

MINUTES OF THE NORTHERN REGION JOINT REGIONAL PLANNING PANEL MEETING HELD AT TAMWORTH REGIONAL COUNCIL ON WEDNESDAY 14 SEPTEMBER 2011 AT 10.00AM

PRESENT:

Garry West	Chair
John Griffin	Panel Member
Bruce Clarke	Panel Member
Russell Webb	Panel Member
Paul Durant	Panel Member

IN ATTENDANCE

Alison McGaffin	Director, Planning and Community Services Tamworth Regional Council
Warren Faulkner	Infrastructure Planning Manager Tamworth Regional Council
Catherine Pyne	Team Leader Development Assessment Tamworth Regional Council
Chris Taylor	Kelley Covey (Applicant)
Justin Cant	Kelley Covey (Applicant)

APOLOGY:

David Lewis	Tamworth Council
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1. The meeting commenced at 10.00am.

2. **Declarations of Interest -**

Nil

3. **Business Items**

ITEM 1 - 2011NTH016 Tamworth Regional Council DA 0454/2011 - Tamworth Regional Racing Precinct; 37-77 Jewry Street, 6-44 Britten Road, Jewry Street and Britton Road, Tamworth, NSW, 2340

Alison McGaffin provided an overview of the application. The principal issues associated with the development comprise: stormwater management; the treatment of the Jewry Street elevation to the development; and, the public submission concerning construction impacts.

Garry West noted that the Panel members have all reviewed the submitted environmental assessment information and have conducted a site inspection. He invited the registered speaker to make his presentation.

4. Public Submission and Discussion -

Chris Taylor of Kelley Covey Addressed the panel on behalf of the applicant.

Chris indicated that he was generally satisfied with the assessment report and the proposed conditions. However, he wished to make submission in relation to proposed condition nos. 22 and 31.

Condition 22

In relation to proposed condition 22, Mr Taylor queried the implications of a blanket easement for stormwater over the entire site in relation to future activities within infill areas such as markets, entertainment and the like. He noted that there are no permanent structure proposed as these would interfere with the track sight lines.

Warren Faulkner identified that the stormwater management storage design is based on the flood gates through the Taminda Levee being open. In the worst case scenario, when the Peel River is in flood, the area required for stormwater storage will increase beyond the nominated storage location. The purpose of the easement is to clearly identify and acknowledge that there will be inundation of the site beyond the storage facility in these circumstances. The easement will not prevent any temporary structures or use of the infill areas of the kinds nominated.

John Griffin queried whether there was any other option for this to be applied to the site, such as through a licence.

Alison McGaffin responded that Council would be prepared to consider other alternatives to an easement where it could be demonstrated that the mechanism would achieve the objective.

Garry West noted that an application to modify a consent condition of this nature could be made pursuant to Section 96(1A) of the Environmental Planning & Assessment Act 1979, for which Council would be the consent authority.

Condition 31

Proposed condition 31 specifies that the Canary Island Date Palms not be removed until the approval of Council's Horticultural Services Manager has been obtained. Such approval is to consider the potential for the trees to be relocated to an alternative site, or to Council's storage premises, if they are viable.

Garry West noted that the application indicates there to be potential for deterioration of the trees as a result of the levee's construction and consequential increase in the soil moisture. He asked Chris Taylor if the issue was with the suitability of the tree health for relocation or the associated cost.

Chris Taylor replied that it was the cost, as all 10 trees are likely to be removed. He has received verbal advice that the trees will continue to deteriorate if they are retained, and he considers that the extensive landscaping of the site will offset the loss of the trees.

Garry West wondered whether the cost of this component had been determined, as the development will involve significant earthwork activities.

Alison McGaffin advised that Council is prepared to give further consideration to this requirement if the trees are not likely to survive relocation. This would require an expert's report on the current health of each tree and the suitability for relocation which would be reviewed by Council's Horticultural Services Manager.

Russell Webb noted that there may be some opportunity for cost sharing of the relocation of the preferred destination was one of Council's facilities/sites.

Bruce Clarke added that there could also be interest in the trees by a private development and this would again allow the applicant to reduce the costs of the tree relocation.

5. Business Item Recommendations

ITEM 1 - 2011NTH016 Tamworth Regional Council DA 0454/2011 - Tamworth Regional Racing Precinct; 37-77 Jewry Street, 6-44 Britten Road, Jewry Street and Britton Road, Tamworth, NSW,

Moved Dr John Griffin, seconded Cr Paul Durant:

That the Panel approved the proposal subject to the conditions of consent contained in Annexure 3 of the Council Assessment report.

It is noted that amendments to conditions 22 and 31 may be applied for pursuant to Section 96 of the Environmental Planning & Assessment Act 1979, for which Council would be the consent authority.

The Panel resolved by a unanimous decision to approve the Development Application No.0454/2011.

MOTION CARRIED

The meeting concluded at 10.22am.

Endorsed by

Garry West
Chair, Northern Joint Regional Planning Panel
15 September 2011