

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE OF THE GREATER TAREE CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, 2 PULTENEY STREET, TAREE ON WEDNESDAY 14 NOVEMBER 2007 COMMENCING AT 5.00 PM**

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**PRESENT** : Cr E M Loftus (Mayor) in the Chair, Crs H L Hannah, P J Hogan, M K Marks, W M McKeough OAM, M A Richardson PSM, L R Sweeney, D J West and J Westwater.

**IN ATTENDANCE** : General Manager, Directors Planning & Building, Community Development and Health, Acting Director Engineering, Managers Development Control, Building Control and Administration.

**APOLOGIES** : **MOVED** Cr Richardson/McKeough  
That the apologies tendered by Crs J B Byrne, A L Tickle and R B Wilson for non-attendance at the meeting be received and noted.

**CARRIED**

In accordance with INSTRUMENT OF DELEGATION No 3, the Committee, subject to certain conditions, has authority to exercise functions conferred on Council by various legislation. The following resolutions have been made in accordance with that delegated authority.

REC NO	ITEM NO	
		<p><b>PRAYER</b></p> <p>The meeting was led in prayer by the Mayor who delivered the Local Government Prayer.</p> <p><b>DISCLOSURES OF INTEREST (GT416-4)</b></p> <p>Cr Hogan, declared a conflict of interest in Item 2 as an adjoining property owner, and advised that he would leave the Meeting Room during its consideration. The General Manager also declared a conflict of interest in Item 2 as the purchaser of a nearby property and advised that he would also leave the Meeting Room during its consideration.</p> <p><b>INSPECTIONS</b></p> <p>Prior to the meeting, members of the Committee undertook an inspection as detailed on the Committee agenda.</p> <p><b>RECORDING OF THE MEETING (GT420-6)</b></p> <p>In accordance with the Council's Code of Meeting Practice the proceedings of the meeting were tape recorded to assist in maintaining the accuracy of the minutes.</p>

REC NO	ITEM NO	
CM.68	1	<p><b>STAFF REPORTS</b></p> <p><b><i>Director Planning &amp; Building Reports</i></b></p> <p><b>PROPOSED MODIFICATION OF CONSENT – JOHNS RIVER QUARRY – BULLEYS ROAD JOHNS RIVER (D31/93)</b></p> <p><b><i>MOVED</i></b> Cr West/Hogan (<i>as per recommendation</i>)</p> <p>That Council, pursuant to Section 96 of Environmental Planning and Assessment Act, modify Development Consent No 31/1993D issued in respect of a Hard Rock Quarry on Lots 1 &amp; 2 DP716380 and 43 to 45 DP816026 Bulleys Road Johns River in the following manner:</p> <p>(i) The deletion of Condition 3 and it's replacement with the following:</p> <p>“3 The development is to be carried out in accordance in the proposals outlined in the Environmental Impact Statement except where amended by the proposals outlined in the Statement of Environmental Effects dated 20 July 2007 prepared by Connell Wagner. The annual production rate is not to exceed 300,000 tpa with an increase to 450,000 tpa for approved special projects. Annual production data, on the standard forms supplied for that purpose, is to be supplied to the Mineral Resources Division of the Department of Primary Industries, with a copy referred to Council.”</p> <p>(ii) The addition of the following condition:</p> <p>“3(a) The consent shall expire on the 28 July 2026”</p> <p>(iii) Deletion of Condition 7 and it's replacement with the following:</p> <p>“7 An Environmental Management Plan shall be prepared and submitted to Council on the first anniversary of the date of modification of development consent and annually thereafter. The plan shall report on all operational parameters of the quarry and shall specifically address:</p> <ul style="list-style-type: none"> <li>• Quarry development</li> <li>• Rehabilitation</li> <li>• Noise</li> <li>• Blasting</li> <li>• Water Quality</li> <li>• Dust Monitoring</li> <li>• Environmental Impact Monitoring</li> <li>• Control of Pollutants</li> <li>• The conservation offset and how it meets Department of Environment and Climate Change “offset principles”</li> <li>• How the offset area is to be conserved in perpetuity</li> <li>• How the offset area and other mitigation measures will be managed in respect to long term conservation and viability</li> <li>• Long term financial commitment to the management of the offset area”</li> </ul>

REC NO	ITEM NO	
		<p>(iv) The addition of the following condition:            “34 Approval being obtained from the Roads and Traffic Authority for the creation of a B-Double route from the Pacific Highway to the quarry entrance via Bulleys Road.”</p> <p>(v) The addition of the following:  <b>“Advice</b>            Should future quarry operations intercept water tables a licence under the Water Act 1912 will be required to be obtained from the Department of Water &amp; Energy. Redirection of water flows is to be undertaken in such a manner so as to cause no detrimental effects on existing watercourses (as defined in the Rivers and Foreshores Improvement Act, 1949).”</p> <p style="text-align: right;"><b>CARRIED</b></p>
CM.69	2	<p><b>DEVELOPMENT APPLICATION 40/2008D - SENIORS LIVING DEVELOPMENT - LOTS 12 – 13 DP 1060993 &amp; LOT 24 DP 793879 - 5 EUROKA ROAD &amp; 20-22 CEDAR PARTY ROAD, TAREE (40/2008D)</b></p> <p>Cr Hogan, having previously declared a conflict of interest in this Item as an adjoining property owner, left the Meeting Room during its consideration. The General Manager also having declared a conflict of interest as the purchaser of a nearby property also left the Meeting Room during its consideration.</p> <p><b>MOVED</b> Cr Richardson/Marks</p> <p>That development application 40/2008D for a seniors living development upon Lots 12 - 13 DP 1060993 and Lot 24 DP 793879, Taree be deferred:</p> <p>(i) To enable its referral to the next meeting of the Development (Traffic) Committee to enable a review of previous resolutions in regard to road and intersection details in the locality.</p> <p>(ii) To enable discussion at a Councillors Workshop in December.</p> <p style="text-align: right;"><b>CARRIED</b></p>
CM.70	3	<p><b>DEVELOPMENT APPLICATION 185/2008D - MACHINERY SHED ADDITIONS - DP 739372 LOT 14 - 62 DENVA RD TAREE (185/2008D)</b></p> <p>Mr Bert Everingham addressed the Committee in respect of this Item and requested a deferral of the matter to enable alternate plans to be prepared.</p> <p>Mrs Robyn Middleton addressed the Committee in respect of this Item.</p> <p><b>MOVED</b> Cr Richardson/Marks</p> <p>That consideration of this Item be deferred to enable the applicant to discuss alternate plans for the proposed development.</p> <p style="text-align: right;"><b>CARRIED</b></p>

REC NO	ITEM NO	
CM.71	4	<p><b>REVIEW OF DETERMINATION – 35 ALBAN STREET, TAREE – LOT 2 DP 20472 SEC A (640/2007D)</b></p> <p>Mr Ken Patterson addressed the Committee in respect of this Item.</p> <p><b>MOVED</b> Cr McKeough/Hogan</p> <p>That Council having reviewed its decision of 22 August 2007, approve Development Application 640/2007D for the erection of a carport on Lot 2 DP 20472, 35 Alban Street Taree subject to standard conditions.</p> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>URGENT QUESTIONS AND URGENT BUSINESS</b></p> <p>Nil</p> <p>There being no further business the meeting closed at 5.37 pm.</p> <p>Immediately following the Meeting Councillors discussed matters in relation to the behaviour of Councillors and it was agreed that where differences of opinion occur these should be addressed between the parties, rather than in a public forum.</p>

**REPORTS REQUIRED:** Nil

**SCHEDULE OF ITEMS REFERRED TO COUNCIL:** Nil

.....CHAIRPERSON PLANNING COMMITTEE

Confirmed at an Ordinary Meeting of Council held on 21 November 2007

.....MAYOR .....GENERAL MANAGER