a Gateway Determination, publicly exhibit the planning proposal in accordance with the terms of the Gateway Determination.

**231/21 RESOLVED**

COUNCILLORS WHO VOTED **FOR**  
THE DECISION

1. Cr Phil Betts
2. Cr Charles Impey
3. Cr Glenn Inglis
4. Cr Col Murray
5. Cr Mark Rodda
6. Cr Helen Tickle
7. Cr Russell Webb
8. Cr Juanita Wilson

COUNCILLORS WHO VOTED **AGAINST**  
THE DECISION

Nil

## **8 INFRASTRUCTURE AND SERVICES**

### **8.1 EXPRESSION OF INTEREST – FUTURE USE OF THE RANCH 226 OXLEY LANE WESTDALE**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Bruce Logan, Director Water and Waste**

#### **MOTION**

##### **Moved Cr Inglis/Cr Impey**

That in relation to the report “Expression of Interest – Future Use of The Ranch 226 Oxley Lane Westdale”, Council:

- (i) undertake an Expression of Interest process for the future use of the property including terms detailed in the body of the report; and
- (ii) request the Director Water and Waste submit a report to Council with the results of the Expression of Interest Process.

**232/21 RESOLVED**

### **8.2 EXPRESSION OF INTEREST – SHORT TERM USE OF 284 GIDLEY APPLEBY LANE**

**DIRECTORATE: WATER AND WASTE**

**AUTHOR: Bruce Logan, Director Water and Waste**

#### **MOTION**

##### **Moved Cr Impey/Cr Betts**

That in relation to the report “Expression of Interest – Short Term Use of 284 Gidley Appleby Lane”, Council:

- (i) undertake an Expression of Interest process for the short-term use of the property including terms detailed in the body of the report; and
- (ii) request the Director Water and Waste submit a report to Council with the results of the Expression of Interest Process.

**233/21 RESOLVED**

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

### **9.1 ORDINARY COUNCIL MEETING FOR SEPTEMBER AND DECEMBER 2021**

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Jason Collins, Executive Manager - Strategy and Performance**

#### **MOTION**

##### **Moved Cr Wilson/Cr Inglis**

That in relation to the report “Ordinary Council Meeting for September and December 2021”, Council:



- (i) schedule an Ordinary Council Meeting for Tuesday 14 September 2021; and
- (ii) cancel the Ordinary Council Meeting scheduled on Tuesday 14 December 2021.

**234/21 RESOLVED**

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

**DIRECTORATE: OFFICE OF THE GENERAL MANAGER**

**AUTHOR: Karen Litchfield, Internal Auditor**

### **MOTION**

#### **Moved Cr Inglis/Cr Betts**

That in relation to the report "Audit, Risk and Improvement Committee", Council receive and note the Minutes of the meeting held on 20 July 2021.

**235/21 RESOLVED**

## **10 COMMUNITY SERVICES**

Nil

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

Nil

**Closure:** There being no further business the Ordinary Meeting of Council concluded at 7.26pm.

Cr Col Murray, Chairperson

Tuesday, 24 August 2021

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