

MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING  
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON  
WEDNESDAY, 13 JULY, 2016, COMMENCING AT 8.30 AM.

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

Also in attendance: Crs 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), Justin Pay (Manager Civil Engineering) and Anthony Alliston (Manager Development Services).

SECTION A

APOLOGIES:

Apologies were received from Crs P J Harmon and J A Watts.

*RESOLVED (Michael/Johnston) that the apologies from Crs P J Harmon and J A Watts be noted.*

1. CONFIRMATION OF MINUTES

*RESOLVED (Jones/Michael) that the Minutes of the Civil and Environmental Services Committee Meeting held on 8 June, 2016, 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

There were no interests declared.

3. PUBLIC FORUM S13.5.6/09

There were no members of the public present to speak.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION D  
DESTINATION REPORTS

1. AWARD TENDER AGGREGATE SUPPLY – 2016 RESEAL PROGRAM (LISTING) S28.28.2/08

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

- i) the report includes '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's 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.*

2. PROCUREMENT OF SUPPLY AND SPRAY OF BITUMEN - 2016 RESEAL PROGRAM (LISTING) S28.28.2/08

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

- i) the report includes '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's 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.*

3. NORTH WEST WEIGHT OF LOADS - MEMORANDUM OF AGREEMENT  
S28.11.1

MCE-A *RESOLVED (Jones/Johnston) that the Committee recommend to Council that the 2016-2021 North West Weight of Loads Inter-Council Memorandum of Agreement be executed under the Common Seal of Council.*

4. DA-69/2016 – CONSTRUCTION OF A SHED – 9 DEODARA DRIVE, INVERELL 2360 DA-69/2016

TTP-A *RESOLVED (Johnston/Girle) that Development Application 69/2016 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 shed.

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.
4. Prior to issue of a Construction Certificate, a report by a qualified engineer or engineering geologist, classifying of the soil in accordance with Part 3.2 Footings and Slabs of the Building Code of Australia, is to be submitted to Council.

5. Prior to issue of a Construction Certificate, a stormwater plan must be submitted to and approved by Council. The stormwater plan must show how roof water and surface water will be drained in accordance with *Australian Standard 3500.3 Plumbing and drainage*.

***During Construction***

6. 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***

7. 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.
8. Prior to issue of an Occupation Certificate, all stormwater (i.e. roof water and/or surface water) must be drained in accordance with *Australian Standard 3500.3 Plumbing and drainage* and the approved stormwater plan.

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 B C Johnston	✓	
Cr D C Jones	✓	

5. DA-15/2016 – NULLAMANNA FEEDLOT EXPANSION (3000 HEAD) – 1633 NULLAMANNA ROAD, NULLAMANNA 2360 DA-15/2016

DP-A *RESOLVED (Johnston/Jones) that Development Application 15/2016 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 the expansion of Nullamanna Feedlot, including:

- An additional 2,000 head, (total operating capacity 3,000 head);
- Construction of 10 additional feedlot pens;
- Construction of sedimentation basin and holding pond for wastewater treatment;
- Construction of additional cattle, truck and turning lanes;
- Expansion of 65ML gully dam for freshwater storage; and
- Construction of small catchment dams below the silage pit and south-western truck lane.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the:

- Statement of Environmental Effects titled Nullamanna Feedlot Expansion, prepared by EnviroAg Australia, report number 23876.81916, dated 3 February 2016;
- Briefing Note titled Nullamanna Feedlot Information Request Response, prepared by EnviroAg Australia, reference number 23876.83876, dated 3 June 2016; and

Any deviation will require the consent of Council.

2. The development is to be undertaken in accordance with the General Terms of Approval (**Appendix 1** of this consent) and any subsequent Environmental Protection License (as amended), issued by the NSW Environment Protection Authority.
3. 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***

4. Prior to the commencement of any works (including earthworks) 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.
5. Prior to issue of a Construction Certificate, a traffic management plan outlining operational measures to reduce conflict between School Buses and trucks associated with Nullamanna Station, is to be prepared by the applicant and approved by Council.
6. Prior to construction / earthworks associated with the expansion of the 65ML gully dam, plans indicating detailed design and volume calculations must be submitted to Council. The detailed plans and volume calculations must be accompanied by documentary evidence from NSW Office of Water that the proposed expansion is in accordance with their requirements and within the Maximum Harvestable Right (MHR) for the property.

***During Construction***

7. The applicant will:
  - repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
  - re-locate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.
8. Should any aboriginal artefacts or places be discovered during construction, all works are to cease immediately. The NSW Office of Environment and Heritage are to be contacted immediately and any direction or requirements complied with.
9. Prior to issue of an Occupation Certificate a buffer of native trees and shrubs must be planted along the west and south-west of the manure stock-piles. A plan including the numbers and types of species must be submitted to and approved by Council prior to undertaking any planting.

***Ongoing Use***

10. A Section 94 Contribution will be required per head. The current rate is \$1.093 per head per year, plus the CPI increase in December of each year. A contribution will be required to be paid quarterly. This contribution is towards the ongoing maintenance of Nullamanna Road.
11. All trucks associated with the operation of the Nullamanna Feedlot are to comply with the approved traffic management plan.
12. The *National Guidelines for Beef Cattle Feedlots in Australia* is to be complied with at all times during the operation of the feedlot to ensure animal health and welfare.
13. 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 B C Johnston	✓	
Cr D C Jones	✓	

## SECTION E INFORMATION REPORTS

### 1. WORKS UPDATE S28.21.1/09

*RESOLVED (Michael/Jones) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 13 July, 2016, be received and noted.*

## SECTION F GENERAL BUSINESS

### Cr Baker Gwydir Highway/Bundarra Road/ Chester Street Intersection

Cr Baker noted the recent funding announcement of \$1.5M by the Federal Government for this project. Cr Baker asked for clarification of the works to be undertaken.

The General Manager provided details in this matter.

### Cr Jones Flood Notifications

Cr Jones noted the current weather forecast for the next 3 months and the need to be able to notify residents of flood events. While this was previously done over the local radio, changes to 2NZ may impact this in the future. The SES are currently reviewing this matter.

Cr Jones will provide Council with further information in this matter.

### Cr Jones Mobile Phone Blackspot Funding

Cr Jones asked if there was now an opportunity to lobby for a change in the methodology for accessing this funding to require any Blackspot funded phone tower to be multi-user.

### Cr Castledine Mansfield Street/Ross Street Intersection

Cr Castledine noted a recent accident at this location and asked where planning was up to in respect of possible treatments for this intersection.

The Manager Civil Engineering provided an update in this matter.

### GM-A Cr Castledine Tingha Public Meeting S13.1.1

Cr Castledine noted the recent meeting held in Tingha where Council representatives were invited to attend to discuss Council boundary issues.

*RESOLVED (Michael/Johnston) that the Committee recommend to Council that:*

- i) *Council write to the Administrator of Armidale Regional Council to ascertain his intentions when dealing with the request from the Tingha Citizens Association to relocate the Tingha Region into Inverell Shire; and*
- ii) *the Member for Northern Tablelands, Mr Adam Marshall be requested to support the application by the Tingha Citizens Association.*

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

At 9.32am, 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 (Jones/Johnston) 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 9.38am, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. AWARD TENDER AGGREGATE SUPPLY – 2016 RESEAL PROGRAM  
S28.28.2/08

MCE-A  
EXA-A      *That the Committee recommend to Council that:*

- i) *the contract for the Manufacture and Delivery of Precoated Aggregate for the 2016-2017 Resealing Program be awarded to Inverell Aggregate Supplies with the exception of stockpile sites 18 - 26; and*
- ii) *the contract for the Manufacture and Delivery of Precoated Aggregate for the 2016-2017 Resealing Program for stockpile sites 18 - 26 be awarded to Inglewood Quarries.*

2. PROCUREMENT OF SUPPLY AND SPRAY OF BITUMEN - 2016 RESEAL  
PROGRAM S28.28.2/08

MCE-N  
EXA-A      *That the information be received and noted.*

ADOPTION OF RECOMMENDATION

*RESOLVED (Jones/Johnston) that the recommendation from Closed Committee be adopted.*

There being no further business, the meeting closed at 9.41am.

CR H N CASTLEDINE

CHAIRPERSON