

MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 9 NOVEMBER, 2016, COMMENCING AT 8.30 AM.

PRESENT: Cr D F Baker (Chairperson), Crs P J Harmon, S J Berryman, J N McCosker and M J Peters.

Also in attendance: Crs J A Watts, C M Dight, A A Michael and P A King.

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), Justin Pay (Manager Civil Engineering), Anthony Alliston (Manager Development Services), Michael Bryant (Manager Environmental Engineering (Designate)) and David Strugnell (Asset Management Coordinator).

Suspension of Standing Orders

At this juncture, the time being 8.31am, the Chairperson sought agreement to suspend standing orders to conduct an inspection of proposed New Dwelling (Dual Occupancy – Detached) and Subdivision - 30 King Street, Inverell 2360 (DA-122/2016).

Resumption of Standing Orders

At this juncture, the time being 9.00am, standing orders resumed and the Committee considered the balance of the Agenda.

SECTION A

APOLOGIES:

There were no apologies received.

1. CONFIRMATION OF MINUTES

RESOLVED (Berryman/Harmon) that the Minutes of the Civil and Environmental Services Committee Meeting held on 12 October, 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

At this juncture, the time being 9.05am, the Chair welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Mr Mark Rainger DA-122/2016 – 30 King Street, Inverell

Mr Rainger is a joint property owner of 28 King Street, Inverell. Mr Rainger noted his strong objections to DA-122/2016. Mr Rainger's three (3) main objections relate to the positioning and size of the proposed development, the amenity and visual impact and the asbestos removal from the property.

Mrs Jillian Rainger DA-122/2016 – 30 King Street, Inverell

Mrs Rainger is a joint property owner of 28 King Street, Inverell. Mrs Rainger noted her objections to DA-122/2016. Mrs Rainger asked the Committee to consider more than “just ticking the boxes” and to also consider the human element and personal impacts of the proposed development.

Mrs Jane O'Brien, Mrs Jenny Cracknell & Nourish Bar Representative Inverell Community Garden Presentation – ‘Welcome to the Future’

The representatives for the Inverell Community Gardens presented the Committee with a proposal to relocate the Gardens to the corner of Ross Street and Swanbrook Road.

The representatives requested Council's financial support and commitment to allow the use of this land.

At this juncture, the time being 9.25am, Mr David Strugnell arrived at the meeting.

Mr Michael Hoynes & Mr Peter Horwood Inverell Mountain Bike Club Presentation

Mr Hoynes and Mr Horwood delivered a presentation to the Committee on behalf of the Inverell Mountain Bike Club.

The Club seeks Council's assistance to create an all-weather cycle way that links the Inverell township to the newly development Mountain Bike Track located adjacent to the Inverell Golf Club.

At this juncture, the time being 10.00am, the Public Forum Session closed and the Committee resumed the balance of the Agenda.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION D
DESTINATION REPORTS

DA-122/2016 – NEW DWELLING (DUAL OCCUPANCY – DETACHED) AND SUBDIVISION – 30 KING STREET, INVERELL 2360 DA-122/2016

RESOLVED (Harmon/Peters) that Section D, Item #5, ‘DA-122/2016 – New Dwelling (Dual Occupancy – Detached) and Subdivision – 30 King Street, Inverell 2360’ be brought forward for consideration.

5. DA-122/2016 – NEW DWELLING (DUAL OCCUPANCY – DETACHED) AND SUBDIVISION – 30 KING STREET, INVERELL 2360 DA-122/2016

DP-A *RESOLVED (Harmon/Berryman) that the Committee recommend to Council that Development Application 122/2016 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 a dual occupancy (detached), comprising:

- Construction of a new dwelling at the rear of 30 King Street; and
- Subdivision.

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).
3. The dwellings shall be numbered as follows:
 - 30A King Street – new dwelling; and
 - 30B King Street – existing dwelling.
4. Electricity and telecommunication services to the new dwelling must be underground.
5. King Lane is to be upgraded with the extension of the bitumen seal from the end of the current seal to the common boundary between 28 and 30 King Street, Inverell, and drainage improvements where necessary.
6. The existing trees in King Lane are to be maintained and measures installed during construction to protect the trees from damage.

Prior to Construction

7. 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.
8. Prior to the issue of a Construction Certificate, detailed engineering plans and specifications are to be submitted to and approved by Council for:
 - Access crossings;
 - The access handle driveway for the new dwelling in consideration of the underground stormwater pipe;
 - Stormwater drainage for the entire site, including dwelling, hard stand and retaining walls; and
 - Inter-allotment drainage between the new dwelling and existing dwelling.
9. Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for:
 - Water Supply;
 - Sewerage Work; and
 - Stormwater Drainage Work
10. Prior to issue of a Construction Certificate, approval under Section 138 of the *Roads Act 1993* is to be obtained for the construction of access crossings and upgrade of King Lane.
11. Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for the new dwelling for water supply and water

connection. This will require payment to Council of:

- A Contribution under Council's Development Servicing Plan; and
- A water connection fee in accordance with Council's fees and charges.

12. Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for the new dwelling for sewer supply and sewer connections. This will require payment to Council of:

- A Contribution under Council's Development Servicing Plan No. 1; and
- A sewer junction fee in accordance with Council's fees and charges.

13. Prior to the issue of a Construction Certificate, a contribution towards Community Services must be paid to Council pursuant to Section 94 of the *Environmental Planning and Assessment Act 1979*, for the new dwelling.

During Construction

14. A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:

- by the pegging of the site prior to the commencement of work; and
- on completion of footings.

15. 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.

16. Vehicles associated with construction of the new dwelling, including delivery vehicles and worker vehicles, must use King Street. In extenuating circumstances if construction traffic needs to use King Lane the prior written approval from Council must be obtained and an agreement in place that any damage caused to King Lane must be repaired immediately, at the applicant's expense.
17. Any required fill material must be Virgin Excavated Natural Material as defined under Schedule 1 of the *Protection of the Environment Operations Act 1997*.

Prior to Occupation

18. Prior to occupation of the new dwelling, 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.
19. Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:
 - All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction.
 - The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.
 - Any unused layback in the kerb and gutter is to be capped to Council's satisfaction.
 - Sediment and erosion control measures, which are no longer required, are to be removed including any silt/sediment in gutters and/or drains.
 20. Prior to issue of an Occupation Certificate, all access crossings and the access handle driveway for the new dwelling, are to be constructed in accordance with the approved engineering design.
 21. Prior to issue of an Occupation Certificate, the upgrade of King Lane being the extension of the bitumen seal from the end of the current seal to the common boundary between 28 and 30 King Street and drainage improvements (where necessary), is to be completed at the applicant's expense.
 22. Prior to issue of an Occupation Certificate, all stormwater drainage is to be completed in accordance with the approved engineering design.
 23. Prior to issue of an Occupation Certificate all landscaping, fencing and privacy screen are to be completed as per the approved plan(s).

The privacy screen must have:

- A minimum height 1.5m above floor level;

- No individual opening more than 30mm wide; and
- A total area of all openings no greater than 30% of the screen area

24. Prior to issue of an Occupation Certificate, the carport for the existing dwelling is to be constructed in accordance with the approved plan(s).
25. Prior to issue of an Occupation Certificate, each dwelling is to be individually numbered and the number displayed in 100mm numerals on each dwelling and associated mailbox. The street number is to be displayed in 150mm numerals adjacent to the mailboxes.
26. Prior to issue of an Occupation Certificate, all new external lighting must be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.

Prior to Issue of a Subdivision Certificate

27. A Subdivision Certificate must be obtained from Council in accordance with Section 109C (1)(d) of the *Environmental Planning and Assessment Act 1979*. The applicant must submit a completed Subdivision Certificate application form (with applicable fee), four (4) copies of the survey plan, two (2) copies of any 88b instrument and documentary evidence demonstrating compliance with the conditions of this development consent.
28. Prior to the issue of a Subdivision Certificate, the new dwelling is to be constructed and issued with an Occupation Certificate.
29. A 3m easement over the stormwater pipe is to be shown on the plan of subdivision and dedicated in favour of Council.
30. Where applicable, the plan of subdivision is to clearly show any private easements for services (e.g. electricity, telephone, etc.).
31. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr D F Baker	✓	
Cr S J Berryman	✓	
Cr P J Harmon	✓	
Cr J N McCosker		✓
Cr M J Peters		✓

**SECTION B
ADVOCACY REPORTS**

Cr Harmon

Telstra Inverell Sapphire City Festival Wrap-up Meeting

Cr Harmon noted his attendance at the wrap-up meeting of the 2016 Telstra Inverell Sapphire City Festival.

A letter is being prepared to inform Council and sponsors of the successful outcomes.

Cr Watts

Appreciation of Council Staff

A local resident informed Cr Watts that Council Outdoor Staff, during a recent funeral procession, halted traffic to allow the procession to continue uninterrupted and removed their hats as a sign of respect. The resident expressed their appreciation for the respect and compassion displayed.

ADJOURNMENT

At this juncture, the time being 10.25am, the Committee adjourned to facilitate a Asset Management Induction by Council's Asset Management Coordinator, Mr David Strugnell.

RESUMPTION

At this juncture, the time being 11.25am, the Committee reconvened.

SECTION D
DESTINATION REPORTS

1. TENDER T2/2017 DESIGN & RECONSTRUCTION OF TINTOT BRIDGE, GRAMAN ROAD (LISTING) S4.19.14

RESOLVED (Harmon/Berryman) 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.*

2. APPLICATION FOR RESTRICTED ACCESS VEHICLE ROUTE – BURTENSHAW ROAD, INVERELL S30.9.11

MCE-A *RESOLVED (Peters/Berryman) that the Committee recommend to Council that 750m of Burtenshaw Road, from MR137 Ashford Road to the Inverell Landfill be approved and gazetted as B-Double Route.*

3. ROAD CLOSURE - VENETIAN CARNIVAL S28.23.1/09

MCE-A *RESOLVED (Peters/Berryman) that the Committee recommend to Council that:*

- i) Council grant a permit for the Venetian Carnival and permission for the closure of Captain Cook Drive between the Byron Street Roundabout and the entrance of Pasterfield car park between the hours of 5pm and 10pm on Saturday, 3 December, 2016;*
- ii) Council provide a donation of \$200.00 towards the cost of the road closure for the carnival.*

4. RE-APPOINTMENT OF COUNCIL REPRESENTATIVES TO THE NORTHERN NSW JOINT REGIONAL PLANNING PANEL S18.6.11

MDS-A *RESOLVED (Harmon/Berryman) that the Committee recommend to Council that Council nominate Councillor Dianna Baker and Mr Brett McInnes, Director Civil and Environmental Services as Council representatives to the Northern NSW Joint Regional Planning Panel.*

5. DA-122/2016 – NEW DWELLING (DUAL OCCUPANCY – DETACHED) AND SUBDIVISION – 30 KING STREET, INVERELL 2360 DA-122/2016

Note: Matter dealt with previously in the meeting.

SECTION E INFORMATION REPORTS

1. SAPPHIRE WIND FARM – UPDATE S18.6.52/01
2. WORKS UPDATE S28.21.1/09
3. NSW CONTAINER DEPOSIT SCHEME S31.3.6

RESOLVED (Harmon/Berryman) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 9 November, 2016, be received and noted.

SECTION F GENERAL BUSINESS

At this juncture, the time being 10.50am, Graham Bendeich arrived at the meeting.

Director Civil & Environmental Services Update – Heavy Vehicle Movement on Gwydir Highway

The Director Civil & Environmental Services, Mr Brett McInnes advised that the Roads and Maritime Services seek comments from Council on the Gwydir Highway lane merging road marking between the CBD and Enhance Petrol Inverell Roadhouse.

The Manager Environmental Engineering, Mr Graham Bendeich tabled Council's proposed line marking for the Gwydir Highway.

Cr McCosker Orchard Place

Cr McCosker noted the poor road condition of Orchard Place and asked if any action to improve the road is planned.

The Director Civil & Environmental Services, Mr Brett McInnes provided the Committee with information and the history of the road, noting that suggestions have previously been made.

Cr Michael CBD Blisters

Cr Michael asked about the stenciling on the CBD blisters and if they are part of a maintenance program.

Director Civil & Environmental Services, Mr Brett McInnes informed the Committee that they are part of a maintenance program that involves, but is not limited to, pressure cleaning and stencil maintenance.

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

At 11.10am, 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 (Harmon/Berryman) 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 11.20am, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. TENDER T2/2017 DESIGN & RECONSTRUCTION TINTOT BRIDGE
GRAMAN ROAD S4.19.14

MEED-
A

That the Committee recommend to Council that:

- i) *Council accept the tender from Ozwide Bridge Rail & Civil Pty Ltd, Option 2 comprising a new bridge deck level constructed one metre higher than the existing bridge deck, for the price of \$460,250 GST exclusive; and*
- ii) *the Common Seal of Council be affixed to the Contract documents.*

ADOPTION OF RECOMMENDATION

RESOLVED (Berryman/McCosker) that the recommendation from Closed Committee be adopted.

There being no further business, the meeting closed at 11.21am.

CR D F BAKER

CHAIRPERSON