

MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 10 JUNE, 2015, COMMENCING AT 8.30 AM.

PRESENT: Cr H N Castledine (Chairperson), Crs A A Michael, B C Johnston,
P J Harmon and D C Jones.

Also in attendance: Crs J A Watts, D F Baker and P J Girle.

Paul Henry (General Manager), Brett McInnes (Director Civil and
Environmental Services), Ken Beddie (Director Corporate and
Economic Services), Stephen Golding (Executive Manager Corporate
and Community Services), Anthony Alliston (Manager Development
Services) and Justin Pay (Manager Civil Engineering).

APOLOGIES:

There were no apologies received.

SECTION A

1. CONFIRMATION OF MINUTES

*RESOLVED (Harmon/Jones) that the Minutes of the Civil and Environmental Services
Committee Meeting held on 13 May, 2015, 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 Jones declared a pecuniary interest in Section D, Destination Reports, Item #1,
"DA-137/2014 – Alterations and Additions to Dwelling – 15a Brae Street, Inverell
NSW 2360". The nature of the interest relates to Cr Jones being the structural
advisor for the applicants.
- Cr Harmon declared a non-pecuniary interest in Section D, Destination Reports,
Item #1, "DA-137/2014 – Alterations and Additions to Dwelling – 15a Brae Street,
Inverell NSW 2360". The nature of the interest relates to Cr Harmon having a
family member who is a part owner of an adjacent property.

3. PUBLIC FORUM S13.5.6

At this juncture, the time being 8.32am, Cr Jones left the meeting having declared a
pecuniary interest in Section D, Destination Reports, Item #1, "DA-137/2014 –
Alterations and Additions to Dwelling – 15a Brae Street, Inverell NSW 2360". The
nature of the interest relates to Cr Jones being the structural advisor for the applicants.

At this juncture, the time being 8.32am, Cr Harmon left the meeting having declared a
non-pecuniary interest in Section D, Destination Reports, Item #1, "DA-137/2014 –
Alterations and Additions to Dwelling – 15a Brae Street, Inverell NSW 2360". The
nature of the interest relates to Cr Harmon having a family member who is a part
owner of an adjacent property.

At this juncture, the time being 8.32am, the Chair welcomed the members of the public
and opened the Public Forum Session by inviting members of the public to speak:

Mr Jason and Mrs Samantha Birch	<u>DA-137/2014 – Alterations and Additions to Dwelling at 15a Brae Street, Inverell</u>
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Mr and Mrs Birch spoke in opposition to the proposed DA.

The grounds for opposing the DA relate to the impacts they believe will affect their personal home life and privacy due to the proposed third story. Mr and Mrs Birch have sought professional assistance in preparing a secondary objection in this matter; as part of this advice they were informed that the proposed DA contravenes Council's Inverell Development Control Plan and Local Environment Plan in many respects. Further, Mr and Mrs Birch have consulted with Valuers and Real Estate Agents who concur that their property will lose significant value should the development proceed. Mr and Mrs Birch submitted their verbal objection in a written format that was provided to Committee members.

Mr John Devlin

DA-137/2014 – Alterations and Additions to Dwelling at 15a Brae Street, Inverell

Mr Devlin spoke in opposition to the proposed DA. Mr Devlin's main concern is that the developed property may become a Bed & Breakfast in the future.

At this juncture, the time being 8.46am, the Public Forum Session closed and the Committee resumed the balance of the Agenda.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION B
ADVOCACY REPORTS

Cr Watts

Public Health Issue (Listing) S24.12.5

Cr Watts requested that an update on a public health issue be provided in Closed Committee.

RESOLVED (Michael/Johnston) that the matter be referred to Closed Committee for consideration as:

- i) the matters and information are 'commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.' (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

SECTION D
DESTINATION REPORTS

It is noted that all attending Councillors became voting members of the Committee for Section D, Item #1, "DA-137/2014 – Alterations and Additions to Dwelling – 15a Brae Street, Inverell NSW 2360" only.

1. DA-137/2014 – ALTERATIONS AND ADDITIONS TO DWELLING – 15A
BRAE STREET, INVERELL NSW 2360 DA-137/2014

DP-A *RESOLVED (Watts/Johnston) that the Committee recommend to Council that Development Application 137/2014 be approved subject to the following conditions of consent:*

Preliminary

1. Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for:

- Construction of a third storey on the northern side of the dwelling containing:
 - Master bedroom;
 - En-suite; and
 - Walk-In-Robe.
- Construction of an internal staircase; and
- Reconstruction of the dwelling entry

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the *Environmental Planning & Assessment Regulation 2000* (as detailed at the end of this consent).

Prior to Construction

3. Prior to the commencement of any building works on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the *Environmental Planning and Assessment Act 1979*. The application for a Construction Certificate, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.

During Construction

4. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
- Works on site are to be carried out in accordance with the *Protection of the Environment Operations Act 1997* in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
 - Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;

- Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;
- Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and
- Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the *Surveying and Spatial Information Act 2002*. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.

Prior to Occupation

5. Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the *Environmental Planning and Assessment Act 1979*.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
 - any preconditions to the issue of the certificate required by a development consent have been met.
6. Prior to issue of an Occupation Certificate, all stormwater (i.e. roof water and/or surface water) shall be drained in accordance with *Australian Standard 3500.3 Plumbing and drainage*.
 7. Prior to issue of an Occupation Certificate, the proposed addition and the entirety of the remaining dwelling are to be finished in the same external colour.

Ongoing Use

8. No aerial, antenna, communication dishes, air-conditioning units or similar devices are to be installed on the external walls or roof of the third storey addition.
9. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr A A Michael		✓
Cr H N Castledine	✓	
Cr D A Baker	✓	
Cr B C Johnston	✓	
Cr P J Girle	✓	
Cr J A Watts	✓	

At this juncture, the time being 9.11am, Cr Jones and Cr Harmon returned to the meeting.

SECTION E
INFORMATION REPORTS

1. ASHFORD WATER TREATMENT PLANT PCG MEETING MINUTES –
12 MAY 2015 S5.9.12
2. WORKS UPDATE S28.21.1/08

RESOLVED (Michael/Johnston) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 10 June, 2015, be received and noted.

SECTION F
GENERAL BUSINESS

Cr Harmon Protocols for Media/Other Comments

Cr Harmon spoke of the need for Councillors to acknowledge that the Mayor has the authority to speak on the adopted Council position on matters.

Cr Watts Delungra Village

Cr Watts advised the Committee of the Delungra community's appreciation for the reduced speed limit in the Delungra area.

Cr Watts raised concerns on behalf of the Delungra community regarding the water pressure in Delungra.

Cr Watts asked about the costs of the different sulo bins size on behalf of a citizen. The question was concerning the cost difference between the sizes and the potential benefits in the smaller general waste sulo bin.

Cr Watts advised the Committee of the Delungra community's concerns regarding the increased number of cats at the Delungra Tip and questioned the availability of Council's cat traps and other methods available to reduce the problem.

Director Civil & Environmental Services, Mr Brett McInnes responded the issues raised by Cr Watts.

Cr Johnston Plane Trees in the CBD

Cr Johnston requested an update on the Plane Trees in the CBD.

Director Civil & Environmental Services, Mr Brett McInnes provided the Committee with an update on the transplanting of the Plane Trees within the CBD.

Cr Girle Mayor of Gwydir Shire Council

The comments by Cr John Coulton, Mayor of Gwydir Shire Council in a recent Letter to the Editor published in the Inverell Times on Friday, 5 June, 2015 regarding Home and Community Care (HACC) Services were noted.

Cr Girle advised that HACC Services to Delungra are provided by McLean Care and Inverell HACC.

Cr Baker RSPCA

Cr Baker passed on the Inverell Branch of the RSPCA's appreciation of Council's support towards the animal de-sexing and micro chipping program.

GM-A Cr Johnston Shire Tour S2.17.7

RESOLVED (Baker/Johnston) that the Committee recommend to Council that Council staff prepare a Councillor Tour Schedule for the Villages of Inverell Shire.

GM-A General Manager Northern Tour S2.17.7

The General Manager, Mr Paul Henry suggested the following Councillor Tour Plan:

- Ashford - Water Treatment Plant
- Yetman Community Visit – Conduct Committee Meeting

RESOLVED (Harmon/Michael) that the Committee recommend to Council that the August, 2015 Committee Meetings be held at the Yetman Hall on the date of the Northern Tour, being 12 August, 2015.

SECTION G
CONFIDENTIAL REPORTS IN CLOSED COMMITTEE
(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)

At 9.24am, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Committee Meeting should not be considered in Closed Committee. There was no response from the public.

CLOSED COMMITTEE REPORTS

RESOLVED (Michael/Watts) that the Committee proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Committee, at 9.36am, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. Public Health Issue S24.12.5

That the information be noted.

ADOPTION OF RECOMMENDATION

RESOLVED (Watts/Michael) that the recommendation from Closed Committee be adopted.

There being no further business, the meeting closed at 10.10am.

CR H N CASTLEDINE

CHAIRPERSON