

MINUTES OF THE PLANNING/COMMUNITY COMMITTEE MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON WEDNESDAY, 12 JULY, 2006 COMMENCING AT 8.30 AM.

PRESENT: Cr P H Lloyd (Chairman), Crs D F Baker, P J Harmon and D B Mudaliar.

Also in attendance: Crs J L Cameron (alternate) and H N Castledine.

Paul Henry (General Manager), David Pryor (Director Planning and Development), Richard Jane (Acting Director Technical Services) and Joerg Schmidt-Liermann (Management Executive Officer).

APOLOGIES:

*RESOLVED (Harmon/Mudaliar) that the apologies from Cr B C Johnston and Cr D C Jones be noted.*

SECTION A

1. CONFIRMATION OF MINUTES

*RESOLVED (Harmon/Mudaliar) that the Minutes of the Planning/Community Committee Meeting held on 14 June, 2006, as circulated to members, be confirmed as a true and correct record of that meeting.*

2. DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

The following interests were declared:

- Cr Baker declared a non-pecuniary interest in Section F, Planning and Development Reports, Item #1 "Subdivision Restriction to User". The nature of the interest relating to Cr Baker's daughter being an employee of the developer.
- The General Manager advised that Mr Ken Beddie, Council's Director Corporate Services, had declared a pecuniary interest in Section F, Planning and Development Reports, Item #7 "For approval to subdivide land by Geolink on behalf of Enviroclean Group Pty Ltd – Lot 7 DP 1090446, Roscrae Lane, Inverell". The nature of the interest relating to Mr Beddie's wife being an owner of the adjoining property.
- Cr Harmon declared a non-pecuniary interest in Section F, Planning and Development Reports, Item #7 "For Approval to Subdivide Land by Geolink on behalf of Enviroclean Group Pty Ltd – Lot 7 DP 1090446, Roscrae Lane, Inverell". The nature of the interest relating to Cr Harmon being the Manager of the bus company that has exclusive rights for the transport of school children in the area that is proposed to be subdivided.
- Cr Harmon declared a pecuniary interest in Section F, Planning and Development Reports, Item #7 "For Approval to Subdivide Land by Geolink on behalf of Enviroclean Group Pty Ltd – Lot 7 DP 1090446, Roscrae Lane, Inverell". The nature of the interest relating to Cr Harmon's relatives being majority shareholders of the bus company hat has exclusive rights for the transport of school children in the area that is proposed to be subdivided.

3. BUSINESS ARISING FROM PREVIOUS MINUTES

JD & CE Lenarduzi DA-85/2006

The Director Planning and Development advised that the matter was now in the hands of the developer.

Fagerlund DA-80/2006

It was noted that concerns had been raised in relation to signage.

Noxious Weeds Eradication

The General Manager noted that a noxious weed eradication funding application was being prepared.

Young Peoples Nursing Home

The General Manager advised that the possibility of a facility being developed had been raised with Mr Paul Cook.

SECTION F  
PLANNING AND DEVELOPMENT REPORT

SP-A 1. SUBDIVISION – RESTRICTION TO USER DA-8/03

Conflict of Interest – Code of Conduct (Section 6)

At this juncture, the time being 8:37 am, Cr Baker declared a non-pecuniary conflict of interest in respect of Item #1 “*Subdivision – Restriction to User*”, the nature of the interest relating to Cr Baker’s daughter being employed by the developer. Cr Baker left the meeting, taking no part in the discussion of or voting on the subject matter.

*RESOLVED (Harmon/Mudaliar) that the Committee recommend to Council that approval be given to the fixing of Council’s Seal on the Section 88B Instrument relating to the subdivision as per Development Application 8/03.*

SP-A 2. SUBDIVISION – RESTRICTION TO USER DA-219/04

*RESOLVED (Harmon/Mudaliar) that the Committee recommend to Council that approval be given to the fixing of Council’s Seal on the Section 88B Instrument relating to the subdivision as per Development Application 219/04.*

SP-A 3. SUBDIVISION – RESTRICTION TO USER DA-75/06

*RESOLVED (Harmon/Mudaliar) that the Committee recommend to Council that approval be given to the fixing of Council’s Seal on the Section 88B Instrument relating to the subdivision as per Development Application 75/06.*

SP-A 4. SUBDIVISION – RESTRICTION TO USER DA-60/06

*RESOLVED (Harmon/Mudaliar) that the Committee recommend to Council that approval be given to the fixing of Council’s Seal on the Section 88B Instrument relating to the subdivision as per Development Application 60/06.*

At this juncture, the time being 8:44 am, Cr Baker returned to the meeting.

MED-A 5. NORTHAVEN SERVICE LEVEL AGREEMENT – RECYCLING 31.2.6

*RESOLVED (Harmon/Baker) that the Committee recommend to Council that approval be given to the fixing of Council’s Seal to all necessary documentation in relation to the Recycling Service Level Agreement between Council and Northaven Ltd.*

MED-A 6. ADDITIONS TO BUILDING HARDWARE STORE – LOT 5 DP 758536 AND LOT 2 DP 152175, 79 OLIVER STREET, INVERELL DA-40/2006

*RESOLVED (Mudaliar/Cameron) that the Committee recommend to Council that*

*Development Application 40/2006 be approved subject to the following conditions:*

- i) Fourteen (14) sixty degree (60°) indented car parking spaces are to be provided in Arthur & Oliver Street in a location and standard as approved by Councils Director Technical Services at the applicants expense, with payment for such work to be made prior to the release of the Construction Certificate.*
- ii) A new four (4) metre wide industrial standard kerb crossing is to be provided to the exit crossing in Oliver Street the type and location to be approved by Council, at the applicant's expense.*
- iii) A new sewer junction is to be provided clear of the proposed building work and all associated drainage to be located clear of the building where possible, with such junction to provided at the applicants expense.*
- iv) An amended plan is to be submitted prior to the Construction Certificate being released showing the adequacy of the exit road with regard to truck turning circles.*
- v) All internal access roads and footpaths are to be sealed and drained.*
- vi) The fire hose reels shall be located within four (4) metres of an exit to assist with fire fighting measures.*
- vii) Personal access doors are to be placed either side of the gateways of the bulk material shed to aid access and egress from the building.*
- viii) A unisex/disabled toilet is to be incorporated in to the development to satisfy the provision of the sanitary facilities for a Class 6 building and such facilities to be accessible to the general public.*
- ix) The proposed garden centre and mesh doors to the bulk building material storage area are not to be covered or enclosed at any time.*
- x) A flood proof door is to be provided between the existing building and the proposed goods receiving office.*
- xi) Lot 5, DP 758536 and Lot 2, DP 152175 are to be consolidated into one (1) allotment prior to an occupation certificate being issued.*
- xii) Any other conditions deemed necessary by the Director Planning and Development.*

DPD-A 7. FOR APPROVAL TO SUBDIVIDE LAND BY GEOLINK ON BEHALF OF ENVIROCLEAN GROUP PTY LTD – LOT 7 DP 1090446, ROSCRAE LANE, INVERELL DA-99/2006  
Conflict of Interests – Code of Conduct (Section 6)

At this juncture, the time being 9:02 am, Cr Harmon declared a non-pecuniary conflict of interest in respect of Item #7 *“For Approval to Subdivide Land by Geolink on behalf of Enviroclean Group Pty Ltd – Lot 7 DP 1090446, Roscrae Lane, Inverell”*, the nature of the interest relating to Cr Harmon being the Manager of the bus company that has exclusive rights for the transport of school children in the area that is proposed to be subdivided.

At this juncture Cr Harmon also declared a pecuniary conflict of interest in Item #7 *“For Approval to Subdivide Land by Geolink on behalf of Enviroclean Group Pty Ltd – Lot 7 DP 1090446, Roscrae Lane, Inverell”*, the nature of the interest relating to Cr Harmon's relatives being majority shareholders of the bus company hat has exclusive rights for the transport of school children in the area that is proposed to be subdivided. Cr Harmon left the meeting, taking no part in the discussion of or voting on the subject matter.

*RESOLVED (Cameron/Baker) that the Committee recommend to Council that the application be refused for the following reasons:*

- i) The proposed lot sizes within the proposed subdivision do not accord with the surrounding development pattern.*
- ii) The proposed lot sizes within the proposed subdivision do not accord with either, Council's long term strategy of determining applications pursuant to clause 12 of the Inverell Local Environmental Plan 1988, or the strategy set out in the Inverell Local Environmental Study.*
- iii) The potential impact on the White Box, Yellow Box, Blakelys Red Gum EEC listed under the Threatened Species Act and the Grassy Box Woodland listed under the Environment Protection & Biodiversity Conservation Act.*

- iv) Proximity of a number of the proposed lots and potential dwelling sites to the nearby abattoir and the potential for land use conflict arising from subsequent development of the lots in the proposed subdivision.
- v) The distance from town of a subdivision of this density is too great and may create an additional demand for utility services above what would normally be expected in a rural area.
- vi) The proposed subdivision does not accord with the aims and objectives of Development Control Plans No 6 and 7.
- vii) The proposed subdivision does not accord with the aims and objectives of the Inverell Local Environmental Plan 1988.

At this juncture, the time being 9:31 am, Cr Harmon returned to the meeting.

- DPD-A 8. POSSIBLE REZONING OF COUNCIL LAND KNOWN AS PASTERFIELD CARPARK, CAPTAIN COOK DRIVE, INVERELL 18.6.34

*RESOLVED (Harmon/Baker) that the Committee recommend to Council that:*

- a) the area of land comprising Lot 1, DP 827943, Lot 2, DP 827493, Lot 2, DP 322888, Lot 1, DP 322999, Lot 1, DP 320493, Lot 5, DP 57166, Lot 1, DP 226595, Lot 2, DP 531221, Lot 1, DP 758536, Lot 1, DP 152786, Lot 2, DP 152786 and Lot 3, DP 152786, Inverell, be considered by Council for rezoning and reclassification;
- b) the land identified in (a) be rezoned to industrial and reclassified as operational land and that Council proceed to a spot rezoning of the land; and
- c) in accordance with the provisions of section 54 of the Environmental Planning & Assessment Act 1979 Council notify the Department of Planning of its decision.

- DPD-A 9. POSSIBLE CLOSURE OF PART OF LANEWAY 28.10.IN 105 & S28.22.1

*RESOLVED (Cameron/Baker) that the Committee recommend to Council that Council agree to apply for the closure of the southern end of Gunson Way and that authority be given for the affixing of Council's seal to all necessary documentation.*

#### SECTION I INFORMATION REPORTS

- 1. RURAL LAND FILLS S31.16.9
- 2. ROADSIDE VEGETATION ASSESSMENT 11.9.1

*RESOLVED (Baker/Harmon) that the items contained in the Information Reports to the Planning/Community Committee Meeting held on Wednesday, 12 July, 2006, be received and noted.*

#### SECTION J GENERAL BUSINESS

- Director Planning & Development Preliminary Draft Local Environmental Plan (LEP)

The Director Planning and Development noted his intention to provide some comments on progress being made in respect of the Draft LEP utilising the new template.

- Director Planning & Development Equestrian Council – Ratepayer Concerns

The Director Planning and Development noted correspondence received from constituent seeking response to a number of issues relating to the implications of the proposed development of the Equestrian Centre.

- GM-A Cr Baker Planning Policies 4.14.1  
Cr Baker asked whether Council could hold an informal session on its planning policies?
- Cr Cameron Wandera Odors  
Cr Cameron inquired as to the progress in respect of the matter. The Director Planning and Development advised that an order had been served on one of the parties, with further compliance steps being undertaken in relation to another development.
- GM-A General Manager Discussions with 'Slade' – Licence of Part Lot 3 DP 1080168, Brissett Street, Inverell 5.10.65  
The General Manager advised that discussions have been held with the developer, involving the possibility of the developer leasing an area of land that would allow for the establishment of the business proposal. In demonstrating the bona fides of the developer, the developer indicated his willingness to remove the offending materials from the present site. The General Manager advised that the proposed site had been slashed.  
The General Manager inquired if the Committee supported the use of the land by the developer under a possible license agreement. In discussing the use of the land the General Manager noted that the developer had been advised of the flood prone nature of the land.  
*RESOLVED (Harmon/Mudaliar) that the Committee recommend to Council that Council agree to license the use of the land being part Lot 3 DP 1080168, Brissett Street, Inverell on such terms as negotiated by the General Manager, with the agreement to be executed under the Seal of Council.*
- General Manager Department of Housing (DOH) – Inverell Office  
The General Manager noted that rumours suggesting the closure of the office appeared premature and that the Member for Northern Tablelands did not support such a closure.
- General Manager Inverell Community Housing  
The General Manager appraised the Committee of his involvement with the group and of the difficulties reported by single men and persons suffering from mental illness in being able to access suitable public housing. The organisation has lodged an application seeking additional government funding to allow economically disadvantaged persons to be able to access suitable accommodation. Included in the proposal is the construction of a six unit accommodation facility to house a number of clients. The concept has been raised with the member for the Northern Tablelands, Mr Richard Torbay, with further representations made to the Minister for Housing. The General Manager noted that his involvement in the matter was in a private capacity.

Adjournment

At this juncture, the time being 10:10 am, the Committee adjourned.

Resumption

At this juncture, the time being 10:30 am, the Committee reconvened.

Director Planning & Development    Local Environmental Plan (LEP) Template

The Director Planning and Development provided the Committee with some background information on the operation of the Department's template, commenting on the operation of various 'standard' zones including:

- Environmental, Habitat and Scenic Zones
- Public Recreation Zones
- Private Recreation Zones
- Waterway Zones
- Environment Protection Zones

There being no further business, the meeting closed at 11:07 am.

P H LLOYD

CHAIRMAN