

1. **Attendance and Apologies**

An apology was received from Sheila Aveling.

2. **Declarations of Interest**

3. **Confirmation of Minutes 11 July 2013**

A copy of the minutes of the previous meeting held 11 July 2013 was distributed.

RECOMMENDATION

That the minutes of the previous meeting held on 11 July 2013 be accepted as a true and correct record.

4. **Business arising from Minutes – 11 July 2013**

(a) Elizabeth Ann Brown Park

At the last meeting the Committee resolved to ask the Manager of Council's Open Spaces & Reserves to initiate contact with and to co-ordinate the Alstonville RSL Staging of improvements within available resources for the Centenary of Gallipoli.

In response staff have met with the Alstonville RSL sub branch to discuss this matter. The Government has announced approximately \$100,000 will be made available to the electorate and therefore it is likely that each sub branch will receive around \$10,000. Staff are meeting with the sub branches to determine what projects each of the branches wish to apply for grants for.

Council's role was to assist in this coordination amongst the sub groups to determine their projects and to assist with the grant writing if required.

Council has a master plan for Elizabeth Ann Brown Park. This plan will be implemented in stages when funds are made available.

At this point in time there is no funding allocated for the further implementation of any aspects of the plan. The replacement of the Cenotaph is a project that the sub branch has been developing separately.

(b) Ospreys nesting at Wardell

The ecologist monitoring the Ospreys is to inspect the site again at the end of August. Staff will return to the site if provided clearance from the ecologist. The inspections will continue on a regular basis until clearance is achieved. It is noted however that there is a possibility that the breeding season could be extended as far out as November.

(c) Heavy Vehicle Signage on Rous Mill Road

This matter was referred to the Local Traffic Committee and suitable signs have been approved and will be installed as soon as possible.

(d) Banner Poles – Alstonville

At the last meeting a question was asked whether there can be retro-fitted facilities for Alstonville street poles to make banner placement easy.

Council staff have investigated this and the street poles cannot be retro-fitted. This is due to the close proximity of the pole to the road and the height of the poles would still require a step ladder.

(e) Alstonville Bypass Maintenance

At the last meeting the Committee was advised that there had been a letter of reply to Mr Garry Fuller outlining the different responsibilities of the RMS and Council with regard to maintenance and drainage assets.

Mr Fuller raised maintenance issues relating to trees that have fallen around the mid-point of Maple Drive that haven't been removed and that the Council mowing strip behind the houses in Mellis Circuit hasn't recently been mown.

Staff Response

1. Trees in Maple Drive – Removal of the dead tree is not considered a high priority and the work will be done when suitable equipment is in the area
2. Mowing Mellis Circuit – Council's mowing strip behind the houses in Mellis Circuit has been mown since the July Meeting

(f) Weed Spraying

At the last meeting Eoin Johnston mentioned that he believed that Council's roadside sprayers are too liberal/careless when spraying around guide posts and are killing too much grass.

Staff Response

It is necessary to weed spray a sufficient area around guide post and signs to cover areas that can't be slashed by the road side slasher. If particular locations causing concern are identified, they will be inspected and, if necessary, discussed with the staff concerned.

5. Council Documents on Exhibition

The following is a list of recent documents that have been placed on exhibition in the period since the last meeting.

- Planning Proposal BSCPP 13/004 – 60 Crane Street – closing date 2 August 2013
- Development Servicing Plans – closing date 30 August 2013
- EEO Policy and Management Plan – closing date 11 September 2013
- Commercial Activities on Public Land Policy – closing date 11 September 2013

6. Items raised by members of the Committee

Jane Gardiner

Rezoning of land 1 Robb Street Alstonville from Urban Buffer to Industrial Land (this item has recently been on public exhibition)

Council staff have provided the following information:

PLANNING PROPOSAL BSCPP 12/002 – ROBB STREET, ALSTONVILLE

Council is currently finalising the assessment of a planning proposal in relation to land adjacent to the Russellton Industrial Estate at the end of Robb Street, Alstonville (see attached locality plan).

The proposal seeks to rezone a 6,800m² area in the north western corner of Lot 1 DP 817406 as shown on the locality plan. The land is currently zoned 7(i) – Environmental Protection (Urban Buffer) Zone under the provisions of the *Ballina Local Environmental Plan 1987* (BLEP 1987). It is proposed to rezone the land to Zone IN1 General Industrial under the provisions of the *Ballina Local Environmental Plan 2012* (BLEP 2012).

Lot 1 DP 817406 is a rural property in the ownership of Stoville Pty Ltd (Stoville). It contains a dwelling house and has an overall area of 15.46 hectares. The planning proposal only relates to the identified 6800m² area which contains the dwelling house and curtilage. The remainder of the site will not be rezoned from its current 7(i) – Environmental Protection (Urban Buffer) Zone and will continue to be used for agricultural production.

One of the land uses on the industrial land adjoining the site involves the manufacture of polyurethane tanks by Duraplas. This land use pattern is conducive to land use conflict between an intensive industry and the residential occupation of the rural dwelling. As an interim measure to resolve the current land use conflict issues, a section of the subject site where it adjoins the industrial zoned land has been occupied by Duraplas through a lease agreement with the land owner. Duraplas is using this part of the site surrounding the dwelling for tank storage. The use of this area for industrial related activity has been undertaken without development consent.

Initially, Stoville made a request to Council in 2001 to rezone the area surrounding the dwelling for industrial purposes. This was seen by the landowner as a permanent solution to the land use conflict issue. This request was considered by Council in February 2002 and was declined based on the following reasons:

- *There are sufficient stocks of industrial land in the vicinity for the foreseeable future.*
- *No study or decision has been taken by Council on whether the existing industrial estate should be expanded or how it will be expanded.*
- *The proposal will alienate high quality agricultural land by consuming the said land for industrial use and by the provision of appropriate buffers.*
- *The proposal will compromise the 7(i) – Environmental Protection (Urban Buffer) Zone.*
- *The proposal is not part of an integrated plan for the industrial estate with the accompanying planning of services.*

At that time the Council also resolved to:

Advise [Duraplas] that Council will require the tank storage within the [Stoville] lease area to be vacated at the end of the lease period (12 December 2004) unless arrangements have been made for [Stoville's] dwelling to be relocated to the Ellis Road end of the property prior to that date, in which case, Council will not require the area to be vacated until 12 December 2009 (N.B. a development application for the storage activity will need to be lodged with and assessed by Council).

Compliance with the above was not achieved and the issue remains unresolved. In a further attempt to seek support for the rezoning of the subject section of the land, Stoville made a submission in response to the public exhibition of the *Draft Ballina Local Environmental Plan 2010*. In assessing this request, Council's Environmental and Sustainability Committee recommended that the proposal to rezone part of Lot 1 DP 817406 be subject to a site specific planning proposal. This recommendation was adopted by Council in May 2011.

In June 2011 a second request for the rezoning of 6800m² of Lot 1 to industrial land was received by Council. This request was reported to the Council's Ordinary Meeting on 28 July 2011 where it was resolved:

1. *That Council proceed to prepare a planning proposal for part of Lot 1 DP 817406 to enable the application of an industrial land use zone to the north western portion of the land subject to the requirements set out in item (2).*
2. *That prior to the preparation of a planning proposal:*
 - a) *The proponent is to provide Council with suitable documentation outlining the proponent's proposed approach to the following matters in the event that an industrial zone is applied to part of Lot 1 DP 817406:*
 - *the removal, relocation or permanent decommissioning of the dwelling house on Lot 1 DP 817406;*
 - *the mechanism for subdivision of the land; and*
 - *the provision of a formal buffer between industrial and agricultural land uses on Lot 1 DP 817406.*
 - b) *Council is to receive a further report regarding the proposed LEP amendment where there is uncertainty in relation to the removal, relocation or decommissioning of the dwelling on Lot 1 DP 817406, a suitable mechanism for the subdivision of the land and/or provision of a suitable buffer area between industrial and agricultural land uses.*

The requirements of item (2) above have been addressed by the proponent in a voluntary planning agreement which includes the following elements.

- Discontinuation of the use of the existing dwelling house for residential purposes.
- Consolidation of the rezoned portion of Lot 1 DP 817406 with Lot 2 DP 707837 (owned by the proprietors of Duraplas).
- Provision of a vegetated buffer along the eastern and southern boundaries of the rezoned land.

The current planning proposal was reported to the Council for its consideration at its Ordinary Meeting on 26 April 2012 where it was resolved:

That Council support the rezoning of part of Lot 1 DP 817406 for industrial purposes and the attached planning proposal be submitted to the Department of Planning and Infrastructure for determination, with the submission also expressing Council's strong recommendation for approval.

The planning proposal was submitted to the Department of Planning and Infrastructure and a Gateway determination (preliminary approval) was granted on 18 June 2012. Following the finalisation by the proponent of the voluntary planning agreement in June 2013, the planning proposal was placed on public exhibition from 17 July to 16 August 2013. A total of 36 submissions were received in response, of which 34 submissions raised objections to the proposal.

The submissions are currently being assessed by Council officers with a view to reporting the planning proposal to the Council for further consideration at its Ordinary Meeting scheduled for 26 September 2013. If the Council provides final endorsement of the planning proposal, it will then be submitted to the Department of Planning and Infrastructure for finalisation and gazettal by the Minister for Planning and Infrastructure.

Area of Lot 1 DP 817406 Subject to Planning Proposal

Current Zone: 7(i) – Environmental Protection (Buffer) Zone (BLEP 1987)

Proposed Zone: IN1 General Industrial (BLEP 2012)



7. **General Business**

8. **Next Meeting**

Thursday 14 November 2013