



**REZONING REVIEW
RECORD OF DECISION**

STRATEGIC PLANNING PANEL of the
NORTHERN REGIONAL PLANNING PANEL

DATE OF DECISION	26 September 2022
PANEL MEMBERS	Paul Mitchell (Chair), Penny Holloway, Barbara Crossley, James Treloar and Stephen Bartlett
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

RR-2022-16 – Tamworth – PP-2022-1229 - AT 21 Wallamore Rd, Taminda (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

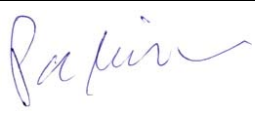




- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
- ☒ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

The Panel is not satisfied that the strategic merit test is satisfied for three reasons. First, it is not evident to the Panel that any of the New England North West (NENW) RP 2036, the draft NENWRP 2041 or relevant local strategic plans support the proposal. Second, the Panel believes the proposal is inconsistent with Ministerial Directions relating to rezoning of flood prone land, particularly that containing a floodway (see Tamworth City Wide Flood Study 2019). Third, the need for rezoning to create more industrial and business land has not been established because substantial suitably zoned, vacant, serviced and flood free land is available in the locality.

With respect to site-specific merits, the Panel has not undertaken a full assessment but records its belief that the site is significantly constrained by flood risk and is concerned about the need to import substantial volumes of fill to mitigate this risk and questions the practicality of maintaining off-site mitigation measures in perpetuity.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Penny Holloway
 Barbara Crossley	 James Treloar
 Stephen Bartlett	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2022-16 – Tamworth – PP-2022-1229 - at 55 Dampier Street and 21 Wallamore Road, Taminda
2	LEP TO BE AMENDED	Tamworth Regional Local Environmental Plan 2010
3	PROPOSED INSTRUMENT	The proposal seeks to rezone land for industrial and business purposes and amend associated development standards on part of Lots 2 and 3 DP 1234850, 55 Dampier Street and 21 Wallamore Road, Taminda
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Briefing with Department of Planning and Environment (DPE): 10:15am on 21 September 2022 <ul style="list-style-type: none"> Panel members in attendance: Paul Mitchell (Chair), Penny Holloway, Barbara Crossley, James Treloar and Stephen Bartlett DPE staff in attendance: Kate Campbell, Lucy Walker, Craig Diss, Carolyn Hunt, Mary Francis and Lisa Foley Key issues discussed included the material identified in the briefing packing, being the proposal, site location, background, identified key issues Briefing with Council: 10:30am on 21 September 2022 <ul style="list-style-type: none"> Panel members in attendance: Paul Mitchell (Chair), Penny Holloway, Barbara Crossley, James Treloar and Stephen Bartlett DPE staff in attendance: Kate Campbell, Lucy Walker, Craig Diss, Carolyn Hunt, Mary Francis and Lisa Foley Council representatives in attendance: Genevieve Harrison, Andrew Spicer and Lisa Rennie Key issues discussed included site history, unresolved matters (flooding and servicing), current proposal, strategic merit, capacity and utilization of land within Tamworth Briefing with Proponent: 11:20am on 21 September 2022 <ul style="list-style-type: none"> Panel members in attendance: Paul Mitchell (Chair), Penny Holloway, Barbara Crossley, James Treloar and Stephen Bartlett DPE staff in attendance: Kate Campbell, Lucy Walker, Craig Diss, Carolyn Hunt, Mary Francis and Lisa Foley Proponent representatives in attendance: Liz Densley, Mark Tooker, Matthew Ferris and David Stearman Key issues discussed included proposal, site history, supporting documentation, access and proposed by-pass road, assessment of proposal, strategic merit, site specific merit, suitability of the site