

INVERELL SHIRE COUNCIL
NOTICE OF MEETING
CIVIL & ENVIRONMENTAL SERVICES COMMITTEE

7 February, 2019

A Civil & Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 13 February, 2019, commencing at 9.00 am.

Your attendance at this Civil & Environmental Services Committee Meeting would be appreciated.

P J HENRY PSM

GENERAL MANAGER

A G E N D A

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Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.



CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING

Wednesday, 13 February, 2019

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MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 14 NOVEMBER, 2018, COMMENCING AT 9.00 AM.

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

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

Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services), Scott Norman (Director Corporate and Economic Services), Justin Pay (Manager Civil Engineering) and Chris Faley (Development Planner).

SECTION A

APOLOGIES:

Apologies were received from Cr Peters who was unable to attend due to business reasons.

RESOLVED (Berryman/McCosker) that the apology from Cr Peters be noted.

1. CONFIRMATION OF MINUTES

RESOLVED (Harmon/Berryman) that the Minutes of the Civil and Environmental Services Committee Meeting held on 10 October, 2018, 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 S13.5.6/11

At this juncture, the time being 9.03am, the Chair welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Kim Kelleher, Jane Brookman and Steve Johnson.

Sapphire Rock 'n' Roll Festival

The committee was addressed by Kim Kelleher, Jane Brookman, and Steve Johnson. They represented a group that was founded to achieve an air service to Inverell. The group shares information with the Promoting Inverell Group and the Inverell Chamber of Commerce and Industry. It is their belief that the Inverell Shire has lost several key events in recent times and this has had an economic impact as these events attract outside visitors and bring in outside dollars.

The speakers proposed a Sapphire Rock 'n' Roll Festival to be held March 2019. The date was selected to replace the Opera in the Paddock event, also because of the mild temperature that time of year and to coincide with the Transport Museum's annual swap meet. The proposed event draws inspiration from a similar event that has been run successfully at Mount Tambourine for the past seven years.

The Sapphire Rock 'n' Roll Festival would be a full weekend program of events including an old-style drive-in movie at the Transport Museum, a themed art photographic exhibition at the Inverell Art Gallery, a tenpin bowling competition at Shake Rattle and Bowl and a 50/60s era movie marathon at the Majestic Cinema in Inverell.

The group is seeking support from Council in preparing a grant application that a representative from Council sits on the panel and helps with the coordination of the event, a commercial investment, access to Council's facilities and equipment, assistance with road closures and street music as well as marketing and promotion.

At this juncture, the time being 9.20am, 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

Nil

SECTION D
DESTINATION REPORTS

1. NORTH WEST WEIGHT OF LOADS - OFFICER AUTHORISATIONS
S28.11.1

RESOLVED (Harmon/Berryman) that the Committee recommend to Council that the North West Weight of Loads authority schedule as presented be executed under the common seal of Council.

2. DROUGHT RELIEF HEAVY VEHICLE ACCESS FUNDING PROGRAM
S28.8.2

RESOLVED (Harmon/Berryman) that the Committee recommend to Council that the project to complete pavement rehabilitation and heavy patching on Jardine Road be endorsed and a funding application be submitted under the Drought Relief Heavy Vehicle Access Program to the value of \$300,000.

3. DA-245/2004/A, DA-70/2006 & DA-20/2018 – STREET NAMING IN
SUBDIVISIONS DA-70/2006, DA-245/2004/A and DA-20/2018

RESOLVED (Berryman/Harmon) that the Committee recommend to Council that:

1. *The appropriate steps be taken to formally name:*
 - a. *The new cul-de-sac off the Mather Street extension, in the subdivision approved under DA-2452004/A, as Parkland Close.*
 - b. *The new street, in the subdivision approved under DA-70/2006, as Max Drive;*
 - c. *The new street in the subdivision approved under DA-20/2018 as Terry Drive; and*
2. *Council authorise the General Manager to undertake the road naming in*

accordance with the NSW Road Regulation 2018.

4. ORCHARD PLACE APPLICATION TO TRANSFER S28.10.SR235

RESOLVED (McCosker/Berryman) that the Committee recommend to Council that:

- i) Council authorise the compulsory acquisition of the land necessary from Crown Reserve 68617 (Lot 7018 DP 94779) and Crown Reserve 668 (Lot 7057 DP 1072492) for the purpose of forming a road reserve to accommodate both the current and future alignment of Orchard Place; and*
- ii) Council authorise the making of an application to the Minister and Governor for the compulsory acquisition of said land.*

5. INVERELL CHAMBER OF COMMERCE AND INDUSTRY - CHRISTMAS PROMOTION S26.3.6

RESOLVED (Berryman/Harmon) that the Committee recommend to Council that:

- i) Council agree to close Vivian Street (between Oliver Street and Byron Street), as well as closing Byron Street (between Vivian Street and Lawrence Street) on Friday, 14 December, 2018 from 4pm to 10pm to facilitate the Inverell Chamber of Commerce and Industry's Festival of Christmas initiative; and*
- ii) Council meet the cost of advertising and implementing the road closures estimated at approximately \$1000.*

6. TRAFFIC SPEED THROUGH YETMAN VILLAGE S30.9.5 & S28.10.8

RESOLVED (Harmon/Berryman) that the Committee recommend to Council that:

- i) The information in the report be received and noted;*
- ii) No further traffic calming measures be implemented at this point in time; and*
- iii) The situation continue to be monitored with annual traffic counts and a further report be presented to the Committee should the traffic speed patterns change significantly.*

7. PLANNING PROPOSAL – AMENDMENT TO INVERELL LOCAL ENVIRONMENTAL PLAN 2012 – EXTRACTION OF GROUNDWATER FOR COMMERCIAL BOTTLING PURPOSES WITHIN THE RU1 PRIMARY PRODUCTION ZONE – AUTHORISATION TO PROCEED WITH MAKING OF THE PLAN S18.6.34/08

RESOLVED (Berryman/Harmon) that the Committee recommend to Council that:

- i) A request be made to Parliamentary Counsel to prepare the draft instrument pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979;*
- ii) The General Manager be authorised to determine the terms of the draft instrument in consultation with Parliamentary Counsel, consistent with the intent of the Planning Proposal; and*
- iii) The draft instrument be gazetted.*

SECTION E
INFORMATION REPORTS

1. WORKS UPDATE S28.21.1/11
2. PLANNING LEGISLATION UPDATES S18.3.1

RESOLVED (Harmon/Berryman) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 14 November, 2018, be received and noted.

SECTION F
GENERAL BUSINESS

Cr McCosker

Grafton to Inverell

Cr McCosker enquired why the Grafton to Inverell Cycle Race did not finish in the main street of Inverell. He had received feedback that this was the preference from the competitors.

Cr Harmon responded that the race finish line was moved to Vivian Street at the request of the race organisers. It was seen as superior on account of the park being able to accommodate support activities to bring people to the finish line.

Cr Baker

Left Hand Turn Lanes In CBD

Cr Baker enquired as to the feasibility of installing left-hand turn lanes at CBD intersections. In particular at the intersection of Oliver and Lawrence Street.

The Director Civil and Environmental Services replied that the CBD intersections have insufficient room to accommodate left-hand turn lanes.

There being no further business, the meeting closed at 9.45 am.

CR D F BAKER

CHAIRPERSON

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 13/02/2019

ITEM NO:	1.	FILE NO: S21.8.41
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	LOCKABLE BOOM GATE - MAY STREET LOOKOUT	
PREPARED BY:	Anthony Alliston - Manager Development Services	

SUMMARY:

This report has been prepared following correspondence from a local resident and Inverell East Rotary Club requesting that Council consider supporting the installation of a lockable boom gate at the public road entrance to May Street Lookout to prevent vehicular access into the Park at night.

The Committee is being asked to consider whether it wishes to recommend to Council, that Council install a lockable boom gate at the vehicular entrance to May Street Lookout.

COMMENTARY:**Background**

The development of May Street Lookout has been an on-going initiative of Inverell East Rotary Club since 2011. May Street Lookout is located on the north side of the Macintyre River in the Ross Hill Area. The Park is readily visible across the river from pedestrian / cycle path on the southern side of the Macintyre River (Captain Cook Drive) and the Woolworths car park. Vehicular access to the Park is via May Street, which is a Council Public Road (refer Appendix 1, D9 - Locality Plan).

Since 2011 Inverell East Rotary Club, with the assistance of Council, has undertaken a number of improvement projects at the Park, including:

- Construction of two (2) picnic shelters;
- Construction of a car parking area and timber fencing to prevent unauthorised vehicular access;
- Work for the dole projects;
- Removal of exotic tree species and woody weeds;
- Filling and levelling of the site;
- An irrigation system;
- Granite walking path down to the river;
- Construction of an entry garden;
- Placement of sandstone blocks; and
- Community tree planting days.

Inverell East Rotary Club have also purchased their own ride-on lawn mower and trailer and continue to mow, whipper-snip, water and fertilise at the park on a regular basis. The photos below depict the main features of the park.



Photo 1 – Entry garden.



Photo 2 – Sealed car parking area.



Photo 3 – Two picnic shelters.



Photo 4 – Sandstone blocks used in landscaping.



Photo 5 – Views over town from May Street Lookout.



Photo 6 – Views of May Street Lookout from the southern side of the Macintyre River (Captain Cook Drive).

As the Park continues to develop as a quality passive recreation space in Inverell, there has been a noticeable increase in use of the park by a wide variety of community members. The increased patronage and interest shown in the park has also brought with it an increase in anti-social and disruptive behaviour, particularly at night.

In the past few years there has been a noticeable increase in vehicle activity during all hours of the night, which in turn has had a negative impact on the amenity of the area and its residents. The issues of loud music and screeching tyres are clearly detailed in the requests made to Council to support the installation of a lockable boom gate at the road entrance to May Street Lookout. The correspondence has been circulated to Committee members under a separate cover.

Discussion

The idea of installing a lockable boom gate at the road entrance to May Street Lookout has been discussed with Council staff and nearby residents over the past few years. The idea has also been raised by Inverell East Rotary Club as part of their forward planning of the site.

The recent correspondence received in regard to the matter has now prompted Council staff to further investigate and report on the issues associated with the proposal.

The proposal as contained in the correspondence is for the installation of a lockable boom gate at the road (May Street) entrance to the park which can be locked to prevent vehicular access to the park at night.

In acknowledging the possible imposts on Council in having to manufacture and install the gate as well as locking and unlocking the gate, the residents and Rotary has indicated a

willingness to assist with funding for the gate as well as offering to close (lock) the gate a night and re-open (unlock) the gate each morning.

In determining the practicality of installing a boom gate across May Street at the entrance to the park the following comments are made:

- The installation of a single span boom gate would have to be located at the very entrance to the park (adjacent to the large sandstone block). This would allow for a small turn-around area and it also allows for access into private vacant land adjacent to the park (see Photo 7);
- The boom-gate will need to be capable of being locked closed as well as locked open;
- A locked boom gate would necessitate the provision of Council signs to explain that vehicle access to the park is during daylight hours only and to explain the exact opening hours of the park (e.g. summer – 6am to 8pm and winter – 7am to 6pm). Council's phone number would also need to be included on the sign; and
- A protocol would need to be in place to ensure no vehicles are inadvertently locked in the park at closing.



Photo 7 – Proposed location of boom gate at the very entrance adjacent to the large sandstone block. There is enough room to provide a turn-around area.

In reference to the above, Council's estimate to install the boom gate as well as the construction of a small turnaround area and erection signage is approximately \$5,000. The funding for this project is available from money provided under the Community Partnership Grant for the viewing platform project at the park. There will be no on-going cost to Council to open and close the gate provided that this will be done by residents in the area and/or Inverell East Rotary Club members.

In the event that the gate is not being unlocked in the mornings and thus restricting vehicular access during the daylight hours, Council would be able to permanently lock the gate in an open position and remove the signs.

Council have also had discussions with Inverell Police who indicated that a lockable boom gate would definitely reduce anti-social behaviour in the area at night, particularly by young people in vehicles who are known to congregate in the May Street Lookout car park at night. The Police indicated that they would have no objection to a lockable boom gate at the park provided that a key is provided to the Police.

It was also indicated (by the Police) that the Ambulance should also be provided with a key to the gate in the event that access is required in a medical emergency.

The other benefit of a lockable boom gate includes restricting public access to the Park in the following circumstances:

- Mowing at park (Council or Rotary);
- Heavy machinery associated with river bank clearing;
- Spraying invasive weeds either at the park or along the river;
- Closure of park for maintenance (e.g. fallen trees); and
- Annual works associated with Council's trunk sewer main.

Conclusion

The park continues to develop into an attractive recreation space for use by the Inverell community. In the past few years, however there has been a noticeable increase in vehicle activity during all hours of the night, which in turn is having negative impacts on residents in the locality by virtue of loud music and screeching tyres.

It is proposed that the responsibility to open and close the lockable boom gate will be accepted by residents in the area and the Inverell East Rotary Club. If the responsibility cannot be sustained in the long-term, Council can permanently lock the boom gate in an open position and remove the signs. The boom gate would still serve a purpose, being used to prevent access to the Park in circumstances such as mowing; weed spraying and sewer maintenance activities.

The Committee is being asked to consider whether it wishes to recommend to Council that Council install a lockable boom gate at the vehicular entrance to May Street Lookout.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: C.07 Provide local opportunities for recreation, cultural and social activities.

Term Achievement: C.07.02 The Shire's recreational areas and facilities are contemporary and conducive to the communities wellbeing.

Operational Objective: C.07.02.01 Contribute to the physical well being of the community through the provision of active recreation areas.

POLICY IMPLICATIONS:

There are no Policy Implications.

CHIEF FINANCIAL OFFICERS COMMENT:

Infrastructure costs of \$5K can be funded through Community Partnerships Grant.

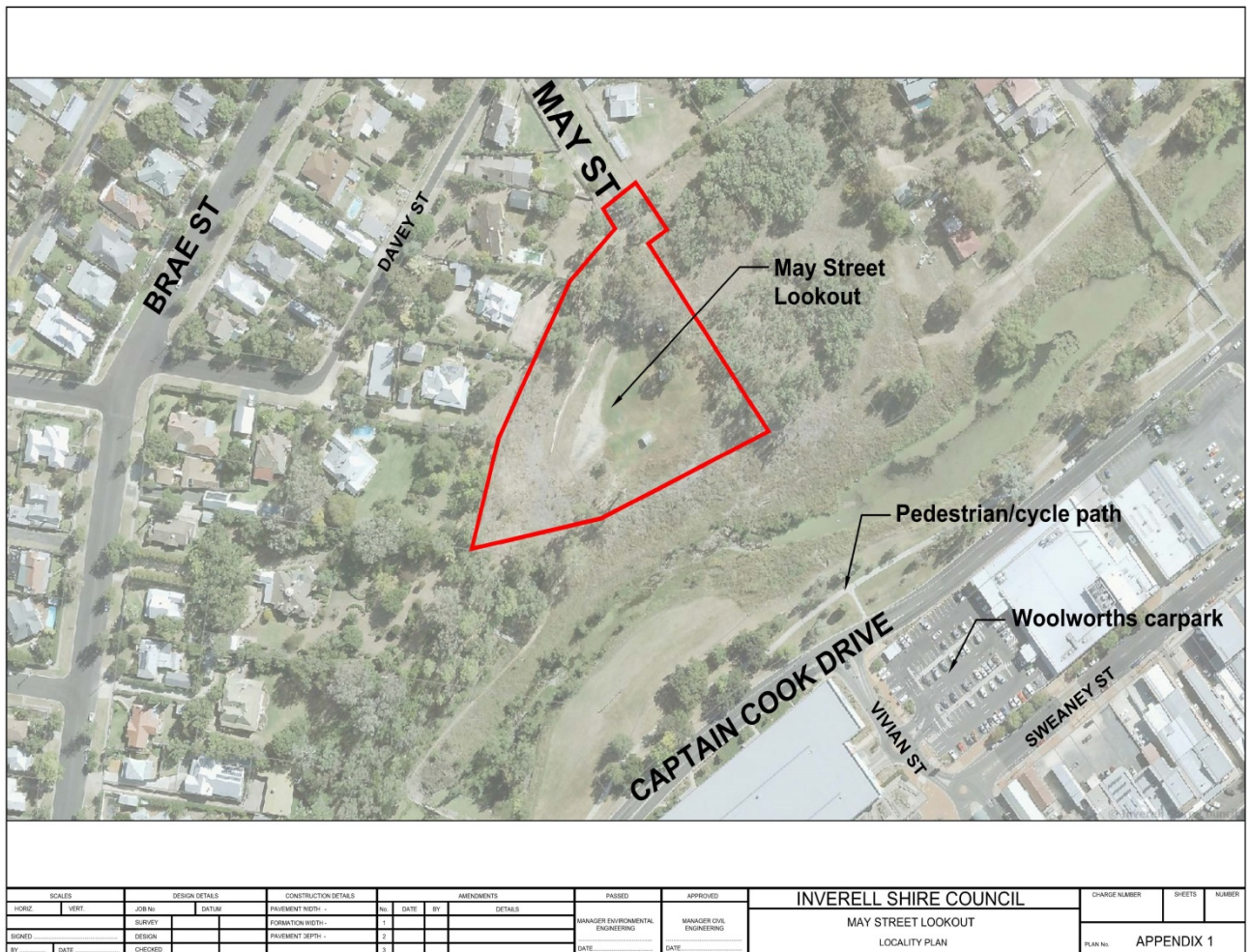
LEGAL IMPLICATIONS:

Nil

RECOMMENDATION:

A matter for the Committee.

APPENDIX 1



ITEM NO:	2.	FILE NO: S21.8.11
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	MACINTYRE RIVER FOUNTAIN, CAMPBELL PARK	
PREPARED BY:	Michael Bryant, Manager Environmental Engineering	

SUMMARY:

This report provides information on the operation and maintenance of the ornamental fountain located in the Macintyre River adjacent Campbell Park in Inverell.

COMMENTARY:

At the Councillor briefing session prior to the December 2018 Council Meeting the Director Civil and Environmental Services advised of difficulties being experienced over the past six months with the ongoing operation and maintenance of the ornamental fountain in the Macintyre River. It was agreed that a report be prepared for a future Committee meeting outlining various available options.

The fountain was installed in the river approximately eight years ago and has been broadly accepted by the community and visitors to Inverell. It is unusual for an ornamental fountain to be installed in a river. As such the management of fluctuating river flows and changing water quality including silt, sand, gravel, weed growth and debris including clothing, all add to the complexity, poor reliability and ongoing cost of maintenance and repairs. The nature of the fountain installation has associated occupational health & safety and public safety risks that also need to be managed. It should be noted that the type of submersible sewer pump installed to drive the fountain was selected due its robustness and ability to operate in a harsh environment.

The fountain is powered by 4.2kW Flygt submersible sewer pump mounted on a floating pontoon, with the jet of water reaching a height of around 14m. The pontoon is tethered in position within the river about 15m from each bank, by way of a wire rope running across the river to the west bank and a second wire rope attached to the bridge pier approximately 80m upstream. The pump is powered via a submerged electrical cable connected to the power supply electrical cabinet adjacent the footpath in Campbell Park.

For protection the pontoon and fountain are winched into a 1.8m diameter pipe culvert shelter beneath the foreshore footpath whenever there is a fresh in the river, however once the river recedes it is difficult to drag the unit back out into the river due to the water level being very shallow, plus silt that builds up in the pipe shelter during the high river flow event. The section of river adjacent the footpath is shallow and armoured with rock causing damage to the pump inlet screens. A truck mounted crane has insufficient reach to avoid the pump inlet screens being damaged.

During low flow conditions the water level in the river is set by the downstream weir at a relatively shallow depth of 1.2m with the pump suction strainer operating about 400mm above the river bed leading to sediment and grit being drawn into the pump causing wear and tear on the pump requiring frequent removal and maintenance. With the current drought conditions and the water level 150mm below the weir crest the pump would be very close to the river bed. Also it would be very difficult for any type of pump to handle the high level of organic

matter present in the water. The pump has to be removed three to four times per year to clear blockages, and the pump replaced about every 3 years. The frequency of temporary removal and return of the pump to the river due to freshes in the river is driven by seasonal conditions and river flows.

The estimated average annual cost to keep the fountain in operation is summarised below;

Item	Annual Cost (\$)
Clearing pump blockages and removing fountain and pump during flood events	3,500
Pump replacement \$6,000 every 3 years	2,000
Electrical installation maintenance	1,000
Energy usage, pump operating 12 hours per day	4,600
Total	11,100

In summary the current Flyght submersible pump is heavy, draws water near the river bed level, difficult to handle and the inlet strainer easily damaged when installing and recovering from the river during low flow conditions.

Options for Consideration are outlined below.

Option 1 Continue with the existing Flyght pontoon mounted fountain with submersible pump.

Purchase a new replacement submersible pump and renew suction inlet strainer at a cost of \$6,000. Only operate the fountain when river conditions are suitable for pump operation.

No improvement on the present situation.

Option 2 Trial an Air-O-Lator Skyward pontoon mounted fountain with Submersible pump

This fountain is powered by a submersible bore pump, with the motor located below the pump unit. The pump motor projects down into the water similar to the Flyght unit. The advantage of this arrangement is the pump suction is just below the pontoon and clear of the river bed and less inclined to draw in silt, sand, gravel and debris, which causes problems with the Flyght pump. The pump unit is also much lighter and the supplier has advised that the pump can be removed from the pontoon using a boat; however this has yet to be proven.

It should be noted that the Macintyre River is a harsh environment.

Only operate the fountain when river conditions are suitable for pump operation.

Two Skyward fountains are available with the following specifications;

- 2.2kW motor, with flow 492L/minute and vertical dispersion 10m
- 3.7kW motor, with flow 590L/minute and vertical dispersion 11m

At the time of preparing this report the fountain supplier has not provided the technical information and prices for both units. The 3.7kW unit would be required to create the most impact, as the current Flyght fountain is powered by a 4.2kW pump and provides a high vertical dispersion.

If the pump cannot be effectively and safely removed from the river without being damaged, this option may not offer any advantages over the existing Flyght fountain.

Option 3 Place pump at the river edge

This would involve constructing a pump well to house a submersible pump at the edge of the river utilising the existing electrical installation. Retractable flexible delivery pipework would extend out to a fountain mounted on a pontoon located in the same position as the existing fountain. The delivery pipework, pontoon and fountain would have to be removed during flood events. It would not be feasible to construct a permanent fountain in the river.

The pump well could be filled under gravity from the river or alternatively a suction line out to the river. Both options would have issues with build up on the suction strainer that would have to be closely managed. The pump station would also be subject to problems associated with ingress of silt, sand, gravel, weed growth and debris. This option would require further detailed investigation to establish the feasibility including capital and ongoing operation and maintenance costs.

Option 4 – Discontinue Operating a Fountain

As outlined above the Macintyre River is a difficult environment to successfully operate and maintain an ornamental fountain. There does not appear to be any cost effective solutions for the provision of a reliable fountain in the river.

An option is to discontinue operation of the fountain due to the complexities associated with the river environment and a sustainable operating outcome.

Conclusion

The river fountain adjacent to Campbell Park has provided an aesthetically pleasing feature in a high profile open space location.

Unfortunately, the nature of the river environment at that location makes the sustainable operation of a fountain feature very difficult.

Should Council be interested in pursuing options 2 or 3 it is suggested a more detailed report be prepared in the first instance.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: C.05 Create clean and attractive streets and public places.

Term Achievement: C.05.01 Council's maintenance programs are improving and enhancing the cleanliness and safety of streetscapes.

Operational Objective: C.05.01.01 To enhance and maintain streetscapes to ensure they are attractive, safe and welcoming.

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Should Council propose to undertake any augmentation works associated with the fountain in the river corridor, approval would be required from NSW Fisheries.

RECOMMENDATION:

A matter for the Committee.

ITEM NO:	3.	FILE NO: S21.8.18
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	USE OF GRAMAN RECREATION RESERVE – SAPPHIRE CITY MOTOR SPORTS CLUB INCORPORATED	
PREPARED BY:	Anthony Alliston, Manager Development Services	

SUMMARY:

This report has been prepared following representations by two (2) residents of Graman at the public access forum of the Ordinary Meeting of Council on the 19 December 2018.

The issues raised by the residents primarily relate to the current use of the Graman Recreation Reserve by the Sapphire City Motor Sports Club not being consistent with the permitted use as stipulated by Council and the alleged impacts on adjoining residential properties.

The Committee is being asked to consider recommending a course of action to Council regarding the matter.

COMMENTARY:**Location – Graman Recreation Reserve**

Graman is a small rural village located approximately 45 kilometres north of Inverell on the Yetman Road (MR 187). Graman has a population of approximately 103 people (ABS data 2016). The Graman Hotel and the Graman Hall are the community focal points.

The Graman Recreation Reserve is located on the northern outskirts of the village of Graman on the Graman Road (**Figure 1** – Locality Plan). The Graman Recreation Reserve is identified as Lot 160 DP 750115 with an area of 23 hectares. The zoning of the Reserve pursuant to the *Inverell Local Environmental Plan 2012* is RU1 Primary Production.

The Graman Recreation Reserve (Crown Reserve No. 51381) is State Government Land for which Council has been appointed as Trustees (25 September 1987). The deed of Reservation provides that the area is to be used for recreation purposes.

Historically the Reserve has been used for community recreation events such as camp-drafts and horse sports. Infrastructure on the Reserve historically included an oval, outbuildings, shelters, amenities and tennis courts.

Figure 2 includes an aerial photograph of the Reserve (2011) and **Figure 3** includes an aerial photograph of the Reserve (April 2018). It can be seen that the situation at the Reserve has changed since occupation of the site by the Sapphire City Motor Sports Club.

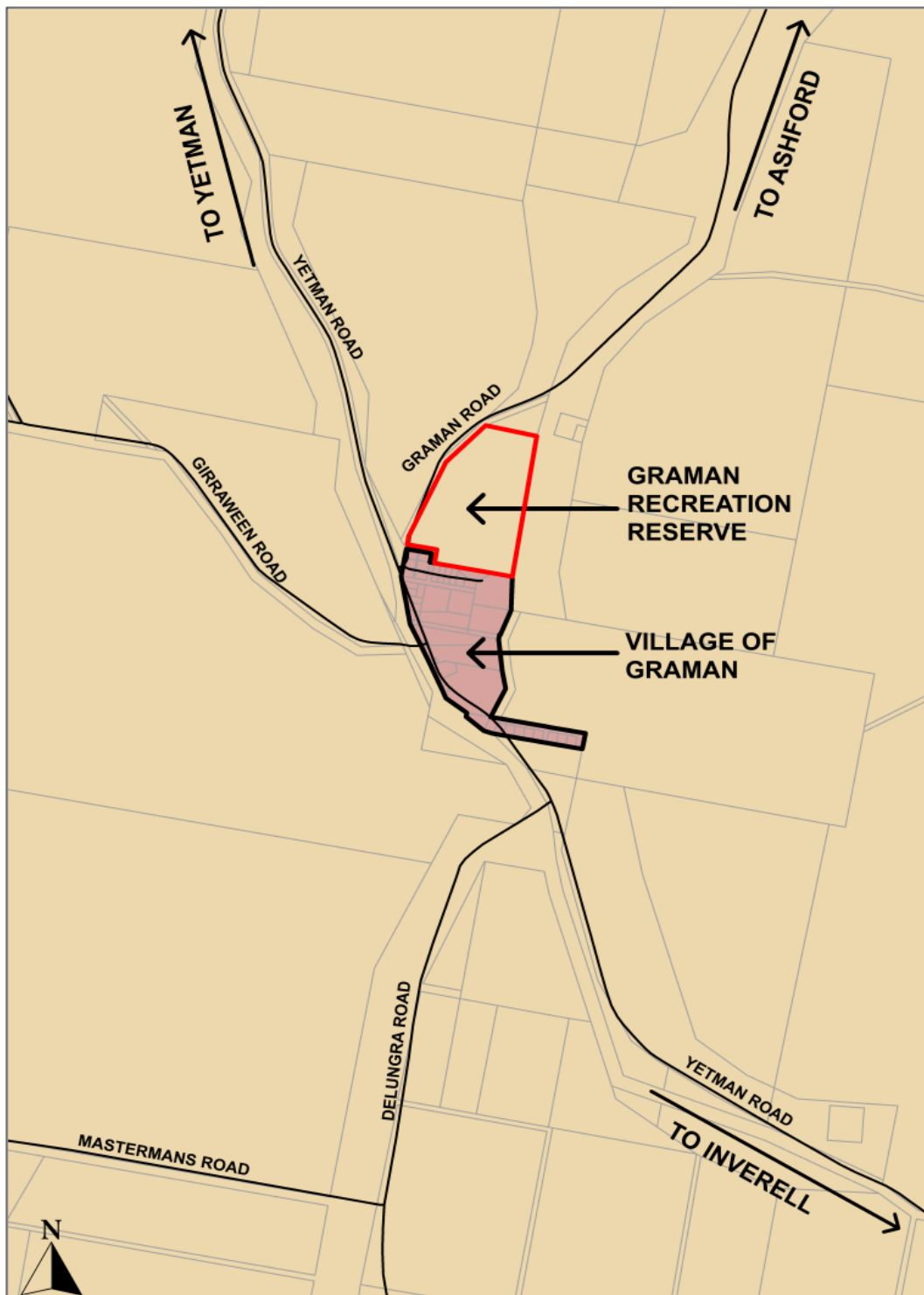


Figure 1 – Locality Plan

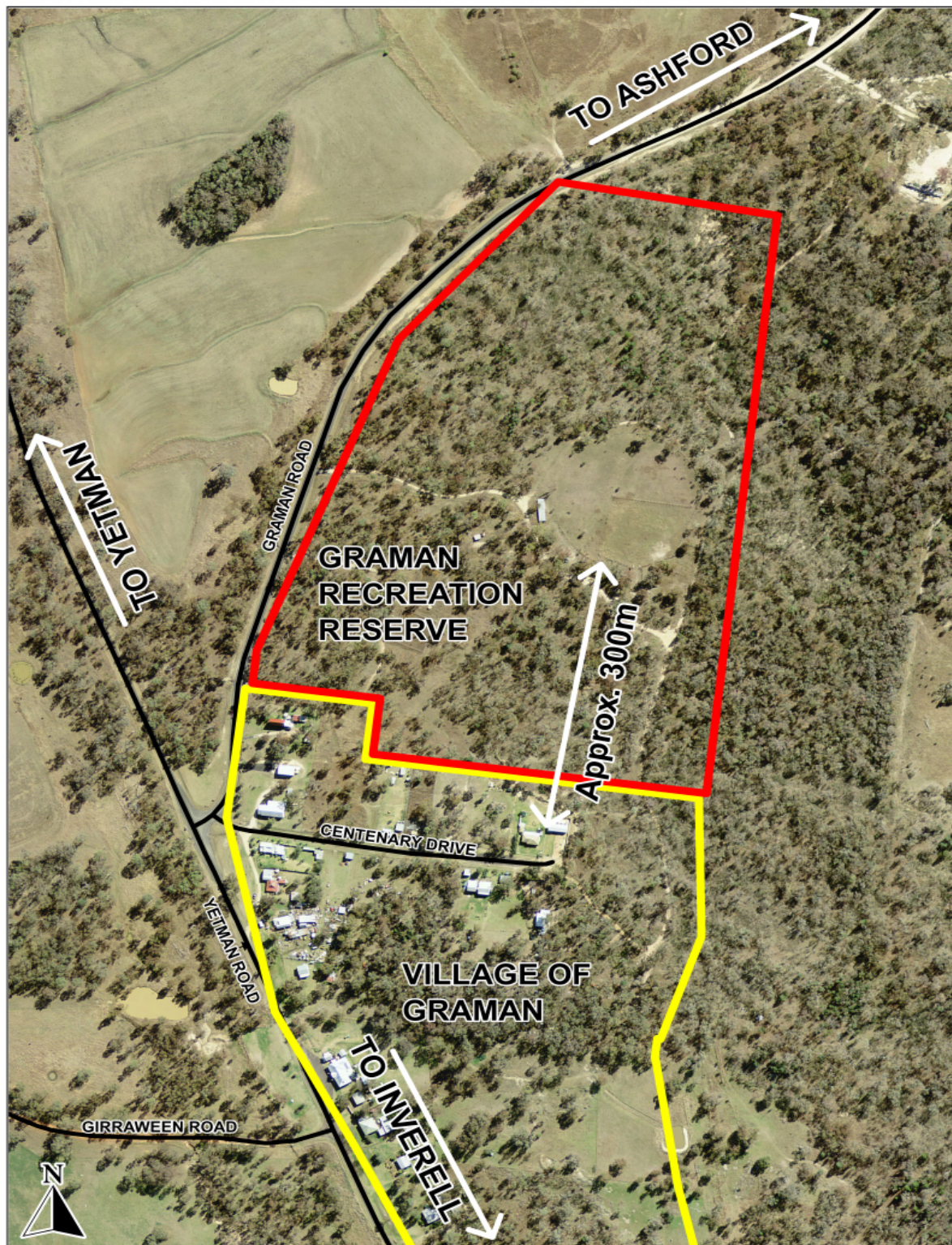


Figure 2 – Aerial Photograph of the Reserve (2011)

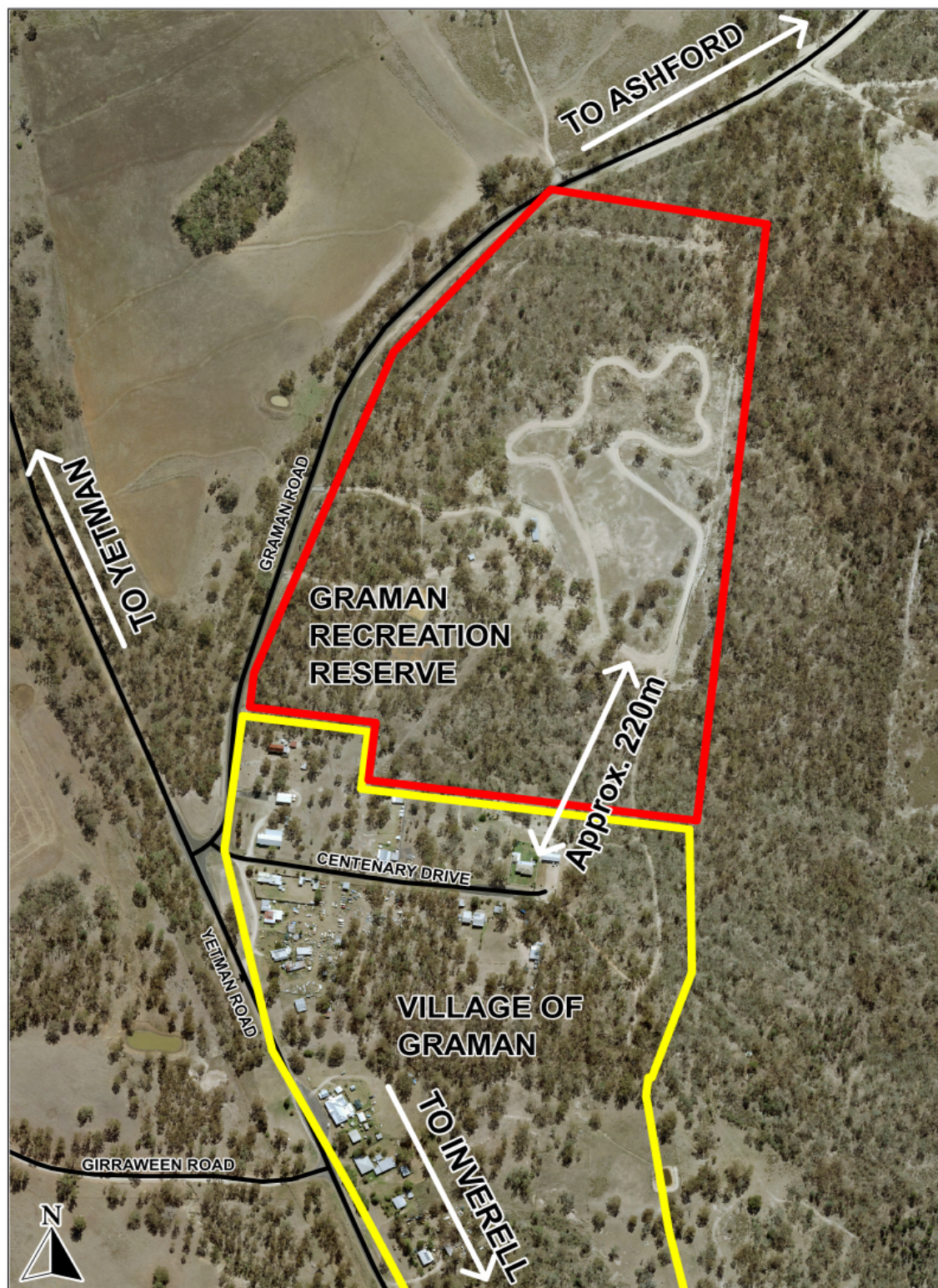


Figure 3 – Aerial Photograph of the Reserve (2018)

Background – Request to use the Graman Recreation Reserve

In May 2013, the Sapphire City Motor Sports Club approached Council to use the Graman Recreation Reserve for motor sports activities.

To enable Council to make a determination in respect to the use of the Graman Recreation Reserve, the scale of the motor sports activities first needed to be established. Council responded to the Sapphire City Motor Sports Club with a formal request for the Clubs proposed operational details. The information requested included:

- The type of motor sports activity undertaken;
- The minimum and maximum number of events per year;
- Number of competitors per event;
- Number of spectators per event;
- Type of vehicles (racing, transports, etc.) and engine size associated with the event;
- The hours (times of day) meetings and events will be held;
- Services and facilities to be provided (toilets, food, etc.);
- Proposed construction works (e.g. tracks, barricades, etc.);
- Potential sources of impacts (noise, dust, traffic, etc.) and proposed mitigation measures;
- Advice/copies of insurances and affiliations; and
- A clear site plan.

Once the proposed operational details were provided, Council staff determined that the proposed motor vehicle grass driving events were of a low scale and infrequent and consistent with the historic and continued use of the reserve. As such, Council did not require a Development Application, provided that;

- Only four (4) events would be held per year;
- There would be no permanent construction;
- All events are undertaken as per the details of the letter;
- The residential amenity of neighbouring properties is not impacted (i.e. a justifiable complaint will trigger the need for Development Consent); and
- Prior to the use of the Graman Sports Ground it will be necessary to obtain Council's consent, as the owner of the land, for the proposed events.

A copy of Council's correspondence and the operational details provided by the Sapphire City Motor Sports Club are included as Appendix 2, D28 - D31).

Management Committee – Graman Recreation Reserve

After a formal request by the Sapphire City Motor Sports Club to licence the Graman Recreation Reserve, it was resolved at the Ordinary Meeting of Council on 17 September 2013 *"that a further report be provided to Council in this matter following the seeking of input from the Graman Community"* (RES 129/13).

Council then wrote to the Graman Community seeking input into Council's consideration to grant Sapphire City Motor Sports Club a licence over Graman Recreation Reserve.

After receiving submissions both for and against the granting of a licence to Sapphire City Motor Sports Club, a further request was sent by Council to the Club requesting clarification on a number of matters, being:

- Grass Driving Events (motorkhana);
- Water Supply;
- Fire Suppression;
- Noise; and

- Good Corporate Citizens.

A copy of Council's letter dated 11 October 2013 and the response letter from Sapphire City Motor Sports Club dated 28 October 2013 is attached as Appendix 3 (D32 – D42).

After considering a report to the Ordinary Meeting of Council on 27 November 2013, Council resolved (RES 158/13) that:

- 1) *Council endeavour to assist the Club in establishing an entertainment and driving safety facility in Graman; and*
- 2) *Council enable the club to have management control of the reserve under Council authority.*

In February 2014 Council formally appointed the Sapphire City Motor Sports Club the Management Committee for the Graman Recreation Reserve. Council's letter of appointment dated 3 February 2014 required that the activities by the Club are to be *"strictly in accordance with CAMS Regulation."* The Club were also requested to review a Draft Plan of Management for the Reserve which outlines the relationship between Council (the Trustee for the Reserve) and the Club (the Managers of the Reserve), and advise if the Club is prepared to proceed with the arrangement. A copy of the Draft Plan of Management is included in Appendix 4 (D43 – D48).

In correspondence to Council dated 15 February 2014 the Club formally accepted Council's offer and the terms contained in the Draft Plan of Management. Since February 2014 the Club have had control of the Reserve and have had numerous working bees and events at the site.

In 2014 the Club was successful in obtaining funding under the *Public Reserves Management Fund Programme*. The Club used this money to construct a post and wire perimeter fence around the site.

Proposal for 20 metre x 30 metre Concrete Pad

In April 2017 the Sapphire City Motor Sports Club wrote to Council requesting support to construct a 20 metre by 30 metre concrete slab at the Reserve. The Club planned *"to use this slab in several different ways,"* including Young Driver Education and Advanced Driver Training days.

Originally Council refused to support the Club's request for a concrete pad (Res: 127/17) at the Ordinary Meeting of Council on the 22 November 2017. However, at the Ordinary Meeting of Council on the 23 May 2018 it was Resolved (Res: 47/18):

"That Council agree to a request from the Sapphire City Motor Sports Club to lodge a Development Application as a Trustee of the Graman Recreational Reserve for the construction of a concrete pad to be used for motor sport and driver training and education"

Subsequent to the Resolution further correspondence was sent to Sapphire City Motor Sports Club on 8 August 2018 requesting further detailed information from the Club so that Council could make an application to Crown (on behalf of the Club) for landowners consent to lodge a Development Application. Appendix 5 (D49 – D51) includes Council's correspondence.

Since forwarding the correspondence to the Club on 8 August 2018 Council has not received a reply and therefore there has been no progress towards Council making an application to the Crown to obtain owner's consent to lodge a Development Application for a concrete pad.

Complaint December 2018

At the Ordinary Meeting of Council on 19 December 2018, two (2) residents of Graman made representations at the public access forum. The addresses to Council raised concerns regarding a recent 'race' meeting held at the Reserve by the Club on Sunday 16 December 2018.

It was claimed that:

- The Club conducted high speed time trials on a new track that has been constructed;
- There was excessive dust which blew onto nearby properties;
- The track was not watered until complaints were made to event organisers;
- The Reserve is not intended to be a race track and the Club events are not supposed to be high speed events;
- Events are supposed to be on grass within the "oval area" of the Reserve;
- There are approximately 2000 tyres placed on the reserve which is an environmental hazard if there is a fire. Who will clean them up if the Club no longer wants the Reserve;
- A dozer was brought onto the Reserve to knock down numerous trees to create the new track; and
- Track is being used regularly by Club members during working bees. The informal use has the same noise and dust impacts on residents as formal scheduled events. Therefore impacts on residents are greater than the four (4) race meetings per year as stipulated by the Club.

The two residents were also against establishment of a concrete 'burn out pad' at the Reserve which is currently being put forward by the Club.

Appendix 6 (D52 – D55) includes a number of photographs taken by a resident during the event on Sunday 16 December 2018.

Inspection of the Reserve by Council Staff

An inspection of the Reserve was undertaken by Council staff on 9 January 2019. The purpose of the inspection was to investigate the claims made by residents during the public access forum on 19 December 2018.

The following photographs show the current situation and the works undertaken at the Reserve.



Photograph 1- A large number of tyres has been stacked on corners of the track and around trees.



Photograph 2- The presence of the gravel 'looped' track is not obvious in the 2011 aerial image of the Reserve (see Figure 2). The track can be seen in the 2018 aerial image (see Figure 3).



Photograph 3 - This is the area the Club indicated that the 'grass driving events' would take place. This is the 'oval area' which is clearly depicted in Figure 2 – Aerial Photograph of the Reserve – 2011 and the Club's site plan (Appendix 1).



Photograph 4 - Barricades and fencing have been constructed adjacent to the track.



Photograph 5 - Removal of trees. Trees have been pushed up into windrows along the fence-lines.



Photograph 6 – A trench has been excavated parallel to the gravel track on the eastern boundary of the reserve. It appears to divert water away from the gravel track.

In reference to the above photographs, the aerial photographs (**Figures 2 & 3**) and the information provided to Council by the Club (Appendix 2, D27 – D31) the works and the activities at the site do not appear consistent with original proposal as submitted to Council in August 2013.

Development within New South Wales is authorised under the *Environmental Planning and Assessment Act 1979 (EP & A Act)*. It is considered that the works and the use of the Reserve required the consent of Council, as the consent authority, as well as Crown Lands being the owner of the land.

Options – Possible Course of Action

Considering the circumstances the Committee may wish to recommend a course of action to Council consisting of one or more of the following options:

- 1) Rescind the Sapphire City Motor Sports Club's appointment as the Management Committee for the subject Reserve and have them vacate the site;
- 2) Require the Sapphire City Motor Sports Club to rehabilitate the site to the satisfaction of Council;

- 3) Pursue punitive action against the Sapphire City Motor Sports Club for undertaking development without consent;
- 4) Formally advise the Sapphire City Motor Sports Club to cease using the reserve unless any activities are undertaken in accordance with the original proposal.
Note: This option would need to be combined with adequate monitoring;
- 5) Advise the Sapphire City Motor Sports Club that Council is not prepared to provide it's consent for the submission of a Development Application for a concrete (burnout) pad until all other matters have been satisfactorily resolved;
- 6) Provide the necessary consent to enable the Sapphire City Motor Sports Club to submit a Development Application to Council to facilitate and regulate activities on site more consistent with recent use. In the interim (until the Development Application can be determined) require all activities to be undertaken in accordance with the original proposal.
Note: This option would be reliant upon Crown Lands (as land owners) agreeing to the proposal and the Club providing adequate technical information to consider the Development Application. Further, there may be inherent constraints and costs associated with the site such that adequate mitigation measures are not able to be feasibly implemented to manage impact and hence consent would be unlikely be granted;
- 7) Council could assist the Sapphire City Motor Sports Club to try and identify a site that would be more suitable to their actual long term interests.

Conclusion

It appears that the physical developments and activities at the Reserve have grown beyond the scope that was originally pitched to Council as part of the Club's proposal to occupy the Reserve and the obligations contained within the Plan of Management.

It is considered that the recent events, activities and physical works undertaken by the Club constituted development pursuant to the *Environmental Planning and Assessment Act 1979* and therefore required approval from Council.

The Committee is being asked to consider recommending a course of action to Council regarding the matter.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: C.07 Provide local opportunities for recreation, cultural and social activities.

Term Achievement: C.07.02 The Shire's recreational areas and facilities are contemporary and conducive to the communities wellbeing.

Operational Objective: C.07.02.01 Contribute to the physical well being of the community through the provision of active recreation areas.

POLICY IMPLICATIONS:

There are no Policy Implications.

CHIEF FINANCIAL OFFICERS COMMENT:

There are no Financial Implications.

LEGAL IMPLICATIONS:

Development within New South Wales is authorised under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. Any works or activities on the site need to have the appropriate consent in accordance with the EP&A Act.

RECOMMENDATION:

A matter for the Committee.

APPENDIX 2



13/18916

www.inverell.nsw.gov.au



Our Ref: S7.2.7
Author: Chris Faley, Development Planner

26 August 2013

Sapphire City Motor Sports Club Inc.
PO Box 933
INVERELL NSW 2360

FILE COPY

Dear Matt

USE OF GRAMAN SPORTS GROUND FOR MOTOR VEHICLE GRASS DRIVING EVENTS

Reference is made to your email received 23 August 2013 providing details on the proposed use of Graman Sports Ground for motor vehicle grass driving events.

It is understood that a maximum of 4 events will be held per year and no permanent construction is required. Council has reviewed the proposal and it is considered that development consent is not required provided:

- All events re undertaken as per the details of your letter; and
- The residential amenity of neighbouring properties is not impacted (i.e. a justifiable complaint will trigger the need for Development Consent. In this regard, it is highly recommended that you liaise with surrounding property owners prior to, and during events.

Additionally, any temporary signage for an event must comply with the following requirements:

- Must not be non-moving.
- Must not be at least 700mm from kerb or roadway edge of a public road.
- Must not be externally illuminated.
- Must not be flashing.
- Must not be internally illuminated
- Have a maximum area of 5m².
- Have a maximum height of 6m.
- Must not be displayed earlier than 28 days before, or later than 14 days after, the event.
- Must not obstruct the sight line of vehicular traffic

Prior to the use of the Graman Sports Ground by Sapphire City Motor Sports Club it will be necessary to obtain Council's consent, as the owner of the land, for the proposed events. In this regard, you should contact Council's Hayley Nichols on 6728 8264 to discuss tenancy arrangements.

Yours faithfully,

ANTHONY ALLISTON
MANAGER DEVELOPMENT SERVICES

Anthony C. Alliston

From: sapphire city motor sports club inverell
<sapphirecitymotorsportsclub@hotmail.com>
Sent: Friday, 23 August 2013 1:43 PM
To: Anthony C. Alliston
Subject: Sapphire City Motor Sports Club, Approval to use Grahman Sports Grounds.
Attachments: site plan Grahman sports ground.jpg; cams affiliation 001.jpg

SAPPHIRE CITY MOTOR SPORTS CLUB INC.

P.O Box 933 Inverell N.S.W

sapphirecitymotorsportsclub@hotmail.com

23/08/2013

The Manager Development Services

Dear Mr Alliston

I am writing to you on behalf of the Sapphire City Motor Sports Club to ask permission to use the Grahman sports grounds for our club to hold motor vehicle grass driving events (CAMS Approved).

At these events we will hold grass driving Motorkhana events, i.e. point based obstacle courses on CAMS approved tracks and course layouts.

These events would be covered by insurance we obtain through our clubs CAMS affiliation.

The minimum amount of events we would like to hold in a year at Grahman sports ground would be two and there would be a maximum of four events per year.

At these events we estimate the number of entrants competing to be between twenty and thirty, with spectator numbers being between fifty and one hundred including entrants.

All competing vehicles will be scrutineered to CAMS approval for grass driving events. There will be both registered and unregistered vehicles passing scrutineering.

We intend to hold these events for one day starting mid morning and finishing mid afternoon. Services and facilities to be provided at these events would include toilets and clean water (from the toilet block on site) also the club would provide a BBQ and soft drinks.

These events will require no further constructions on the sports grounds. We would use temporary safety barriers and fencing that we could set up prior to the event and then packed up after the event.

There are three potential sources of impacts that we have anticipated and their mitigation measures are,

Noise – all vehicles will be required to run full muffled exhaust systems as part of scrutineering.

Dust – the grass on the grounds will be well maintained and in addition we plan on having water available to wet the course down if deemed necessary throughout the event.

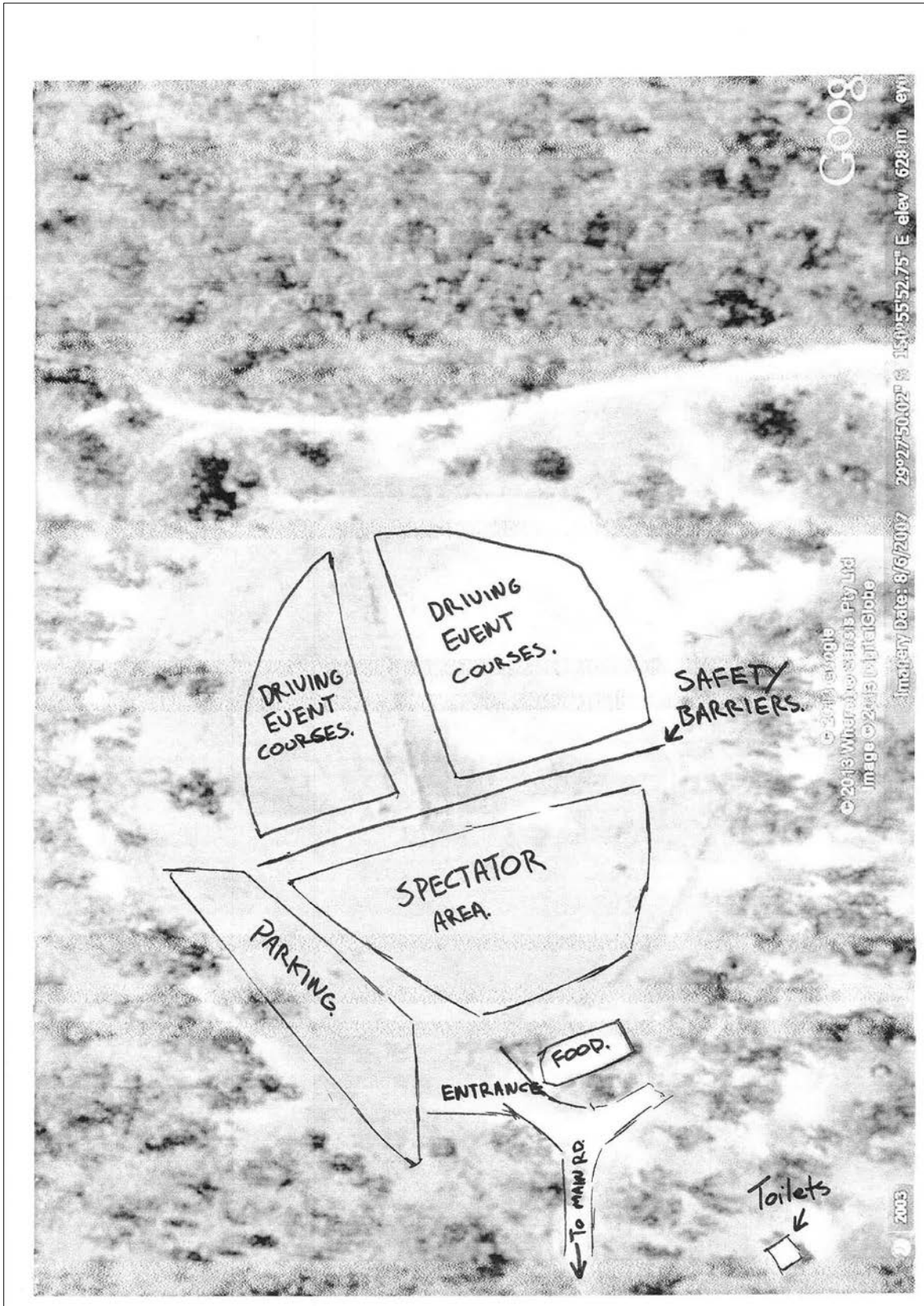
Traffic – we will allow sufficient parking areas with spectator and entrant vehicles kept separate. All traffic would be marshalled in a professional manner with some club members holding traffic control tickets.

Please find attached a copy of our CAMS affiliation and a proposed site plan for the layout of our events we would like to hold on these sports grounds.

Thank you for your time.

Sapphire City Motor Sports Club

Matt Potbury – Secretary



APPENDIX 3

Our Reference: S5.10.121 & S7.2.7

11 October, 2013

Mr Matt Potbury
Secretary
Sapphire City Motor Sports Club
PO Box 933
INVERELL NSW 2360

Dear Mr Potbury,

Re: Graman Sports Ground Reserve

I refer to your application to be granted a licence to manage the Graman Sports Ground Reserve, and advise that Council has deferred consideration of your application pending your advice on a number of matters.

The matters are detailed below and I seek your comments on each of the matters.

1. 'Grass Driving Events'

What does this term mean? Describe the nature of this term by referring to how the event(s) will be conducted and what activities the participants in these event(s) will be required to perform?

2. Water Supply

How will the water for the events and support services be provided? What is the water source proposed for the Reserve?

3. Fire Suppression

How will the Club manage the risk of fire during events?

4. Noise

What is the decibel limit permitted to be emitted by cars under the CAMS approved exhaust system?

5. Good 'Corporate Citizens'

How does the Club propose to become a part of the Graman Community and minimise impacts on the Village's amenity?

Your response by the 4 November, 2013 would be appreciated. The licencing of the area for the Club's proposed uses will be considered by Council at its November Committee Meetings to be held on the 13 November, 2013.

Yours faithfully,

P J HENRY PSM

GENERAL MANAGER

SAPPHIRE CITY MOTOR SPORTS CLUB INC.

P.O Box 933 Inverell N.S.W

sapphirecitymotorsportsclub@hotmail.com

28 October 2013

Mr Henry
General Manager
Inverell Shire Council

INVERELL SHIRE COUNCIL
4 NOV 2013
Container

Dear Mr Henry

RE: Graman Sports Ground Reserve.

I refer to your letter on the 11th of October seeking our advice on several matters concerning the Sapphire City Motor Sports Club's application to manage the Graman Sports Ground Reserve. You asked for our advice on:

- Grass driving events.
- Water supply
- Fire suppression
- Noise
- How we plan to be good corporate citizens

Our comments on these matters are as follows

GRASS DRIVING EVENTS

Also called motorkhana, this term refers to - points based courses mapped out using witches hats on a grass field, where drivers gain or lose points through demonstrating set driving skills when undertaking the course.

These courses are CAMs designed and approved to ensure low speed and optimum driver and spectator safety.

All courses are held on the grass which helps teach and test driving skills while only using a low speed.

Please find attached a copy of the part of the CAMs handbook on grass driving events.

WATER SUPPLY

Graman's sports ground has a large (approx 20'000 litres) tank which is feed from town water. Also if required we have the option of carting water from standpipes.

FIRE SUPPRESSION-

Our club will keep the grounds clean, tidy and mowed, and ensure the field is green and healthy and not dry and dead. Reducing the risk of fire.
As part of scrutineering- vehicles will not be permitted to run in events if deemed to have fire hazards

- All vehicles must have extinguishers in their car to run in events
- All vehicles must run a muffled exhaust system reducing fire risk
- All entrants must wear long cotton clothes while competing

Also the RFS would be notified when we plan to hold events.
Plus a nominated fire marshal will be appointed at each event who will have access to fire fighting equipment and evacuation plans on hand.

NOSIE-

CAMs has no decibel limit on exhaust systems (no exhaust is actually required). However as a club we are making it part of our scrutineering for all entrants to run muffled exhaust systems (exhaust with a muffler) as consideration to the Graman community.

GOOD CORPORATE CITIZENS-

For one we, a not for profit club would be cleaning up and maintain a currently neglected and unused facility, which we are more than happy to share with the community if appointed managers. Our club has already been approached by the Graman hall committee who is keen to work with us for the betterment of the community. Our events will bring opportunity and business to the local pub and hall community in Graman by bringing people into the town.
Most of all, our events will welcome all to spectate or even enter which will give the people of Graman an opportunity to come together as a community.

I hope these comments answer any queries you may have.
Thank you for your time.

Sapphire City Motor Sports Club



Matt Potbury - Secretary.



2011 CAMS Manual of Motor Sport

AUTO TEST

National Motorkhana Code

1. AUTHORITY

The National Motorkhana Code shall:

- 1.1 apply to the Australian Motorkhana Championship, in conjunction with the Supplementary Regulations and any Further Instructions issued by the organisers;
- 1.2 apply to State Motorkhana Championships in conjunction with the relevant State Motorkhana Appendices, event Supplementary Regulations and any Further Instructions issued by the organisers; and
- 1.3 act as a guide for the conduct of other motorkhanas.

Reference to this Code in the Application for an Organising Permit and in the Supplementary Regulations for any motorkhana will enable use of a shortened form of Supplementary Regulations and a substantial reduction in the documentation required to be published for that event.

2. DEFINITIONS – MOTORKHANA

- 2.1 Motorkhana is defined by NCR 18 as: "A meeting including only events designed to test the acceleration, braking and general manoeuvrability of the vehicles and the skill and judgement of the crew members. Motorkhanas may be conducted on a sealed or unsealed surface, and must not be, or include, a speed event. The term 'motorkhana' shall include the terms 'autokhana', 'gymkhana' and the like."
- 2.2 **Australian Motorkhana Championship:** The competition to determine the Australian Motorkhana Champion, which shall be conducted as a single event each year.
- 2.3 **Championship Motorkhana:** An event which wholly or partially decides the result of a Motorkhana Championship.
- 2.4 **State or National Level Event:** An event open to all CAMS members who are holders of a Level 2 or higher licence.
- 2.5 **Club or Multi-club Event:** An event run by a club or group of clubs exclusively for their members (NCR 15(ii) (e) and (f)).
- 2.6 **Restricted Event:** An event in which a qualifying condition is placed on all entries (NCR 15(iii)).
- 2.7 **Test:** The description 'test' must apply to that individual course which a driver is required to complete in the prescribed manner.
- 2.8 **Junior:** A Competitor who is not less than 12 years of age and who is less than 18 years of age on the day of the AMC event.

3. THE COMPETITION

The object of the competition is for each driver to complete all the tests of the program in the prescribed manner, in the shortest possible time, without incurring penalties.

Motorkhanas are regarded as the introductory level of events in the spectrum of motor sport. They offer to clubs and Competitors the opportunity to conduct and take part in some of the less formalised events conducted under the National Competition Rules, in which the essential skills of car control and judgement may be practised under conditions which avoid many of the hazards of public roads.

4. AUSTRALIAN MOTORKHANA CHAMPIONSHIP: CONDITIONS

- 4.1 The Australian Motorkhana Championship must consist only of tests selected from the CAMS booklet of Motorkhana Tests. Not less than 25% of scheduled tests must be reversing tests.
- 4.2 CAMS-approved Supplementary Regulations must be available to the State offices of CAMS, to all member clubs and to Competitors at least eight weeks before the event. The regulations must satisfy the requirements of NCR 67.
- 4.3 The Australian Motorkhana Championship must be conducted on a sealed surface (see Regulation 12.1).
- 4.4 Not more than four drivers may be entered to drive the same vehicle. At the Clerk of the Course's discretion this number may be extended for a family unit.
- 4.5 The event must not include any class for novice drivers. It may include classes for junior and lady drivers. To be eligible to compete in any class for juniors, drivers must be less than 18 years of age on the day of the event. The AMC must provide a trophy for the highest placed lady driver, regardless of whether a specific class is provided.

Classes for Specials and Production vehicles must be provided, with the conditions of Regulations 7.2, 7.3

and 7.4 applying.

- 4.6 Awards must be presented to the drivers who fill the first six places in the general classification; to first, second and third in each class (subject to more than six entries in the class) and to the first lady driver. Other awards may be made at the discretion of the organisers. Junior and Ladies production car classes shall be decided by applying a handicap factor across all times.

5. PROGRAM

- 5.1 Not fewer than four tests must be completed for the event to be valid.
- 5.2 The diagrams and procedures of the tests to be attempted should be included in the official program for distribution to the Competitors.
- 5.3 The running order of all Competitors through all tests must be rotated on a system defined in the Event Regulations based on the number of Competitors and the number of tests. Classes are recommended as an appropriate group for such rotation. No split is to be made within a class.
- 5.4 No test shall be conducted more than once in a Championship Motorkhana.
- 5.5 The ballot for competition numbers must be conducted within each class and those classes must be based on vehicles, not on drivers.

6. VEHICLE REQUIREMENTS

- 6.1 All vehicles must comply with Schedule A (refer "General Requirements for Cars and Drivers" in the CAMS Manual of Motor Sport) and with the Group 4H Regulations.
- 6.2 All competing vehicles must be scrutineered before the start of an event including practice. Particular attention will be paid to brakes, steering and tyres.
- 6.3 The Clerk of the Course must rule on the acceptability of any vehicle to compete in the event and on the class in which it shall compete. Acceptable standards of presentation and condition must be met.
- 6.4 A driver whose vehicle has broken down may use a replacement vehicle, provided the consent of the Clerk of the Course has first been obtained. The replacement vehicle must be scrutineered, should preferably be in the same class as the original vehicle, and must then be used for the remainder of the day's competition.
- 6.5 Vehicle scrutiny checks at club and multi-club events shall include the following items – steering, brakes, tyre condition, seat belts, seats, secure wheels, no loose objects in the cabin.

7. CLASSES

- 7.1 Although a Championship Motorkhana is an outright event, a competition to determine various class winners may be conducted within that event. Competing vehicles may be divided into 'production' and 'specials' classes, and may be further subdivided by such criteria as the wheelbase of the vehicle or drive arrangement.
- 7.2 Classes for production two-wheel drive vehicles must be subdivided on the basis of the manufacturer's specification of the wheelbase of the vehicles thus:

Class A:	2WD, wheelbase up to 2150mm
Class B:	2WD, wheelbase 2151 to 2390mm
Class C:	2WD, wheelbase 2391 to 2574mm
Class D:	2WD, wheelbase 2575mm and over,

- 7.3 A class must be provided for production four-wheel drive vehicles, which must be driven in the four-wheel drive mode throughout the competition. Should there be three or fewer cars entered in this class, these vehicles may be amalgamated into their respective wheelbase classes at the discretion of the Clerk of the Course.

Class E:	4WD vehicles (which must be driven in the four-wheel drive mode throughout the competition)
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- 7.4 Classes for Specials must be subdivided on the basis of front or rear wheel drive, thus:

Class F:	Front-Wheel Drive Specials
Class G:	Rear-Wheel Drive Specials

NOTE: Group 4H regulations prohibit four-wheel drive in Specials.

- 7.5 Refer to Regulation 4.5 for additional AMC classes.

8. SUPPLEMENTARY REGULATIONS

Supplementary Regulations must be made available to CAMS and to all invited clubs and Competitors before the event. Refer to Regulation 4.2 for AMC conditions.

9. ENTRIES

- 9.1 Drivers in all motorkhanas must hold at least a current CAMS Level 2NS licence. For Competitor licence requirements refer "General Regulations of CAMS" in the CAMS Manual of Motor Sport.
- 9.2 Each driver is allowed only one entry.
- 9.3 Entries **must** be accepted in accordance with NCR 85.
- 9.4 The standard entry form must be used whenever practicable.

10. DRIVERS

- 10.1 Directions and requests by an official must be obeyed. All drivers must behave in a safe and responsible manner.
- 10.2 A speed limit of 10 km/h must apply in the pit area and when proceeding between tests. Failure by any driver to respect this limit may lead to exclusion from any further competition on the day. The imposition of this penalty will be at the discretion of the Clerk of the Course.
- 10.3 Notwithstanding the requirements of Schedule I (refer "General Requirements for Cars and Drivers") all drivers must, while competing, wear at least a lap-type seat belt, properly adjusted. Drivers of cars registered with CAMS as Historic cars are exempted from this requirement.
- 10.4 Drivers of motorkhana specials must wear helmets complying with AS 1698 or another standard listed in Schedule D (refer "General Requirements for Cars and Drivers") and it is highly recommended for all drivers of other open vehicles.
- 10.5 Drivers of vehicles to which no windscreen is fitted must wear adequate eye protection while competing.
- 10.6 Adequate footwear must be worn while competing. Bare feet, thongs or sandals are not permitted.
- 10.7 Any driver or official who consumes or is visibly affected by alcohol or drugs during an event must be excluded from further participation in the event (see NCR 145A).
- 10.8 The minimum age for drivers in any motorkhana is 12 years. Drivers must be able to demonstrate an ability to control the vehicle.

11. PROCEDURE

- 11.1 It is the driver's responsibility to understand the method of executing each test.
- 11.2 The only officials of the event who may advise Competitors on the interpretation of test procedure are the Clerk of the Course and any officials appointed by him for that purpose.
No timekeeper, observer, recorder or Judge of Fact must give any interpretation of the method of any test.
- 11.3 If a test marker has been displaced from its original position by a vehicle during an attempt at a test, and if the vehicle is required to negotiate that marker again during the attempt, the driver must then proceed according to the original position of the marker (refer to Regulation 17).
- 11.4 A vehicle must complete the full distance of a test under its own power.
- 11.5 So long as the vehicle covers all of the required course of a test, even if this entails some retracing of an incorrect path, that attempt must be accepted as valid.

12. EVENT LAYOUT

- 12.1 The Australian Motorkhana Championship event must be conducted on a sealed surface. Other championship and non-championship motorkhanas may be conducted on sealed or unsealed surfaces.
- 12.2 The competition area must be as flat and as smooth as is reasonably practical and must be free of any features which could be hazardous to drivers or to vehicles.
- 12.3 The layout of each test as specified in the test booklet must be strictly adhered to, subject to a tolerance of $\pm 200\text{mm}$ on each dimension.
- 12.4 Test markers must be at least 750mm high and must not exceed 300mm square at the base. They must be distinctively and prominently coloured and must be constructed so as to not cause damage to competing vehicles. Only green markers shall be used for the start garage, and only red for the finish garage. No other marker shall be coloured red or green. Markers shown on the test diagrams by different letters shall be of different colours.
- 12.5 All garages used in a test must be clearly marked at their extremities, and by markers in each side. The back of each garage must be marked in a similar manner unless it is required that the vehicles shall travel through the garage. Thus, where a garage is to be entered and left from the same end, 12 markers must be used, and where a garage is to be passed through, 10 markers must be used.
- 12.6 A field boundary line must extend across the fronts of the start and finish garages of each test extending 4m to each side and joining the fronts of such garages, spaced one metre apart. The markers of this field boundary must be of a distinctive form and/or colour different from all other markers of the test.
- 12.7 The competition area should be surrounded by a field boundary. This boundary must define the spectator limits, and may also control the proximity of adjacent tests. Conditions may dictate enlargement of the field boundary in the interests of safety, for example if the surface has been made slippery by rain.
- 12.8 Only officials of that test, the competing vehicle, the driver and the passenger (where permitted in a non-championship event) are permitted within the field boundary during the competition.
- 12.9 No person or vehicle shall be permitted between the finish garage and the field boundary during the competition.
- 12.10 All officials must be located in safe positions.

13. START AND FINISH

- 13.1** Vehicles must start and finish each test in a forward direction.
- 13.2** To start correctly, the vehicle must be stationary, wholly within the boundaries of the start garage and as close as practical to the designated start line before the commencement of the attempt at that test.
- 13.3** To start or finish correctly, any point in the front half of the vehicle must precede all points in the rear half of the vehicle across the start or finish line.
- 13.4** A driver may request the assistance of an official when aligning his vehicle at the start line.
- 13.5** To finish correctly, the following procedure must be observed:
 - (i) the crossing of the start/finish field boundary line (described in Regulation 12.6) other than between the two front (red) markers of the finish garage must incur a penalty under Regulation 17.4 (vi) "Incorrect Method" unless at least one of those front (red) markers is displaced. The penalty for knocking any marker of the finish garage must be Plus Five Seconds, imposed under Regulation 17.4(i); and
 - (ii) after crossing the designated finish line, the vehicle must continue and halt completely within the boundaries of the finish garage. This manoeuvre must be completed without reversing and within a period not exceeding 10 seconds. Spinning a car to a halt in the finishing garage is not considered as reversing.

14. METHOD OF SCORING

- 14.1** Placings must be decided on the aggregate of elapsed times on the tests completed, plus any penalties. The winner/s must be the driver/s having the lowest aggregate, including any penalties, at the completion of the event. In the case of equal scores, the tied Competitors must be declared joint winners.
- 14.2** If any error is detected in timing equipment or methods, which gives reason to doubt the validity of Competitors' times in a test, Regulation 16.5(iii) should ensure that the test can continue.
- 14.3** If the primary system of timing should fail to record a Competitor's time then the Competitor must be offered the choice of a re-run or the average of the manual back-up times used. If any penalty was incurred on the initial run then only the manual back-up times can be offered.

15. METHOD OF TIMING

- 15.1** Timing must be to .01 of a second, recorded in writing.
- 15.2** In Championship events if manual timing is used, it must be conducted using two manually operated stopwatches each operated by a different official. The two times must be recorded and the average of those times shall be the Competitor's elapsed time for the test.
Should one of the manual times be judged inaccurate then the Clerk of the Course shall consider whether a re-run is justified or whether the other time alone should be offered or enforced in order to obtain a fair result in the competition. In this regard the Clerk of the Course is entitled to consider the one accurate time recorded as the manual back-up time when enforcing Regulation 14.3.
- 15.3** When automatic timing is used at least two manually-operated stopwatches must be used as back-up. All the times so determined must be recorded separately, and must be used if failure of the automatic equipment occurs, so that the test can continue.
 - (i) Should it be necessary to use back-up timing then the average of the two recorded back-up times shall be used.
- 15.4** The elapsed time for each driver who completes the test must be recorded. Any penalty/ies incurred must be recorded separately. A driver's time card must be issued to each driver and have the time and penalties recorded on it at each test.
- 15.5** Timing must commence when the leading point of the car crosses the designated start line and must cease when the leading point of the car crosses the designated finish line. The designated finish line must be not less than 500mm and not more than one metre behind the front of the finish garage.

16. RE-RUNS

- 16.1** Re-runs of a test, whether for an individual or for the whole field, are to be avoided unless that re-run is the only means of ensuring a fair result for all concerned.
- 16.2** Individual re-runs may be authorised only by the Clerk of the Course whose decision shall be based on the degree of control the driver could reasonably be expected to have over the circumstances which support the Competitor's claim for a re-run (eg, a dog on the test area).
The Clerk of the Course must ensure that the time-keeper and other officials of the test concerned are notified of any authorised re-run.
- 16.3** Should timing equipment malfunction be discovered during a driver's attempt at a test the driver should be allowed to complete the test, then action taken as provided for in Regulation 14.3.
- 16.4** Should difficulty be encountered with either automatic or manual timing equipment, correct operation should be verified without repeated attempts being made by competing drivers. If necessary a non-competing driver shall be used to check the operation of equipment.
- 16.5** All drivers must be advised as soon as possible if any error is detected in timing equipment or methods which gives reason to doubt the validity of the field's times in a test. In such a case, the Clerk of the Course will decide whether:
 - (i) the test concerned will be abandoned, providing that the program will still then contain at least the requisite minimum number of tests; or
 - (ii) the original test will be re-run with restored or alternative equipment; or
 - (iii) the test will revert to manual timing for all Competitors as provided for in Regulation 14.3.

17. PENALTIES

17.1 There are two basic penalties applicable in motorkhanas:

- (i) plus five seconds (refer to Regulation 17.2 for clarification);
- (ii) slowest time plus five seconds (refer to Regulation 17.3 for clarification).

17.2 The penalty of "plus five seconds" means that five seconds must be added to the time recorded by that driver on that test for each infringement.

17.3 The penalty of "slowest time plus five seconds" must be calculated by adding five seconds to the slowest time recorded by a driver who completed that test correctly, which then becomes the time for the penalised driver in lieu of that which was recorded. No penalty must exceed double the fastest time recorded by a driver who completed that test correctly.

Where slowest time plus five seconds exceeds double the fastest time, the time to be applied must be double the fastest time.

When establishing either fastest time or slowest time, no time which includes any penalty is to be used. Where the fastest time or slowest time incurred a penalty, then the next fastest time or slowest time without any penalty must be used.

17.4 The application of these penalties must be as follows:

(i)	knocking any marker	plus five seconds each infringement
(ii)	vehicle not fully garaged during the course of a test	plus five seconds each infringement
(iii)	finishing a test with part of the vehicle outside the end of the finish garage	plus five seconds
(iv)	failing to halt completely at the finish of a test	slowest time plus five seconds
(v)	finishing a test with the vehicle completely outside the finish garage boundaries	slowest time plus five seconds
(vi)	incorrect method (any procedure other than that specified as the correct procedure for completing that test)	slowest time plus five seconds
(vii)	failure to complete a test or failure to attempt a test (see note (a) below)	slowest time plus five seconds
(viii)	running out of order without the prior approval of the Clerk of the Course	slowest time plus five seconds
(ix)	reversing after crossing the designated finish line (see Regulation 13.5 (ii))	slowest time plus five seconds
(x)	failure to attempt a test	<u>slowest time plus 10 seconds</u> <u>regardless of the "double the fastest time" being faster</u>

17.5 Notes:

- (a) in the situation referred to in Regulation 11.3 (displaced marker), the Judge of Fact for that test must rule whether penalty 17.4 (i) – Knocking any marker, or penalty 17.4 (vi) – Incorrect Method, is the appropriate penalty
- (b) "Failure to attempt a test": before a driver may be penalised under regulation 17.4 (vii) – Failure to attempt a test, the officials must make full effort to call him to the starting line. The officials may discharge this responsibility by calling the driver twice by competition number and name throughout the pit area/s. A driver who, having presented himself at a test fails to start his competition run at that test within one minute of being requested to do so by the timekeeper or his assist-ant, shall be deemed to have failed to attempt the test.
- (c) A penalty of exclusion may also be imposed for infringements of the Code (Regulations 10.2, 10.7 and 19) and for other offences prescribed by the NCR.

18. DUTIES OF OFFICIALS

18.1 Clerk of the Course: There must be one Clerk of the Course of the event, who will be held ultimately responsible for the conduct of the event. His duties are defined in NCR 172 and 173. He may have assistant Clerks of the Course for the discharge of his duties. In particular:

- he must act as controller of the functions of all officials of the event and shall co-ordinate their activities;
- he shall be responsible for decisions concerning the running of the competition, particularly those relating to safety, eligibility, timing and interpretation of the Code;
- he shall give rulings on re-runs and on changes of vehicles;
- he shall complete and provide to CAMS a report dealing with any reportable matters arising from the meeting;
- he must prepare a written report containing the information necessary for the Stewards of the Meeting to prepare their reports;
- he must ensure that all officials are fully briefed on their duties and on the use of equipment in their charge and on all the regulations relevant to the tests over which they have control; and

- he must also ensure that all tests are laid out in the correct manner and to the requisite dimensions, and that no natural or artificial features create a hazard to Competitors, officials or spectators.

18.2 Test officials: In Championship events, for each test there shall be at least one principal timekeeper (two when manual timing is being used), and two back-up timekeepers. These officials may also act as starters, recorder and Judges of Fact for that test. Their duties shall include being conversant with the Code particularly those regulations dealing with the method of timing (Regulation 15) and with penalties (Regulation 17). They shall also be conversant with NCR 176 (Duties of Timekeepers), items (i), (iv), (v), (vi) and (vii), and with NCR 181 (Duties of Judges), items (i), (ii), (iv), (v) and (vii).

18.3 Observers: In all tests which require entry into a garage by a vehicle, observers must ensure that the vehicle is fully garaged, and that any penalty is applied fairly. A garage observer must be placed on the projection of a line drawn across the front of each such garage, to enable observation of any incomplete garage entry.

Other observers may be appointed by the Clerk of the Course.

All observers shall be Judges of Fact as referred to in NCR 181 (Duties of Judges), items (i), (ii), (iv) and (v).

18.4 Officials must ensure that they are in safe positions while the event is in progress, especially near the finish garage.

18.5 For Club and Multi-Club motorkhanas, the Clerk of the Course is an Essential Official. In addition, an Assistant Clerk of the Course may be appointed to a Club or Multi-Club motorkhana. Either the Clerk of the Course or the Assistant Clerk of the Course must of necessity always be on duty and during such time the acting Clerk of the Course must be clearly and readily identifiable. The duties of the Secretary of the Meeting, Chief Timekeeper and Chief Scrutineer may be discharged by the Clerk of the Course or by another suitably qualified Official. While these duties are being discharged by such alternate Official, a Clerk of the Course and his Assistant (where an Assistant Clerk of the Course has been appointed), the Secretary of the Meeting, the Chief Timekeeper and the Chief Scrutineer may compete at the meeting. Any matter arising from the meeting which requires action by the Stewards shall be referred to a stewards' hearing which shall be organised by CAMS and which shall have the standing of a hearing by Stewards of the Meeting.

At a State or National Championship Motorkhana, Essential Officials shall be appointed in full accord with NCR 162.

19. PASSENGERS

A passenger may be carried in a vehicle while competing in a motorkhana as described in 19.1, except:

- (i) In the Australian Motorkhana Championship.
- (ii) Where prohibited in the Supplementary Regulations.

19.1 An inexperienced driver (either junior or an adult), may carry an experienced passenger, or an experienced driver may carry a junior or inexperienced adult passenger for the purpose of instruction and guidance in State, Multi-Club or Club level events under the following conditions:

- (i) A request is lodged with and approved by the Clerk of the Course.
- (ii) The suitability of the passenger or the experienced driver is at the discretion of the Clerk of the Course.
- (iii) Each passenger shall complete the CAMS "Passenger in Vehicle Disclaimer Form" before any test.
- (iv) Any driver carrying a passenger during competition is not eligible to score points in a State Motorkhana Championship event.
- (v) Only one passenger is permitted in the vehicle with the driver at any time during a test.
- (vi) Times achieved by a driver with a passenger shall not be used as a basis for the application of penalties to other drivers.
- (vii) Each passenger shall comply with the apparel and safety requirements for the competition during any attempt at a test.

20. SPECTATORS

20.1 It is the responsibility of the Clerk of the Course to ensure that all spectators and Competitors are restricted to safe areas. To this objective, marshals should be appointed.

20.2 Only appointed officials, persons authorised by the Clerk of the Course and Competitors shall be allowed in the competition area.

20.3 Spectators should be excluded from the pit area and, if possible, the area should be supervised by a permanently appointed pit area marshal and assistant/s.

20.4 Animals must not be admitted to the competition or pit areas.

21. SAFETY EQUIPMENT

It is recommended that a first aid kit and a fire extinguisher be provided at all events.

22. RESULTS

22.1 Within 120 hours of the completion of the event a dated list of the provisional results must be supplied to:

- CAMS
- the Stewards
- each Competitor.

22.2 The results sheet should be in a format which shows the following details:

- driver and driver's home state and, if possible, club
- Competitor number

- make and/or model of vehicle
- class
- name of each test
- performance of each Competitor in each test by time, including any penalty; and
- placings - general classification.

22.3 Uniform markings should be used to indicate and identify penalties, eg:

1F, 2F etc	Hit Marker
wd	Incorrect Method
dns	Did Not Start
dnf	Did Not Finish
nfg	Not Fully Garaged

22.4 In State Championship events, a list of all championship point scores should be shown separately.

22.5 To be classified as a finisher in an event, a Competitor must attempt at least 50% of the tests conducted in that event.

23. PROTESTS

Any protest must be in accordance with Part XII and Appendix R of the NCR (see Insurance on the CAMS website, www.cams.com.au).

24. PRIZES

The event awards shall be presented as specified in the supplementary regulations for each event.
For Australian Motorkhana Championship awards see Regulation 4.6.

APPENDIX 4

PLAN OF MANAGEMENT	GRAMAN RECREATION AND SPORTS GROUND
Ref:	S21.8.18

Contact Officer	General Manager
Approval Date	
Approval Authority	Council
Reviewed	
Date of Next Review	



Inverell Shire Council
Draft Plan of Management

**Graman Recreation and
Sports Ground**

Inverell Shire Council
Draft Plan of Management – Graman Recreation and Sports Ground

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Inverell Shire Council
Draft Plan of Management – Graman Recreation and Sports Ground

1. Administration

1.1 Name

The Graman Recreation and Sports Ground

1.2 Definition

- a) Location – The Graman Sports and Recreation Ground, 30 Graman Road, Graman, known as Lot 160, DP 750115.
- b) Category of Land – The Graman Recreation Reserve is State Government land for which Council has been appointed as Trustees
- c) Council – The Council of the Shire of Inverell.
- d) Committee – The Sapphire City Motor Sports Club Inc.

1.3 Objectives

- a) To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- b) To provide a Committee, to have care, control and management of the land and buildings.
- c) To determine the role of the Council and the Committee.

2. Authority

2.1 Ownership

The Council assumed Trusteeship of the above-mentioned land on 25 September 1987, in pursuance of the provisions of section 37p, *Crown Lands Consolidation Act, 1913*.

2.2 Formation of Management Committee

The Sapphire City Motor Sports Club Inc. was granted permission to have management control of the Reserve under Council Authority on 27 November, 2013 by resolution number 158/13.

2.3 Limitations

- a) The Committee shall not undertake any structural alternations without approval of Council and completion of the necessary application forms.
- b) The Committee shall not sell or remove any items from the land or buildings.
- c) The Committee will have the authority to act without reference to Council, however, Council retains the right to final arbitration.
- d) Inverell Shire Council shall not be obliged to act on any recommendation of The Sapphire City Motor Sports Club Inc. Committee.

2.4 Club Responsibilities

Inverell Shire Council
Draft Plan of Management – Graman Recreation and Sports Ground

The Club has the following responsibilities;

- a) Utilise the Reserve to promote an increased knowledge and understanding of motor vehicles,
- b) Maintain membership of the Confederation of Australian Motor Sports (CAMS),
- c) Ensure all motor sports events conducted at the Reserve comply with the Code developed by CAMS,
- d) Maintain the 20,000 litre tank at the Reserve in a working condition,
- e) During events at the Reserve, provide two (2) 1000 litre water tankers for supplementary water supply,
- f) Keep the grounds clean, tidy and mown,
- g) Keep the Graman Community informed of the Club's activities,
- h) Generally be a 'good corporate citizen' in the Graman area,
- i) Pay all electricity charges in a timely manner,
- j) Permit community access to the Reserve at times other than when motor events are being held,
- k) Set fees and charges for use of the facilities,
- l) Approve any individual or organization wishing to hire the Reserve.

3. Finance

3.1 Expenditure

- a) The Council may vote money for the maintenance and operation of the land and buildings annually, following consideration of the estimates presented by the Committee.
- b) The Committee shall have the authority to expend all funds received that is hiring fees, grants, donations, as well as monies from Council, in accordance with this Plan of Management.

3.2 Income

- a) All income received by the Committee shall be paid into an appropriate bank account.
- b) Any monies voted by Council shall be paid to the Committee quarterly in advance, less any costs paid by Council.
- c) The Committee shall submit an estimate of income and suggested fees annually.

3.3 Source of Income

- a) Hiring Fees and Charges
- b) Government Grants

Inverell Shire Council
Draft Plan of Management – Graman Recreation and Sports Ground

- c) Donations
- d) Council allocated funds

4. Maintenance

The Land and Buildings must be maintained and operated in accordance with:

- a) The *Local Government Act, 1993* and Ordinances
- b) The Policies of the Council

5. Insurance

- a) The Building, fittings and surrounds are covered by Council's insurance policies for fire, burglary and public liability.
- b) The Committee members are protected from some liability by the provisions of the *Local Government Act* and Council's Insurance Policies.

6. Review

The Committee shall review the operation of the Plan of Management once a year and make recommendations, as required, to Council for consideration.

The Council shall review the objectives and policies of the Committee at least every four (4) years and shall review the operations of the Committee annually.

APPENDIX 5

www.inverell.nsw.gov.au

Our Reference: S21.8.18

8 August 2018

Tom Heckendorf,
President
Sapphire City Motor Sports Club Inc
PO Box 933
INVERELL NSW 2360
also e-mailed to - Spanner Tanner – spanner351@yahoo.com

Dear Mr Heckendorf,

**DEVELOPMENT OF GRAMAN SPORTS GROUND
LOT 160 DP750115 – 30 GRAMAN ROAD, GRAMAN**

I refer to your letter received by Council 25 July 2018 in relation to the subject matter and Council's resolution in May 2018 to support the lodgement of a Development Application to construct a concrete pad at the site.

On 7 August 2018 a site inspection was undertaken by Council and Les Tanner, of the Sapphire City Motor Sports Club. The purpose of the site inspection was for Council to further understand Sapphire City Motor Sports Club's current activities and it's objectives for the future development(s) of the facility.

Further to the site inspection and as discussed with Mr Tanner, the first step in the process of lodging a Development Application is to obtain the owners consent. While Council is the Trustee for the reserve, the Crown is the owner. In this respect Council are willing to assist the club in obtaining the necessary approval from the Crown to lodge a Development Application.

For Council to complete the application to the Crown, the following information is required from the Club:

- Outline of the Clubs activities/operations at the site including:
 - The current use at the site as well as specific future uses including driver training, burn-out competitions, grass driving Motorkana events;
 - The minimum and maximum occurrence of each event per year;
 - Estimated number of competitors and spectators at each event;
 - Type of vehicles and engine size at each event;
 - The hours (time of day) each event will be held;
 - Proposed construction works – barriers, buildings, mounds etc.;
 - Potential sources of impacts (noise, dust, smoke, traffic) and proposed measures to minimise possible impacts on surrounding residences;
 - Current photographs of the site and features;
 - Copies of insurances and affiliations;

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- Detailed Site Plan of the site and surrounds, showing:
 - Boundaries and boundary measurements;
 - Existing structures (buildings, barriers, fencing, shipping containers, toilets etc.) – include proposed future buildings and structures;
 - Location of the vehicle driving course, pit area and proposed concrete pad (stage 1 and 2);
 - Existing access off Graman Road and spectator parking areas;
 - Existing vegetation;
 - Nearest adjoining residences.

To assist with the preparation of a site plan, I enclose an aerial image of the site.

Should you require any further information or require any assistance in preparing the site plan or putting the information together please contact me on 0425271633.

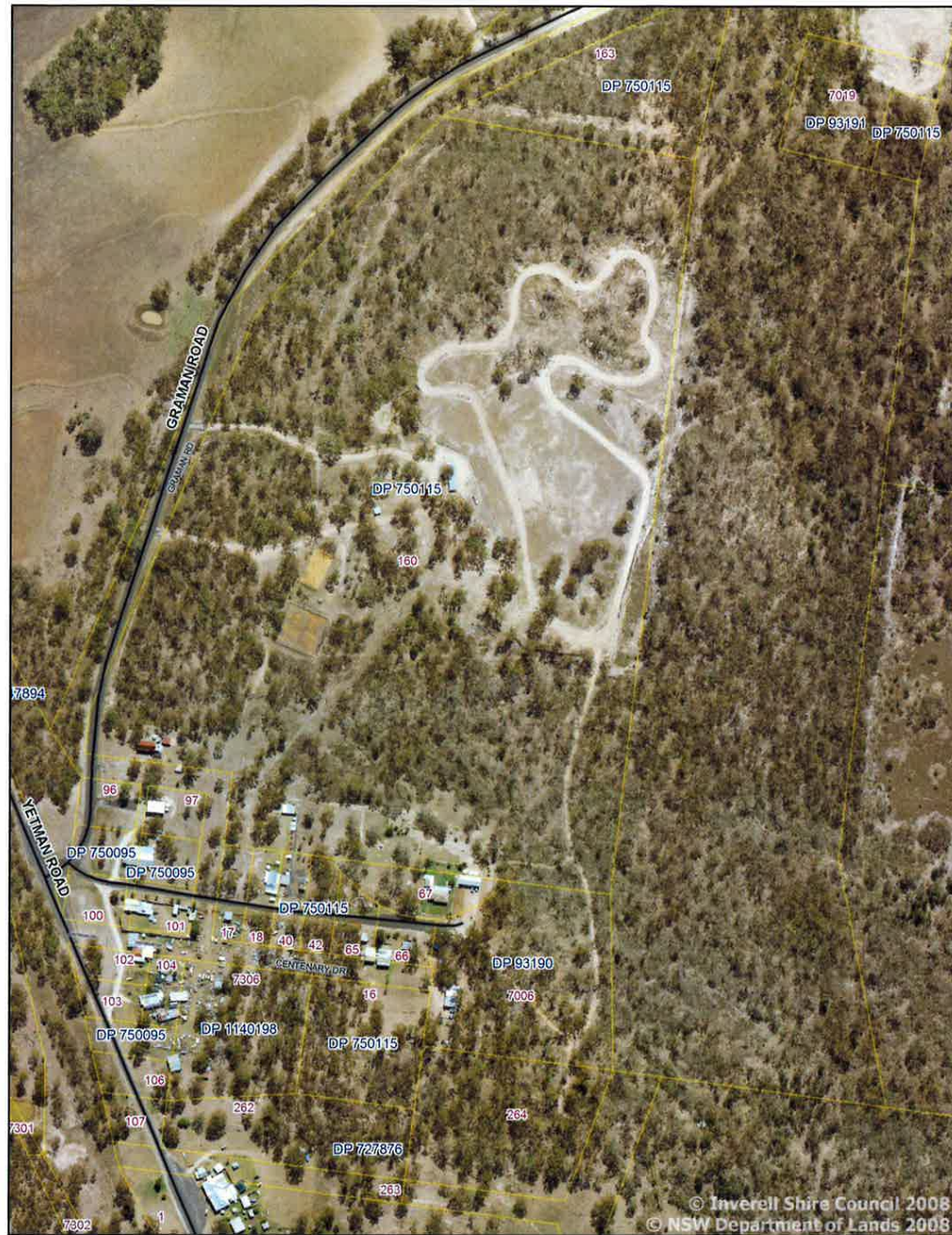
Yours faithfully,

A handwritten signature in black ink, appearing to read "Anthony Alliston".

Anthony Alliston

Manager Development Services

*attached – aerial image



APPENDIX 6

Photos Taken by Resident - 16 December 2018









ITEM NO:	4.	FILE NO: S28.15.3/08
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	RESTRICTED ACCESS VEHICLE PERMIT REQUEST – CLASS 2 PBS ROAD TRAIN - EDWARDS STREET INVERELL	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

Council is in receipt of a Restricted Access Vehicle (RAV) Permit application for a Class 2 Performance Based Standards (PBS) scheme combination. The route under application is between Gwydir Highway and Edward Street via Runnymede Drive, Swanbrook Road, Byron Street and Ring Street. The Committee is being asked to consider the request.

COMMENTARY:

Council is in receipt of a Restricted Access Vehicle (RAV) Permit application for a class 2 PBS combination on Runnymede Drive, Swanbrook Road, Byron Street, Ring Street and Edward Street Inverell. The route under application is from the intersection of the Gwydir Highway and Runnymede Drive to Edwards Street Inverell via the above mentioned roads. A map of the route is shown in Appendix 7 (D58).

The overall route requested for this permit is from Brisbane, QLD. The case notes on the National Heavy Vehicle Regulator portal show that the request has been denied by a number of road authorities in Queensland. It is still a requirement under the National Heavy Vehicle Law that Council assess the request and make a determination on the section of the route that is under our control. Council's decision on the matter will also allow an expedited response should further requests of this nature be forthcoming for the route in question.

The application was received in November 2018 and an assessment of the route was conducted by Council's Engineering Department in December 2018. The assessment was completed in accordance with Council's Restricted Access Vehicle Policy. The outcome of the assessment is presented in the attached report shown in Appendix 8 (D59 – D66).

Performance-Based Standards (PBS) vehicles are designed to perform their tasks as productively, safely and sustainably as possible, and to operate on networks that are appropriate for their level of performance. The (PBS) scheme operates under a nationally consistent set of rules and guidelines. Vehicles operating under the (PBS) scheme are assessed and need to comply with 16 minimum vehicle performance standards and 4 infrastructure protection standards to ensure that they can stop, turn and travel safely.

PBS vehicles fall into one of four levels, and have corresponding levels of road networks to which they have access. Inverell Shire Council currently does not have any gazetted or pre approved PBS routes. There is a strong push from the heavy vehicle industry for road authorities to allow access for PBS vehicles, to ensure that the national freight task is completed as safely and efficiently as possible.

The vehicle type under this request is relatively new to the heavy vehicle industry in this area. Under the PBS scheme they are built to carry extra weight but perform better than a 26m B-Double. The length of the requested combination is less than 26m and is a Class 2 Level 2 vehicle under the PBS. The total maximum weight of the combination is 82.5 tonnes. B-Doubles currently operating on this route have a total maximum weight of 62.5 tonnes.

A vehicle certified under the PBS as Level 2 must be able to perform as well as a B Double; as such the focus of this assessment is on the additional weight on Council's road and drainage infrastructure. There are currently several minor drainage structures on this route. An engineering assessment of these structure was conducted and given the depth of these structures and the axle spacings of the combination, it has been determined that these structures will be suitable to carry the load. The major structure on this route is the Ring Street Bridge over the Macintyre River. Several previous bridge assessments have been completed by consultants, confirming that the structure is capable of carrying this load.

The outcome of the route assessment is that the route is suitable for this combination. As such the Committee is requested to recommend to Council that the permit application be approved.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.10 Maintain and enhance a safe, efficient and effective local road network.

Term Achievement: S.10.01 Road network capacity, safety and efficiency are improved and traffic congestion is reduced.

Operational Objective: S.10.01.01 A program is being implemented to address deficiencies and areas of congestion in the local road network.

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

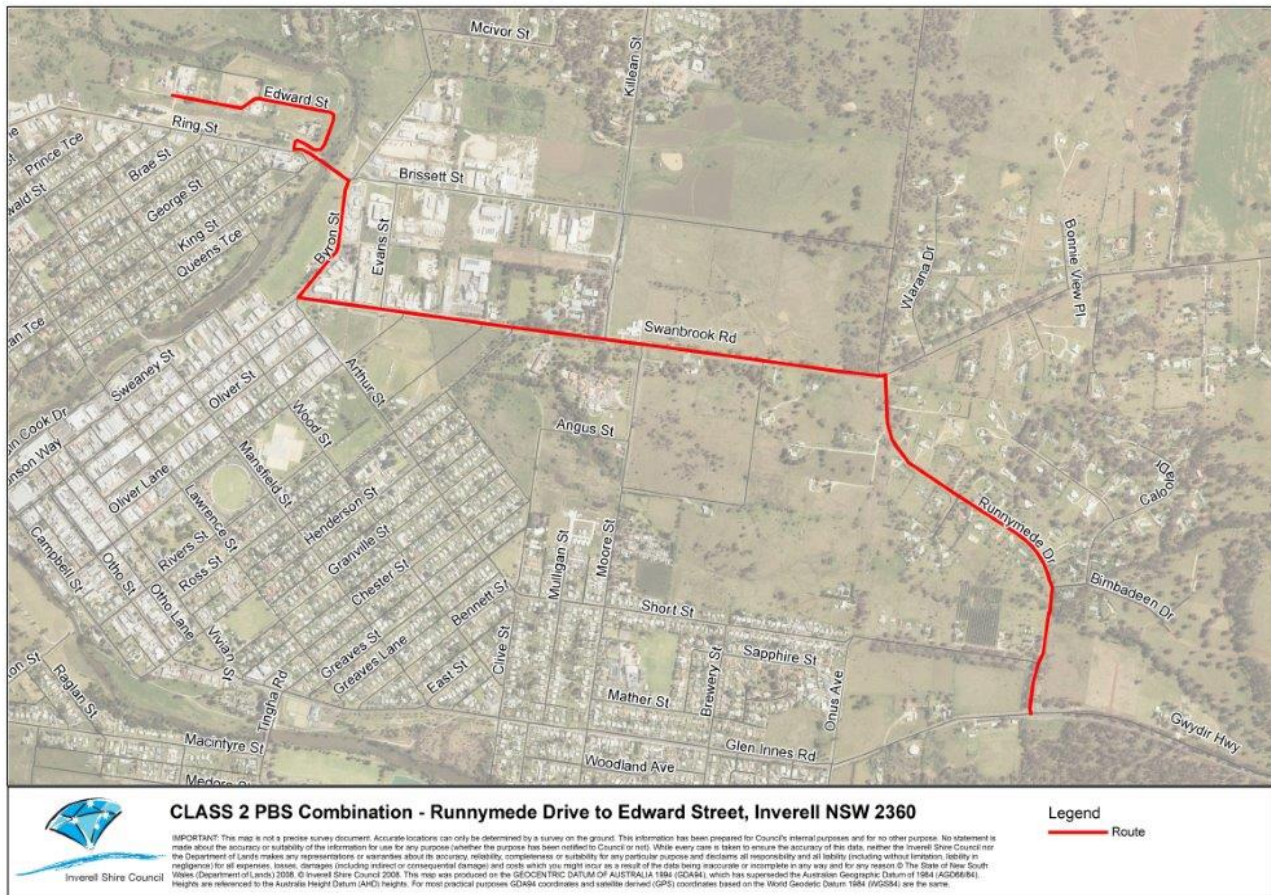
Nil

LEGAL IMPLICATIONS:

Nil

RECOMMENDATION:

That the Committee recommend to Council that the RAV application for a permit for a Class 2 PBS Combination on the route between Gwydir Highway and Edwards Street via Runnymede Drive, Swanbrook Road, Byron Street and Ring Street be approved.

APPENDIX 7

APPENDIX 8

Section 3: Route assessment summary report

3.1 Cover Sheet

Vehicle configuration:	Class 2 PBS Combination
Route:	Runnymede Drive, Swanbrook Road, Byron Street, Ring street and Edwards Street
Origin Address:	Gwydir Hwy Runnymead Drive Intersection. _____ _____ _____
Destination Address:	25-27 Edwards Street Inverell, NSW. _____ _____ _____

A completed application form showing route details is attached.

This is to certify that the investigation levels have been duly considered, checklist has been completed and comments provided as appropriate.

My assessment of the inspected route against the guide is that the route is:

Suitable

Person responsible for the route assessment:**Signature:****Name:** Justin Pay**Qualification** Engineer**Position:** Manager Civil Engineering**Organisation** Inverell Shire Council**Date:** 11/12/2018

3.2 Route Assessment summary check list

Separate working papers are to contain the detailed assessment that supports this summary check list.

Road Name and Section:		Runnymede Drive, Swanbrook Road, Byron Street, Ring Street, Edward Street.		
Ref	Assessment characteristic	Data	Comment / information	
2.1.1	General			
	Length of route (km)	4.6km		
	Road Class Hierarchy (State Roads)	Urban Local		
	Traffic Volumes (AADT)		Runnymede Drive – 520 Swanbrook Road - 1255 Byron Street – 3600 Ring Street – 2500 Edwards Street - 88	
	% Volume of commercial vehicles		Runnymede Drive – 13% Swanbrook Road - 12% Byron Street – 17% Ring Street – 15% Edwards Street – 25%	
	Volume by types of freight vehicles:			
	• Semi-trailers	N/A		
	• B–doubles	N/A		
	• Road Trains	0		
	• AB and B–triple combinations	0		
	• Other			
Ref	Assessment characteristic	Pass	Inves- tigate	Comment / information
2.2	Legal/regulatory			
2.2.1	Vehicle			
	Check the proposed vehicle against the regulations:	✓		
	Actual legal class and configuration	✓		
	Comparable vehicle	✓		
2.2.2	Zoning of land			
	Evidence provided that access complies with planning approvals	NA		

Ref	Assessment characteristic	Pass	Investigate	Comment / information
2.3	Road safety issues			
2.3.1	At terminals			
2.3.1(a)	Road access within terminals	✓		
	Evidence provided to confirm suitability within terminals.	✓		
2.3.1(b)	Road access into or from terminals	✓		
	Entry and exit complies	✓		
2.3.2	Road safety assessment			
	Road Crash Investigation Report Review of desk-top analysis of the road crash history over the previous 5 years.			N/A This route is already approved for B – Double access, this combination performs better than the B – Double.
	Where required, road safety audit report	N/A		
	• Speed zones	✓		60km
	• School speed zones	NA		
	• Truck and bus zone	NA		
2.3.3	Road alignment			
	Is there a comparable vehicle using this route?	NA		
	Low speed turns at intersections, roundabouts, traffic management devices	NA		
	Curve geometry at road speed	NA		
2.3.4	Road width (cross-section)			
2.3.4(a)	Rural roads			
	For unsealed sections: • Carriageway width (W)	NA		
	For sealed sections: • Sealed surface width (SSW) • Sealed lane width (SLW) • Carriageway width (W)	N/A		
2.3.4(b)	Urban roads	✓		
	For sealed sections: • Sealed lane width (SLW) • Adjacent lane (SLW)	✓		

Urban Streets Inverell

Ref	Assessment characteristic	Pass	Investigate	Comment / information
2.3.5	Structure width (including bridge width)			
	Structure width	✓		8.9m
	Width ratio ≤ 1.25	✓		Ratio is 1.17
2.3.6	Intersections			
2.3.6(a)	Low speed turns			
	Roadside structures	✓		
2.3.6(b)	Intersections and turn bays			
	Safe intersections sight distance (SISD)	✓		
	Adequate road length for storage	✓		
2.3.6(c)	Approach visibility (stopping sight distance)			
	Stopping Sight Distance (SSD)	✓		
2.3.7	Overtaking opportunities			
	Overtaking opportunities meet the requirements for the route.	✓		
2.3.8	Traffic facilities			
2.3.8(a)	Signs, lines and markings	✓		
	Signposting	✓		
2.3.8(b)	Crash barriers and clear zones	✓		
2.3.8(c)	Traffic signals			
	Minimum green time (Note locations where adjustment is required)	NA		
2.3.9	Traffic interaction with other users			
	School bus route has bus stop areas off the road where the bus can safely stop.	✓		
	Tourist route	✓		No additional impact on tourist traffic
	Pedestrians and cyclists	✓		No additional impact on cyclists
	Other drivers familiar with RAV	✓		
2.3.10	Local conditions			

Ref	Assessment characteristic	Pass	Inves- tigate	Comment / information
	Other local conditions (describe)	NA		
2.4	Rail-road safety			
2.4.1	Grade Separated Crossings	NA		
2.4.2	Railway crossings			
2.4.2(a)	Sight distance	NA		
2.4.2(b)	Alignment and width	NA		
2.4.2(c)	Queuing on railway crossings at or near intersections	NA		
2.4.2(d)	Short stacking	NA		
	Concurrence from rail infrastructure manager	NA		
2.5	Work, health and safety			
2.5.1	Decoupling operation	✓		
2.5.2	Driver breaks	✓		
2.6	Amenity and environment issues			
2.6.1	Existing approved land-use			
2.6.1(a)	Community amenity			
2.6.1(b)	Noise and vibration			
	Road noise: Road surface irregularity	✓		
	Engine and brake noise: Grade > 5% (potential for engine brake noise)	✓		
2.6.1(c)	Air quality	✓		
2.6.1(d)	Vulnerable or endangered flora or fauna	✓		
2.6.2	Traffic-generating development			
	Associated with DA	NA		

Ref	Assessment characteristic	Pass	Investigate	Comment / information
2.7	Infrastructure loading			
2.7.2	Bridge structure			
	All bridges & culverts structurally capable	✓		Refer to separate engineering determination report to be attached (Section 3.3)
2.7.3	Pavement structure			
2.7.3(a)	General and concessional mass			
	Wear relative to 6 axle semi-trailer Pavement condition	✓		
2.7.3(b)	Higher mass limits (HML) on axles groups			
	Pavement condition	✓		
2.7.4	Floodways and causeways	NA		
2.8	Property damage (public infrastructure or property)			
2.8.1	Low clearance structures and plant			
2.8.1(a)	Structure clearance	NA		
2.8.1(b)	Overhead cable clearance	✓		
2.8.2	Tree clearance	✓		
2.9	Other significant issues			
	Other issues not covered in the assessment (describe)	NA		

Risk Management Approach:

	Yes	No
Risk management analysis required to resolve issues		✓
Attach the risk management analysis at the end of this summary		

Access Conditions:

NIL

Other issues:

	Yes	No
Is a review of the route scheduled?		✓

3.3 Engineering determination report

Vehicle type	Class 2 PBS Combination	HML Vehicle	
Asset Manager	<u>Inverell Shire Council</u>		
Route	Runnymede Drive, Swanbrook Road, Byron Street, Ring Street and Edward Street, Inverell, NSW 2360		
All structures can support the proposed vehicle		Yes	No
List of all structures, their assessments and sign-off by structural engineer is attached		✓	
• 2 Cell 1300mm RCP Runnymede Drive		✓	
• 1 x 950 RCP Intersection of Runnymede Drive and Swanbrook Road		✓	
• 4 cell 950mm RCP Swanbrook Road		✓	
• 1 x 1200mm RCP Swanbrook Road		✓	
• 4 Cell 1800mm x 1800mm RCBC Swanbrook Road		✓	
• Ring Street Bridge Has been assessed for HML		✓	

Person responsible for the engineering determination:

Signature:

Name:

Justin Pay

Position:

Manager Civil Engineering

Organisation

Inverell Shire Council

Date:

11/12/2018

ITEM NO:	5.	FILE NO: S18.6.52/01
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	SAPPHIRE WIND FARM COMMUNITY CONSULTATIVE COMMITTEE	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

The Committee is requested to consider the commentary on aviation warning lights on the wind towers.

COMMENTARY:

The Community Consultative Committee for the Sapphire Wind Farm held its meeting in Inverell on 22 January, 2019. A copy of the minutes of this meeting is attached for the information of Councillors (Appendix 9, D69 – D72).

The attention of Councillors is drawn to the notes on the Aviation Lighting Trial (page 2 of minutes), in particular the following point:

‘All committee members stated that the only acceptable outcome for Sapphire would be “no” lights. It was agreed that GISC & ISC should also lobby through the Local Government Association to ensure consistent advice is provided on all new and existing wind farms’.

A discussion of this suggested action for Council is requested.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: C.04 Improve the integration of natural and built environments.

Term Achievement: C.04.01 Development Controls are promoting excellence in rural design that balances the protection and enhancement of the natural environment with the needs of the citizens.

Operational Objective: C.04.01.01 To ensure that the physical development of the Shire provides for a variety of living choices which is in harmony with the natural characteristics and the surrounding built environment.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

A matter for the Committee.

APPENDIX 9

Sapphire
WIND FARM

**MINUTES OF SAPPHIRE WIND FARM
COMMUNITY CONSULTATIVE
COMMITTEE**

9am, Tuesday 22nd January 2019
RSM Club, Evans St, Inverell

Attendees:

Lisa Andrews (LA)	Independent Chair
Patric Millar (PM)	CWP Asset Management
David Williamson (DW)	SWF Facility Manager
Cr Carol Sparks (CS)	Mayor of Glen Innes Severn Council & delegate
Chris Voll (CV)	Church Communities Australia & Inverell Business Chamber
Anthony Alliston (AA)	Manager, Development Services (Inverell Shire Council)
Cr Stewart Berryman (SB)	Alternate - Community Representative & Inverell Shire Council
Annabel Sides (AS)	Community Representative
Ben Swan (BS)	Community Representative (host land owner)
Neil Eigeland (NE)	Community Representative
Mike Norton (MN)	Community Representative (<i>arrived at 9.09am</i>)

Apologies:

Delegate – Business in Glen
Peter Sniekers – Office of Regional Development

ITEM		ACTION/COMMENTS
1.0 Welcome and Introductions CCC meeting opened at 9.02am by LA who welcomed all attendees and introduced the Mayor of Glen Innes Severn Council, Cr Carol Sparks to BS & NE who were apologies at the previous meeting.		
2.0 Apologies As listed above.		
3.0 Finalisation of Previous Minutes In accordance with the guidelines. The minutes from the 30 th October 2018 were finalised and distributed to CCC members.		Emailed 13/11/18
4.0 Declaration of Interests LA stated that she is an approved Independent Chairperson with DP&E and engaged by CWP to chair the meeting.		No changes to members' declarations of interests.
5.0 Business Arising Action Items from previous meeting:		1 Complete - Email from PM on 14/12/18. 2 AA advised that Peter Henry from ISC will be attending the next Chamber meeting. 3 Complete – emailed with the finalised minutes on 16/11/18. 4 Complete – emailed 22/11/18. Response received from DPE – LA moved that this correspondence be read out in Correspondence. Accepted. 5 CS advised that GIS Council resolved that
	ISSUE	
1	Keep members informed regarding negotiations with the aviation lighting	
2	AA to enquire with ISC, who will be attending the Business Chamber meeting from Council and advise CV & CCC.	
3	LA to scan guidelines & distribute to CCC members	
4	LA to write to CASA & DPE regarding the CCC and broader community's concerns with the aviation lighting.	
5	CS to discuss this issue with GISC to provide a consistent response to DPE.	
	WHOM	
	1 PM	
	2 AA	
	3 LA	
	4 LA	
	5 CS	

<p>Aviation Lighting Trial</p> <ul style="list-style-type: none"> PM advised the CCC that the trial is underway with some turbines (71/3/4 & 5) switched to 10% and turbines 63, 64, 66,67, & 69 switched to 30%. The remainder of the turbines have stayed at 100%. The lights are no longer flashing. PM has been discussing the matter with Kevin Scrimshaw – Head of Risk at CASA to try and facilitate a satisfactory outcome. CWP are awaiting confirmation on when the site will be inspected by CASA representatives, following which they will report to DP&E. It is expected that a further review will be undertaken in 12 months' time. The trial has required additional work to be undertaken on the turbines and software updates to be carried out by Vesta in Denmark for installation back on site. NE enquired about the intensity and luminosity of the lights with the variations. PM advised that the standard CASA requirement was 2,000 candela so: <ul style="list-style-type: none"> 100% = 2,000; 30% 600 and 10% 200. DW commented that at a 5km radius he could see the 10% lights easily. BS enquired whether the 'radar' option was still being considered. PM stated that he is hopeful of formal change from CASA in that the whole project will be reduced to 10% shortly, with a review after 12 months of operation. . It was agreed that the radar option cost of \$2M was a great impost on the project and that CWP was already adhering to its conditions of consent. AS asked if the radar system was to be installed on the turbines, would it be placed on every one? PM advised that it was only necessary to install on a few selected turbines. PM advised that CASA had just provided its comments on Stage 2 of the Boco Rock Wind Farm in Nimmitabel, advising that there are no requirements for the provision of lighting on their turbines, which are proposed to be higher than Sapphires. All committee members stated that the only acceptable outcome for Sapphire would be "no" lights. It was agreed that GISC & ISC should also lobby through the Local Government Association to ensure consistent advice is provided on all new and existing wind farms. Discussions ensued about further possible input from local state and federal members, as well as the National Wind Farm Commissioner (NWFC). CV stated that he welcomed the trial, however, recommended that further correspondence be sent to CASA & NWFC reinforcing the communities concerns and push for 'no' lights; commenting that if a future air school for recreational flying had concerns, then they could fund the radar option or obtain a \$1 for \$1 grant through the government. AA commented that CWP could lodge a modification with DPE to have the condition requiring the lighting removed. 	<p>the community donation of \$5,000 from the project would be allocated through its' annual Donation Review Committee. Council should ratify this decision at its February 2019 meeting. CS will provide feedback on where the money is spent. AA (ISC) to communicate with counterpart at GISC for consistency when commenting on SSD wind farm applications/ Modifications.</p> <p>LA to provide information for CS & SB to take to Council to assist. Copy to local state and federal members.</p> <p>LA to write to CASA & NWFC</p>
<p>6.0 Correspondence as per email 8/1/19:</p> <ul style="list-style-type: none"> 2/11/18 – Email to members with the Community Investment initiative Roadshow dates. 	

<ul style="list-style-type: none"> • 5/11/18 – Email to members with the draft minutes from 30/10/18 for review. • 13/11/18 – Email to members with the finalised minutes. • 21/11/18 – Email & letter from GISC advising that the Mayor will be Council's delegate on this CCC. • 22/11/18 – Email & letter to CASA concerning the aviation lighting. (No response) • 22/11/18 – Email & letter to DPE concerning the aviation lighting. • 6/12/18 – Email from GISC regarding its Community Benefit Fund allocation (\$5000) will be placed in Council's Annual Donation Review Committee for appropriate disbursement. • 14/12/18 – Email from Patric Millar with Aviation Lights trials and advice that the project is now operational. • 17/12/18 – Email to members advising of the above information. • 8/1/19 – Email to members with the Meeting Notice and Agenda for today's meeting • 17/1/19 – Email from DPE with its response regarding the aviation lighting. • 19/1 /19 - Email to members with a reminder for this meeting. 	<p>LA read out to members.</p>
<p>7.0 Project Presentation PM advised that:</p> <ul style="list-style-type: none"> • Handover of the operations had occurred in December 2018. • The 75 turbines are fully operational. • Read out the letter from CASA to DPE regarding the Boco Rock Wind Farm. LA requested that this be forwarded through to her for information. • Noise monitoring will be undertaken over the next two months from adjoining properties. Previous monitoring showed that the results were compliant. 	<p>AS confirmed that she had not received any complaints from residents in the Swan Vale area regarding noise.</p>
<p>8.0 General Business</p> <ul style="list-style-type: none"> • BS asked about the progress of the Solar Farm. PM advised that there has been a delay (4-6 months) with the design engineer. Currently working through some ecological matters, preparation of management plans (biodiversity, traffic management, etc). Hoping to commence construction in July 2019 with a workforce of approximately 200 people during this 18 month period. It was noted that there is no community fund associated with this project, however, a Voluntary Planning Agreement (VPA) may be entered into. • MN asked if the brand of batteries had been chosen. PM advised that no decision has been made yet. • AS wished to thank CWP on behalf of the Swanvale community for the grant for the Swanvale Recreation Facility. The project will be undertaken over stages, commencing with fencing and installation of slab. Relying on community labour to undertake works. • NE commented that the field day went well and that there are some senior science classes in the GI & Inverell area that would benefit from site visits. DW advised that this may be an option in the future. • . • CV enquired about the ISC Community Benefit Fund allocation. SB advised that applications are currently open and close at the end of March 2019. AA tabled advertisement that was currently on the ISC website. Any projects requiring DA approval, may have funding allocation, subject to consent. 	

<ul style="list-style-type: none"> MN reiterated to Council delegates the importance of pressing forward with the communities concerns with the aviation lighting and offered assistance. 	
<p>9.0 Next Meeting</p> <p>DW asked about the meeting frequency, now that the project was operational. LA put the matter to the committee for consideration.</p> <p>LA asked if CCC members had any ideas on future presentations to be provided to the committee, ie noise monitoring results, environmental issues, etc. No suggestions received.</p> <p>LA advised that she had received representations from CWP to hold all future meetings in Inverell. No objections raised.</p> <ul style="list-style-type: none"> Tuesday 30th April 2019 Tuesday 16th July 2019; and Tuesday 29th October 2019. 	<p>It was agreed to hold the meetings on a quarterly basis while the aviation lighting issue was such a significant issue within the community.</p> <p>LA advised that the matter can be listed for future consideration in July/October.</p>

Meeting closed at 10.10am with LA thanking everyone for their attendance and contribution.

ACTION ITEMS:

ITEM	ISSUE	WHOM
1	Keep members informed regarding negotiations with the aviation lighting	PM/LA Ongoing
2	GIS & ISC to lobby LGA for consistent approach across all wind farms in NSW in relation to the requirements for aviation lighting	CS/SB
3	Write to DPE, CASA and NWFC reiterating community concerns with aviation lighting (copies to local state and federal members)	LA

ITEM NO:	6.	FILE NO: DA-143/2018
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-143/2018 - MEDICAL CENTRE AND OFFICES - 3 RIVERS STREET, INVERELL - VARIATION TO CAR PARKING DEVELOPMENT STANDARDS	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY

An application (DA-143/2018) has been received for the construction of a medical centre and offices on Lot 2 DP 1153393, 3 Rivers Street, Inverell.

The site is zoned 'B2 Local Centre' pursuant to the *Inverell Local Environmental Plan 2012*. The development is characterised as a 'Medical Centre' and 'Offices', which are both permissible with consent.

The application was notified to adjoining/adjacent properties and advertised within the Inverell Times for a period of 14 days from 30 November 2018 to 14 December 2018. One (1) submission was received in support of the development.

The application has been assessed in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is considered to:

- Comply with the *Inverell Local Environmental Plan 2012*;
- Comply with the relevant State Environmental Planning Policies;
- Comply with the following chapters of the *Inverell Development Control Plan 2013*:
 - Chapter 4 – Commercial and Industrial Development;
 - Chapter 6 – Flood Prone Land;
- Not have any significant impacts on the natural or built environment;
- Not have any adverse social or economic impacts; and
- Not be prejudicial to the public interest.

The proposed development does not meet the Acceptable Solutions of Chapter 5 of the Inverell Development Control Plan 2013, as:

- The acceptable solutions require a total of 45 car parking spaces to be provided on the development site; and
- The development proposes 20 car parking spaces (plus 2 bus parking spaces) to be provided on the development site.

The applicant has made a written request to vary Council's car parking requirements. The request proposes:

- A variation to Council's method of calculating car parking for this development; and
- To convert the parallel parking spaces in Rivers Street (fronting the development site) to nine (9) marked rear-to-kerb parking spaces.

Due to the nature of the variation to the *Inverell Development Control Plan 2013*, it is considered that it cannot be determined under delegated authority. The proposed variation to car parking requirements for the development necessitates consideration by the Civil and Environmental Committee.

This report has been prepared for the Committee to consider and make recommendation to Council relating to the car parking requirements for this development.

At the time of preparing this report there was some outstanding technical information relating to the development including stormwater design and impacts on over-head power-lines. It is considered that this outstanding information will not impact the Committee's consideration of the variation to car parking.

Subject to Council resolution relating to car parking, it is intended to complete the assessment of DA-143/2018 and determine it under delegated authority.

APPLICATION DETAILS

Applicant:	Armajun Aboriginal Health Services
Owner:	Inverell District Family Services Incorporated
Application No:	DA-143/2018
Address:	3 Rivers Street, INVERELL 2360
Title Particulars:	Lot 2 DP 1153393
Proposed Development:	Medical Centre and Offices
BCA Classification	Class 5
Existing Site Area:	3172m ²
Zoning:	B2 Local Centre
Existing Use:	Steel storage shed, concrete driveways and vacant land

DA-143/2018 - APPLICATION HISTORY

<u>Date</u>	<u>Comment</u>
8 November 2018	DA-146/2018 lodged.
20 November 2018	Preliminary assessment completed, which identified a requirement for additional information to enable detailed assessment and exhibition of application.
26 November 2018	Additional information submitted.
30 November 2018	Public exhibition period commences.
14 December 2018	Public exhibition period ends.

SUBJECT SITE AND LOCALITY

The site is known as Lot 2 DP 1153393, 3 Rivers Street, Inverell and has an area of 3172m². The site is located on the corner of Rivers Street and Campbell Street (refer Figure 1). It also has

frontage to the one-way unsealed section of County Lane. The site contains a large steel storage shed and concrete driveways over approximately half the site area, with the remaining land being vacant. This vacant area formerly contained dwellings. The site historically formed part of the North West County Council precinct, but was subdivided in 2010.



Figure 1 – Site Plan

3 Rivers Street is located on the edge of the Inverell CBD, being surrounded by a mixture of commercial premises, government offices and residential dwellings. Refer Figure 2.



Figure 2 – Locality Plan

A number of photographs have been provided below, which depict the site and street frontages.



Photo 1 – Site from Rivers Street



Photo 2 – Corner of Rivers and Campbell Streets



Photo 3 – Site from Campbell Street



Photo 4 – Unsealed County Lane adjoining development site

PROPOSED DEVELOPMENT

It is proposed to construct a medical centre and offices on Lot 2 DP 1153393, 3 Rivers Street, Inverell.

The medical centre and offices will be comprised of a two-storey, "L" shaped building constructed to the Rivers Street and Campbell Street boundaries. The ground floor of the building will comprise:

- Armajun Medical Centre – with the entry oriented to the corner of Rivers and Campbell Streets; and
- A separate office area, facing Campbell Street, intended to be used for Out of Home Care.

The second storey is located on the Rivers Street side of the building and will be used for offices.

The medical centre makes provision for 5 permanent doctors (4 General Practitioners and 1 Dentist) and visiting specialists (paediatrician, ear/nose/throat, etc.). Visiting consultants are generally present 1 day every 3 months.

It is proposed to construct 29 car parking spaces (plus 2 bus parking areas) for the development, comprising:

- 13 on-site parking spaces on the eastern side of the building – accessed via Rivers Street and County Lane;
- 7 x 60 degree on-site parking spaces accessed directly off County Lane; and
- Conversion of the parallel parking in Rivers Street into 9 rear-to-kerb angled parking spaces.

The use of County Lane for access to this development will require the unsealed section of County Lane to be upgraded to bitumen seal with kerb and gutter. This will be a requirement as part of this development.

A site plan and elevations have been included as Appendix 10 (D86).

CAR PARKING ASSESSMENT

Acceptable Solutions of the Inverell Development Control Plan 2013

In accordance with Sections 5.3 and 5.4 of the *Inverell Development Control Plan 2013*, the following on-site car parking requirements apply to this development:

- Medical Centre – 3 spaces per doctor plus 1 space per employee; and
- Offices – 1 space per 40m² of gross floor area.

Based on the information and plans submitted, the following on-site car parking spaces are required:

Medical Centre

- 5 x doctors = 15 spaces
- 1 visiting/spare = 3 spaces
- 12 staff = 12 spaces

Subtotal = 30 spaces

Offices

- Lower (220m²) = 6 spaces
- Upper (433m²) = 11 spaces

Subtotal = 17 spaces

Total = 47 on-site car parking spaces are required

With reference to Appendix 10 (D86) – Site Plan a total of 20 on-site car parking spaces and two (2) bus parking spaces are proposed. This represents a shortfall of 27 car parking spaces.

Request for Variation to Car Parking Development Standards

Following Council's assessment in relation to on-site car parking requirements for the development, the applicant was given the opportunity to provide further information in respect to the matter.

On 26 November 2018, the applicant provided a letter detailing the proposed operational arrangements for the development including proposed doctor and staff numbers. A copy of this letter has been included as Appendix 11 (D87 – D89).

As part of the letter detailing staff and operational details, the applicant has requested Council accept the following car parking for the medical centre and offices:

- 5 x Consulting Rooms = 5 spaces
- 1 x Visiting Consultant = 1 space (utilised 1 day every 3 months)
- 3 x Spare Consultant = 3 spaces (utilised 1 day every 3 months)
- 12 x Staff = 12 spaces
- Upper Offices = 12 spaces
- Lower Offices = 3 spaces

Total = 36 spaces

Of particular note in the information provided by the applicant is the request for doctors/consult rooms to be calculated based on 1 space per doctor/room, not 3 spaces as required by the *Inverell Development Control Plan 2013*. This request appears to be based on:

- Armajun providing a bus service for pick up and drop off of clients;
- Extended appointment times compared to other medical centres; and
- High potential for clients to walk or use public transport.

Overall, there appears to be a notion that there will be very limited clients using private vehicles to access the medical centre and therefore parking is only required for doctors and staff.

A total of 20 on-site car parking spaces and two (2) on-site bus parking spaces have been provided for the development. To increase car parking numbers for the development, the applicant has also requested:

- The section of Rivers Street fronting the development site be converted from parallel parking to nine (9) rear-to-kerb parking spaces; and

- The nine (9) parking spaces count towards on-site car parking requirements for this development.

The addition of nine (9) spaces in Rivers Street would bring the total car parking for the development up to 29 spaces. This still represents a short fall of seven (7) car parking for this development, based on the 36 required car parking spaces identified above.

On balance, it is recommended that the applicant's request in relation to car parking not be accepted. It is not considered reasonable to assume that clients would rarely use private vehicles. It is therefore contended that each consulting room should provide two (2) car parking spaces.

A recommended approach to car parking has been provided below, which also provides discussion of the proposed rear-to-kerb parking in Rivers Street.

Recommended Car Parking Assessment for DA-143/2018

In consideration of Council's car parking requirements contained in the *Inverell Development Control Plan 2013* and the operational information submitted by the applicant, it is recommended that the following is a reasonable method of determining car parking requirements for this development:

- Parking spaces for doctors (consulting rooms) are calculated on 2 spaces per doctor (instead of 3 spaces).

This is in recognition of the proposed client bus service and parking for two (2) busses on-site and the availability of public transport and pedestrian linkages in the area, while still acknowledging the potential use of private vehicles by clients;

- Due to the infrequent nature of multiple visiting consultants; together they be considered as a single doctor;
- Car parking for "Offices" should be retained as per Council's standards.

It is noted that the proposed offices have been designed for future growth of the operation and initially may not experience full occupancy. In this regard, it is considered that the parking requirements for an office development should not be reduced to reflect short to medium term staff levels.

Therefore:

Medical Centre

- 5 x doctors = 10 car parking spaces
- 1 visiting/spare = 2 car parking spaces
- 12 staff = 12 car parking spaces

Subtotal = 24 car parking spaces

Offices

- Lower (220m²) = 6 car parking spaces
- Upper (433m²) = 11 car parking spaces

Subtotal = 17 car parking spaces

Total = **41 on-site car parking spaces are required**

In relation to the matter of the nine (9) rear-to-kerb car parking spaces in Rivers Street, there have been a number of circumstances in recent years, where Council has supported on-street car parking for a development. In these instances where the developer has been responsible for the construction cost of these spaces, the on-street parking has been credited towards the developments car parking requirements.

It is noted that Rivers Street fronting the development currently caters for five (5) parallel parking spaces. Whilst the conversion to nine (9) rear-to-kerb angled parking only results in a net gain of four (4) spaces, it is not considered unreasonable to credit the full nine (9) on-street spaces to this development.

Should Council accede to the request for the nine (9) rear-to-kerb parking spaces in Rivers Street, detailed engineering design will be required prior to construction. This engineering design should include the entire section of Rivers Street, between Campbell and Otho Streets, so that on-street parking is considered holistically.

Therefore:

- A total of 41 parking spaces are required for this development;
- A total of 29 parking spaces have been proposed (20 on-site and 9 in Rivers Street); and
- There is still a short fall of 12 parking spaces for this development.

Where a short fall in required car parking spaces for a development occurs, Council may give consideration to the acceptance of a Section 94 contribution in lieu of each car parking space not provided. The current Section 94 contribution for a single car parking space is \$3,035.00.

Therefore, on the basis of the above rationale it is considered reasonable that this development be levied Section 94 Contributions for 12 car parking spaces.

Conclusion

Overall, it is considered that the proposed medical centre and offices development is a suitable outcome for the site and the community. The site is adjacent to the Inverell CBD with access to public transport and good pedestrian linkages. With the provision of a client pick up / drop off service including two (2) bus parking spaces on-site, it is not unreasonable to vary Council's car parking requirements for this development.

It is recommended that the car parking requirements for the medical centre and offices proposed under DA-143/2018 be calculated as follows:

- Medical Centre – 2 parking spaces per doctor and 1 parking space per staff - with visiting consultants considered as a single doctor;
- Offices – 1 parking space per 40m²;
- The proposed 9 rear-to-kerb parking spaces in Rivers Street, fronting the proposed development, be supported; and
- A Section 94 contribution is accepted for each car parking space not provided.

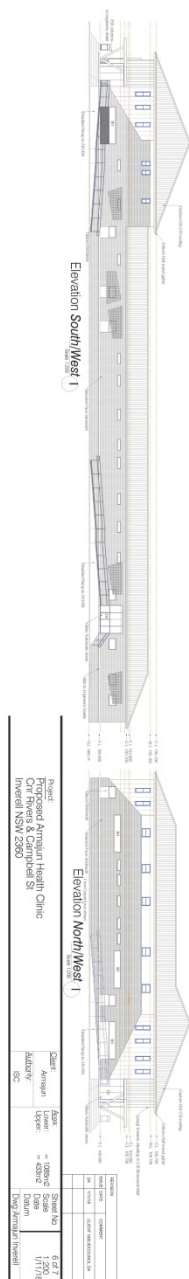
RECOMMENDATION:

That the Committee recommend to Council that:

- i) The car parking requirements for the medical centre and offices proposed under DA-143/2018 be calculated as follows:
 - a) Medical Centre – 2 parking spaces per doctor and 1 parking space per staff - with visiting consultants considered as a single doctor;*
 - b) Offices – 1 parking space per 40m².**
- ii) The proposed 9 rear-to-kerb parking spaces in Rivers Street, fronting the proposed development, be supported; and*
- iii) A Section 94 contribution be accepted for each car parking space not provided;*
- iv) Subject to the above points, DA-143/2018 be determined under delegated authority.*

APPENDIX 10

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B U I L D I N G
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08 93 75 1600
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APPENDIX 11**Development Application – Additional Information****Introduction.**

Armajun Aboriginal Health Service is an Aboriginal Community Controlled Health Service (ACCHS)— this is an important concept in the delivery of local Aboriginal Health. Essentially, community control is the process through which the community determines the nature of the health and medical service, and is able to participate in the planning, implementation and evaluation of those services. Services are more effective for Aboriginal people when they are aware of and address cultural competence/cultural safety in their service delivery. Community control has been widely accepted as a key requirement in strategies to overcome Aboriginal health and social disadvantage.

Armajun commenced providing services to the local Aboriginal community in 2005. In 2018 Armajun now covers the entire New England region providing services to over 7,250 people.

Armajun as an Aboriginal primary health care provider directly improves Aboriginal health through increasing access to, and delivering, best practice comprehensive primary health care. Multiple studies describe a preference among Aboriginal peoples for Aboriginal community controlled health services due to that care being flexible and responsive, transport, clear and appropriate information, culturally appropriate and delivered by trusted staff in a safe setting. Armajun community consultations involve strategies to improve compliance, including medication dosing, appointment recalls and seeing family members as part of routine consultations. Armajun consultations are more likely to involve case conferencing, home visits and managing complex medical conditions compared with consultations at general practices. Armajun is not your typical general medical practice that has clients/patients every 5 -10 minutes, Armajun consultations are a minimum of 30 minutes up to an hour.

The rear open space allocated in the design has been identified as an important & integral zone to provide areas for clients & family to sit, relax & have a yarn. It is viewed as a safe and culturally appropriate space to visit. It is anticipated that this will encourage Aboriginal people to become more involved in their health care and thus improve their health status.

Armajun Staffing;

Doctor numbers vary (due to reliance on General Practitioner Registrars that may change practice every 6 months). We have averaged from 2.5 Full Time Employees (FTE) to 4 FTE over the past three years.

In relation to the Dentist 1.5 FTE

Both doctors and dentists also provide outreach services to other centres (Glen Innes, Tenterfield & Armidale). This equates to 1 FTE doctor and 0.6 FTE dentist per week on outreach. Dentist are accompanied by one dental assistant on outreach.

Nurses, Dental team, Aboriginal Health Workers, Reception = 12 staff in total

We have visiting (Consult 5) specialist physician, paediatrician, Ear Nose & Throat (ENT) each for one day every three months = 12 days per year. Typically arrive at 9.30 am and fly out at 3 pm. Average 5-8 clients per day.

Visiting optometry and podiatry services (Spare consult) = one day every three months = 8 days per year. Average 6-9 clients per day.

Out of Home Care space – currently nil staff – future planning. Not expected staffing will exceed 4

Upper - administration = current 12 staff – & not expected to grow. Rooms of resource, archive for storage purposes only & 3 staff offices are for future planning only, these offices could be used for visiting consultant or made into larger rooms for meetings.

Client Services;

Armajun does not provide services to as many clients on any one day as other medical practices do. We are also not open as long as other practices. Appointment times are from 9.00 am to 4.00 pm

Armajun offer minimum of half hour appointments to all clients over 6 hours of appointment time. This equals a maximum of 8-10 clients per day per doctor.

Specialist appointments range from half hour to as long as one hour per client.

Client Transport arrangements;

Armajun provides client transport to and from the clinic as most of our clients do not have means of own transport.

Workers are scheduled on transport duties every day of the week (5 days)

On average Armajun vehicles make 20 client trips per day -approximately 30 people per day are transported to and from the clinic. More people are transported on any day that we have a visiting specialist/allied health professional on site.

Armajun has available a small Ford Transit vehicle capable of transporting 11/12 people .This is used for client transport.

There are no charges for any of Armajun transport services.

Due to our location being central to Inverell and easily accessible to South Inverell a number of clients also walk to the service.

Bus Service's provided by Armajun;

Armajun has two small vans. One is set up as a mobile clinic bus and is used to undertake mobile clinics on sites other then Armajun. It is capable of carrying three people.

The other is a small Ford Transit Van capable of transporting 11/12 people. This is used to transport people to the clinic and also to other community activities and events.

The two vans are currently parked in a normal parking bay, and have been allocated parking on the proposed site.

Conclusion

Based on the information provided, we have considered in our design

5 x Consulting Rooms =	5 carparks
1 x visiting Consultant =	1 carpark (utilised 1 day every three months)
3 x spare Consulting rooms =	3 carparks (utilised 1 day every three months)
12 x Staff =	12 carparks (considering not all staff have cars)
Upper offices =	12 Staff

Out of Home care is designed only for possible future absorption of another facility which currently has about 6 Staff. It is not anticipated that Armajun will require this number of staff due to administration and management roles being absorbed into existing Armajun staff duties. Therefore parking would be only be for three staff.

Consequently, the total number of carparks we would require even with future allowance could be 30 carparks.

We believe the bus provision is an idea situation for the facility, less on the numbers actually provided above, prevention of excess parking and traffic generation. The system works very well and will be better optioned with the set down area & parking adjacent to the rear of the proposed facility. We note that other medical centres don't not have this privately funded benefit available.

We therefore request Council to consider granting the project an exemption from the requirements of Section 5.3 of the DCP 2013, to the current carpark as proposed & designed.

Furthermore, Armajun is requesting that Council consider a contribution in kind of providing this much needed facility with the proposed carparking in Rivers St. It is noted that the current street in parallel parking and most is taken up with cars from the Government Offices & Court house. Therefore the 45 degree parking as proposed would help the facility, both with client and additional parking for the street.

County Lane.

In relation to County Lane the access & egress, this will not change the one way situation of the Lane. As access will always be entered from the Henderson St end of the Lane, with egress to Campbell St. This entry/exit practice is normal for the lane as most residences park in their rear yards.

Therefore, exit from the proposed carpark will be sign posted 'no Left turn'.

ITEM NO:	7.	FILE NO: DA-156/2018
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-156/2018 – DUAL OCCUPANCY AND SUBDIVISION – 43 BRAE STREET, INVERELL	
PREPARED BY:	Elise Short, Planning Officer	

SUMMARY

An application (DA-156/2018) has been received for a residential development at 43 Brae Street, Inverell. The proposed development comprises:

1. Demolition of an outbuilding;
2. One (1) into Two (2) Lot Subdivision, being;
 - Lot 1 – Existing dwelling fronting Brae Street;
 - Lot 2 – Vacant lot fronting Davey Street;
3. Construction of Dual Occupancy (Attached) on rear lot fronting Davey Street; and
4. Subdivision of the Dual Occupancy.

The site is zoned 'R1 General Residential' pursuant to the *Inverell Local Environmental Plan 2012*. The development is characterised as demolition, subdivision and a 'dual occupancy (attached)', which are permissible with consent. The proposed development complies with the Minimum Lot Size provisions specified in Clauses 4.1 and 4.1D of the *Inverell Local Environmental Plan 2012*.

The proposed development also complies with the relevant State Environmental Planning Policies and the *Inverell Development Control Plan 2013*.

The application was notified to adjoining and adjacent neighbours from 29 November, 2018 to 13 December, 2018. As a result of notification two (2) submissions by way of objection have been received. The objections primarily relate to the use of Davey Street to access the attached dual occupancy and perceived non-compliances with the sections of the *Inverell Development Control Plan 2013* (IDCP) relating to lot frontage, access and parking. The submission makers consider that Davey Street is a "Laneway", not a "Street".

Detailed discussion in relation to the submissions has been undertaken in the 'Submissions' section of the report. Overall, it is considered that Davey Street is not a "Laneway". Davey Street is considered to provide suitable access to this development and the proposed development will not result in significant or unreasonable traffic, parking or access impacts in the locality.

DA-156/2018 has been examined having regard to the matters for consideration in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is recommended for approval subject to conditions.

APPLICATION DETAILS

Applicant: Mr Ryan Joseph Hansen Daley and Mrs Ana Fiona Daley

Owner: Mr Ryan Joseph Hansen Daley and Mrs Ana Fiona Daley

Application No: DA-156/2018
Address: 43 Brae Street, INVERELL 2360
Title Particulars: Lot A DP 360260
Proposed Development:

1. Demolition of an outbuilding;
2. One (1) into Two (2) Lot Subdivision, being;
 - Lot 1 – Existing dwelling fronting Brae Street;
 - Lot 2 – Vacant lot fronting Davey Street;
3. Construction of Dual Occupancy (Attached) on rear lot fronting Davey Street; and
4. Subdivision of the Dual Occupancy.

BCA Classification Class 1a
Existing Site Area: 1903m²
Zoning: R1 General Residential
Existing Use: Residential – dwelling and outbuilding (garage)

DA-156/2018 - APPLICATION HISTORY

<u>Date</u>	<u>Comment</u>
28 November 2018	DA-156/2018 lodged.
29 November 2018	Neighbour notification begins.
13 December 2018	Notification period ends. Two (2) submissions received by way of objection.
18 December 2018	Request for further information made to the applicant. The information requested related to: <ul style="list-style-type: none"> • Discussion on the consideration given to the Ross Hill Heritage Conservation Area; • Site coverage calculations; • Detailed subdivision plan; and • Highlighting an eave overhang of the dual occupancy common wall, which will require an easement for subdivision. Also a request for clarification of construction measures in relation to fire separation under the National Construction Code.
10 January 2019	Additional information submitted, which addressed the above request.

SUBJECT SITE AND LOCALITY

The site is known as Lot A DP 360260, 43 Brae Street, Inverell and has an area of 1903m². It contains a dwelling and outbuilding (garage) and has frontage to Brae Street at the front and Davey Street at the rear (Figure 1).

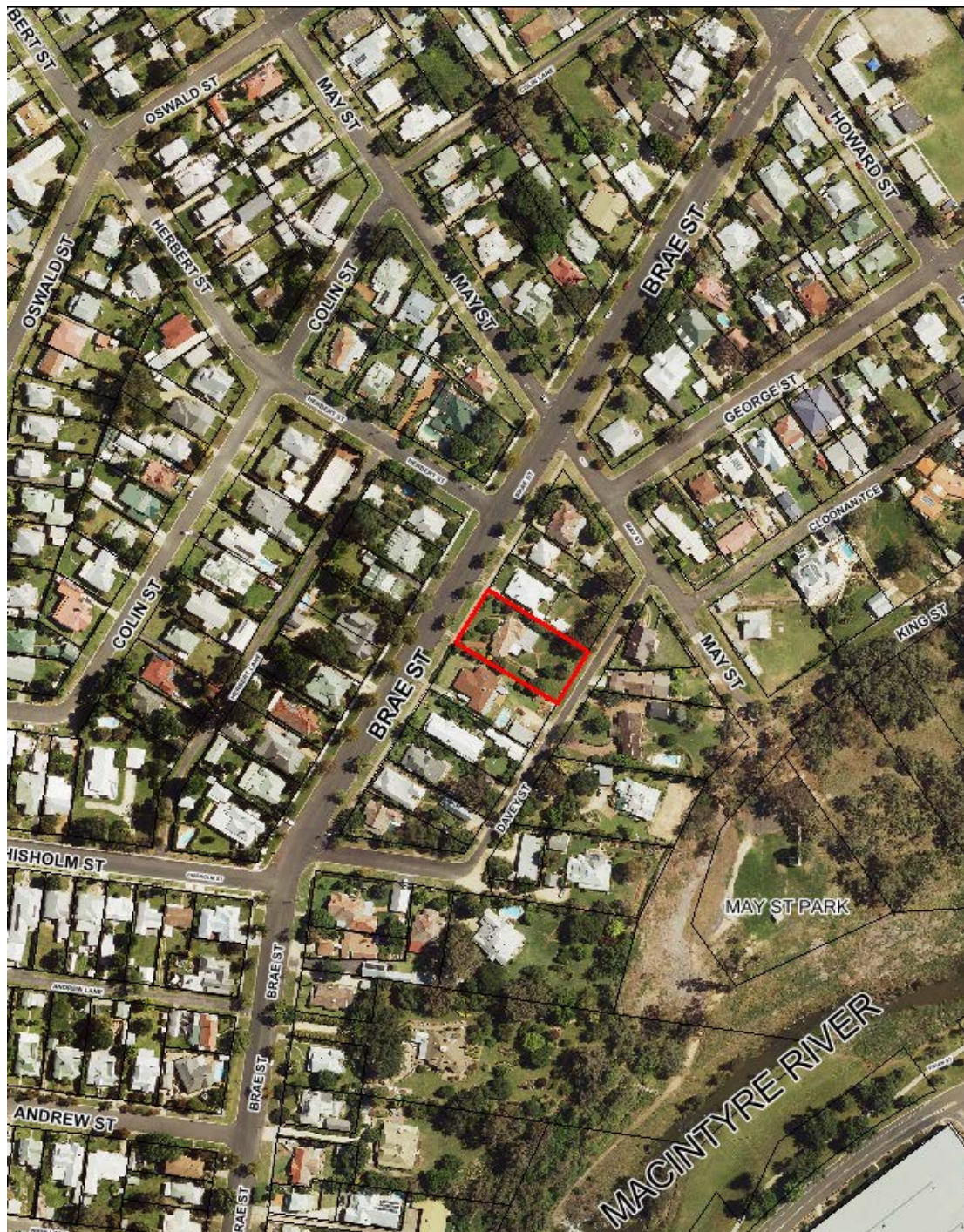


Figure 1 – Site Plan

43 Brae Street is located in a residential area on the northern side of the Macintyre River (Figure 2). The area is mapped under Schedule 5 of the *Inverell Local Environmental Plan 2012* as the Ross Hill Heritage Conservation Area, centered on the Brae Street streetscape (Figure 3). The site does not contain an item of environmental heritage, the nearest item being located opposite the site at number 44 Brae Street.



Figure 2 – Locality Plan

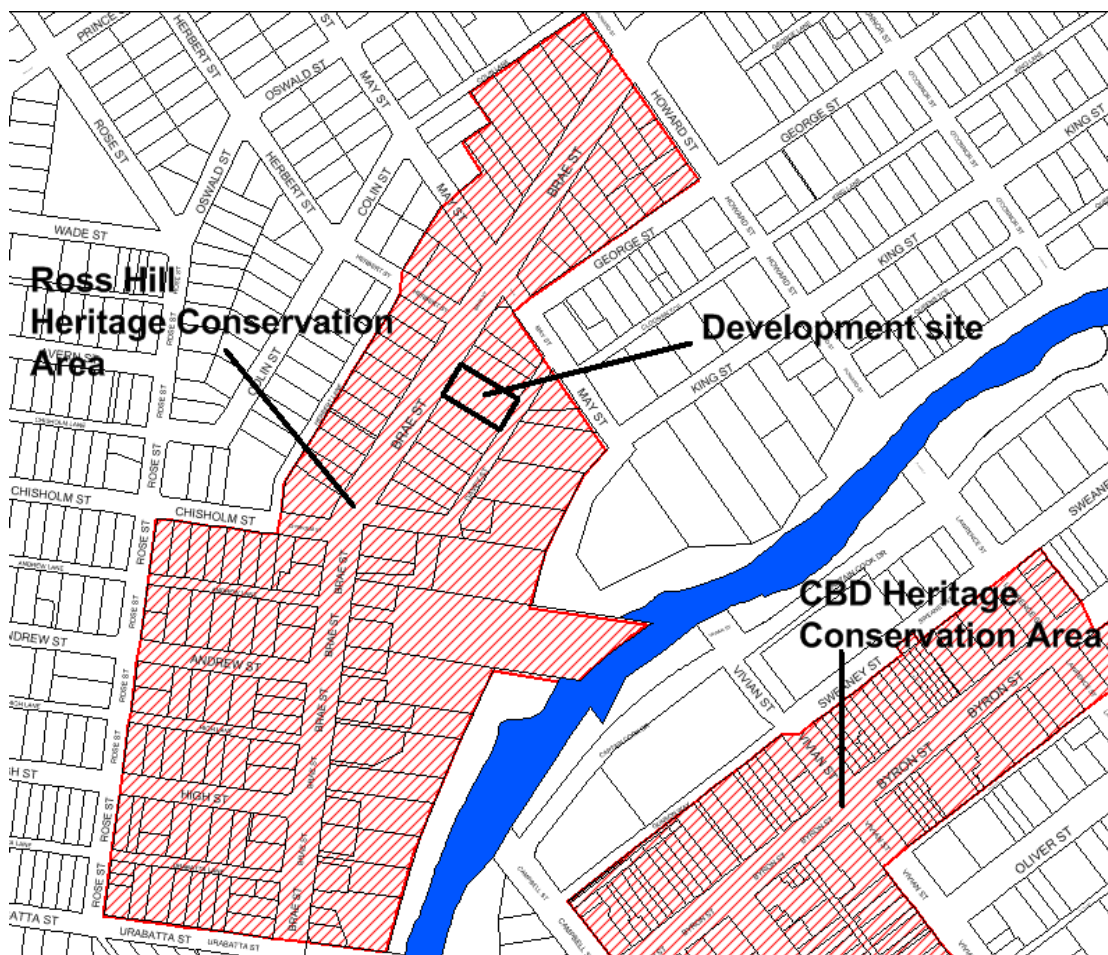


Figure 3 –Ross Hill Conservation Area Plan

The surrounding land use consists of mixed residential development on various size and shaped lots (Figure 4). 43 Brae Street is within walking distance of:

- Inverell High and Ross Hill Schools (approx. 500-600 metres);
- May Street Park (approx. 250 metres); and
- The Inverell CBD via the suspension bridge or main bridge.

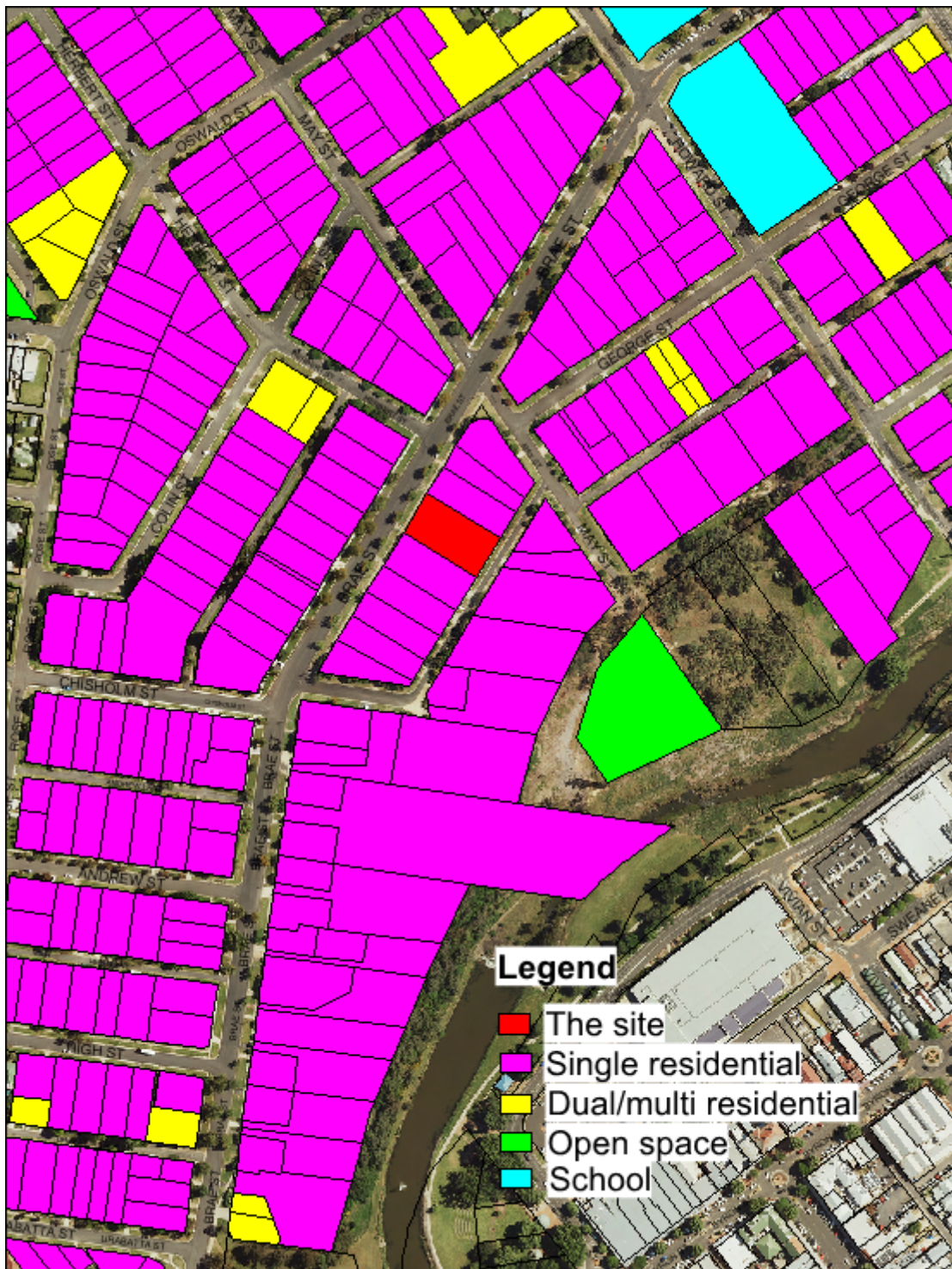


Figure 4 – Land use map

Access and frontage to 43 Brae Street is from both Brae Street (primary frontage/access) and Davey Street (secondary frontage/access). Brae Street is a wide bitumen sealed urban street. Davey Street has a road reserve width of 12.2m, seal 3.8m wide and total width of 5 metres

including 600mm of mountable kerb and gutter either side of the seal. 13 properties currently use Davey Street for primary access (Refer Figure 5).



Figure 5 – Davey Street accesses

Water, sewer, electricity and telecommunications are connected to the site and can be provided to the proposed development. Some minor onsite landscaping will be affected by the development.

Council's sewer main crosses the site behind the dwelling. The proposed development is clear of the main and the dual occupancy can gravity feed to the main. Easements for sewer will be required to the development. Stormwater from the site drains to Davey Street which has been allowed for in the development. An easement will be created to benefit the existing dwelling.

The following photos depict the site and locality.



Photo 1 – The site from Brae Street



Photo 2 – The site from Davey Street



Photo 3 – Davey Street frontage looking from May Street



Photo 4 – Davey Street frontage looking towards May Street



Photo 5 – The outbuilding to be demolished



Photo 6 – Existing access crossings to the rear of Brae Street properties adjacent to the site



Photo 7 – The slope of the site and location of the dual occupancy development

PROPOSED DEVELOPMENT

It is proposed to undertake a staged residential development at 43 Brae Street, Inverell.

The development consists of:

1. Demolition of an outbuilding (garage);
2. One (1) into Two (2) Lot Subdivision;
3. Construction of Dual Occupancy (Attached); and
4. Subdivision of the Dual Occupancy.

1. Demolition of an outbuilding

To facilitate the one (1) into two (2) lot subdivision, it is proposed to demolish the detached garage at the rear of the dwelling. The drainage diagram held by Council indicates that there is a toilet in the garage which will need the sewer connection to be capped during demolition.

2. One (1) into two (2) lot subdivision

It is proposed to subdivide Lot A DP 360260 into two lots.

Proposed Lot 1 will contain the existing dwelling and have an area of approximately 1252.6m². This lot will have sole frontage and access to Brae Street. The existing access crossing and driveway from Brae Street will continue to serve the dwelling.

Proposed Lot 2 will be approximately 650.4m² and will comprise the area at the rear of the 43 Brae Street dwelling. Proposed Lot 2 will have sole frontage and access to Davey Street.

3. Construction of a Dual Occupancy (Attached) on Proposed Lot 2

The dual occupancy (attached) will be a mirror image duplex (plans sheet, Appendix 12, D124 – D128), each unit having an overall floor area of 163.3m² consisting of:

- 3 bedrooms with built in robes;
- Living area containing kitchen, dining and lounge;
- Bathroom;
- Laundry;
- Verandah and entry; and
- Single car garage.

It will be constructed on a reinforced concrete slab, having external weatherboard walls and a pitched colorbond roof. The right unit (when viewed from Davey Street) is stepped down from the left unit following the fall of the site and a 600mm retaining wall will delineate the centre of the site and height difference.

The building will be setback:

- 4.5 metres to the verandah posts, 6.6 metres to the garage from the front boundary (Davey Street);
- 4.1 metres from the rear boundary (common boundary with 43 Brae Street); and
- 1.5 metres from the both side boundaries.

2,500L rain water tanks will be located in the rear yard of each unit, sited on concrete foundations, and the site will be landscaped with lawn and some low native shrubs. The driveways will be concreted from the Davey Street rollover kerb to the garage.

4. One (1) into two (2) lot subdivision of the dual occupancy

Following completion of the dual occupancy it is proposed to subdivide the development into proposed lots A and B each lot having an area of 325.2m².

PLANS & DOCUMENTATION

The following information was submitted with the Development Application:

- Design plans;
- BASIX Certificates;
- Statement of Environmental Effects; and
- Cover letter addressing further information request.

Appendix 12 (D124 – D128) includes a copy of the design plans.

REFERRALS UNDERTAKEN & OTHER APPROVALS REQUIRED

Internal Referrals

Building Referral

The application was referred to Council's **Health and Building Surveyor**. The following comments were received:

A Construction Certificate is required to be assessed and approved prior to construction of the dual occupancy (attached).

Prior to issue of a Construction Certificate further information is required and is to include:

- 1. Engineering designs and certification for:
 - a. Footings and deep edge beams, and*
 - b. Inter allotment drainage design and certification**
- 2. Firewall designs and specifications*
- 3. Sound insulation designs and specification.*

Provided the above is satisfactorily addressed, it is considered that the proposed development can readily achieve compliance with the relevant provisions of the BCA, by virtue of compliance with BCA Deemed-to-Satisfy provisions.

Planner Comment

The information identified above is construction-detail, which is not required for consideration of the Development Application. It is considered that there are no Building Code of Australia matters, which would preclude issuing development consent.

Engineering Referral

The application was referred to Council's **Manager Environmental Engineering**. The following comments were received:

Suitability of Davey Street for Proposed Development

Davey Street is a 260m long local street that runs east off Brae Street for approximately 80m then deflects northward for approximately 180m to intersect May Street. The eastern leg running off Brae Street has a road reserve width of 20.1m with a distance between upright kerbs of approximately 10 m. The northern leg of Davey Street through to May Street has a road reserve width of 12.2m with mountable kerb and gutter width of 5m (3.8m of pavement plus 2 x 600mm mountable kerb and gutter).

The northern leg of Davey Street was designated as a lane in earlier times, however was widened out to 12.2m to become a street in the late 1960's / early 1970's to cater for development in the area between Brae Street and the Macintyre River. The narrowest section of Davey Street with a road reserve width of 12.2m is therefore classified as a street (not a laneway) under the Inverell Development Control Plan 2013. Laneways are described in the DCP Glossary as a narrow public access, usually 6m to 10m wide located between two streets.

The geometry of Davey Street with T intersections at both ends combined with a dog leg towards the southern end calms traffic and does not encourage through traffic. May Street is a local street terminating at the Lookout and does not attract through traffic.

Traffic counts have not been taken for Davey Street, however based on nine traffic movements per day for each dwelling with access off Davey Street (including Brae Street properties that use rear access off Davey Street), the current traffic counts based on 13 dwellings would be 117 per day. The proposed dual occupancies would create another 18 traffic movements, taking the total to around 135 traffic movements per day, which is a light traffic volume. Davey Street is two way traffic, which provides the option for traffic to access from May Street or Brae Street, further diluting traffic movements throughout the street. Davey Street therefore has capacity to cater for more infilling development as allowed under current planning legislation and the Inverell LEP.

The geometry of the narrower section of Davey Street with gentle mountable kerbs fronting the proposed development allows room for vehicles to pass and vehicles to Parallel Park off the roadway while still allowing safe pedestrian movements.

Davey Street has underground stormwater drainage. Overall the sealed pavement, kerb and gutter and drainage are in good condition, and require no augmentation to accommodate the proposed development.

In summary Davey Street has capacity to service further infilling development while not compromising traffic and pedestrian safety or the character of the local precinct.

State of Footpath Area in Davey Street Fronting Proposed Development

The footpath along the frontage to the proposed development is totally clear of any obstructions including power poles.

Access & Parking

There is no requirement for vehicles to enter and exit the duplex in a forward manner. Vehicles may reverse out the driveway. The driveways are proposed to be perpendicular to the carriageway, with good sight distance in all directions.

The proposal meets the parking requirements for a three bedroom unit, providing two parking spaces at each unit, one space within the garage and one space on the driveway within the property boundary.

The proposed driveways in Davey Street from the mountable kerb and gutter to the property boundary are to be reinforced concrete.

Drainage

The proposed development comprises an overall area of approximately 1,900m² sloping from Brae Street in a north easterly direction to Davey Street.

Engineering design is to be provided for an inter-allotment drainage system for the existing dwelling and duplex showing piped and surface drainage paths, including kerbs as necessary beneath fences, to direct drainage to Davey Street.

The inter-allotment drainage systems for the existing house and each duplex unit are to be kept independent, with an easement to be created over proposed Lot B for drainage of the residual house block fronting Brae Street. However, where possible roof water from the residual house block should be directed to Brae Street kerb and gutter. Drainage from the duplex can be directed to the kerb and gutter in Davey Street.

Water Supply

The existing water service to the site is off Davey Street, with the meter located approximately 4.5m from the southern boundary.

A new water service will be required from the water main located on the western side of Brae Street to service Proposed Lot 1 (dwelling).

The existing water service off Davey Street will continue to serve Proposed Lot 2 and subsequently one of the future duplex units.

A town water supply main is located along the eastern footpath of Davey Street, requiring a road crossing for a new water service for the second duplex unit.

Under Council's Development Servicing Plan No. 1, a Water Contribution for 1.6 Equivalent Tenements is required for the overall development.

Sewer

Each duplex unit will require an individual junction and 150mm diameter lines from the sewer main located in the residual house block. These services will require engineering design and works-as-executed drawings once constructed.

A 3 metre wide easement for sewerage be created over the existing sewer main through the residual house block and the sewer extensions servicing the duplex units.

Under Council's Development Servicing Plan No. 1, a Sewer Contribution for 2 Equivalent Tenements is required for the overall development.

Planner Comment:

The above comments have informed the below section addressing the submissions to the development and any necessary conditions of consent can be applied regarding inter-allotment drainage, services, access and contributions.

Heritage Advisor

The application was referred to Council's **Heritage Advisor**. The following comments were received in the report issued to Council's planning staff following the monthly visit:

ITEM 2: Proposed subdivision and duplex – 43 Brae St, Inverell (DA156-2018)

Visited the property with Council officer Elise Short.

The property is not listed as a heritage item within Inverell LEP 2012, however, is within the Ross Hill Conservation Area (C0006).

The proposal is to subdivide the lot and erect a duplex at the rear fronting Davey Street.

The proposal does not retain the typical block width characteristics and historic subdivision pattern of the area including the characteristic rhythm and built form spacing.

Mitch McKay, Heritage Advisor
3 December 2018

Planner Comment:

These comments were provided considering the lot pattern in the immediate vicinity of the development. While the lot layout varies with that typically in the immediate vicinity, a broader consideration of the Ross Hill conservation area and locality demonstrates that there is a variety of lot styles (rectangle, battle-axe, square, small, large) on Brae Street, Davey Street, the surrounding streets and Ross Hill. This position was further discussed with Council's Heritage Advisor during his visit on Monday, 4 February, 2019. The Heritage Advisor acknowledged this broader context and compatibility.

External Referrals

No external referrals were required for this application.

Other Approvals

Subject to development consent, the following additional approvals are required for this development:

- Construction Certificate;
- Approval under Section 68 of the *Local Government Act 1993* for water supply work, sewerage work and stormwater drainage work; and
- Approval under Section 138 of the *Roads Act 1993* for construction of the concrete access crossings in Davey Street.

Council Policies

It is considered that no Council policies apply to the assessment of this development application.

ASSESSMENT - STATUTORY REQUIREMENTS – S.4.15

In determining a Development Application, a consent authority is to take into consideration the following matters that are of **relevance** to the development, the subject of the Development Application.

Relevant State Environmental Planning Policies

Policy	Comment
<i>State Environmental Planning Policy No. 55 – Remediation of Land</i>	43 Brae Street has been historically residential land and there is no evidence that the site is unsuitable for the development.
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>	BASIX certificates have been submitted and are considered satisfactory.

Local Environmental Plans

Inverell Local Environmental Plan 2012

CLAUSE	TITLE	COMMENT AND ASSESSMENT
1.2	Aims of Plan	<p><i>The particular aims of this Plan are as follows:</i></p> <ul style="list-style-type: none"> <i>a) To encourage sustainable economic growth and development,</i> <i>b) To protect and retain productive agricultural land,</i> <i>c) To protect, conserve and enhance natural assets,</i> <i>d) To protect built and cultural heritage assets,</i> <i>e) To provide opportunities for growth.</i> <p>The construction of the dual occupancy will contribute to the residential growth and housing diversity of Inverell and is not considered to adversely impact natural or heritage assets.</p>

		<p>The development is not inconsistent with the aims of the LEP.</p>
2.1	Land use zones	<p>The site is zoned R1 General Residential. The development is characterised as demolition, subdivision and a 'dual occupancy (attached)', which is permissible with consent.</p> <p>The objectives of the R1 zone are:</p> <ul style="list-style-type: none"> ▪ <i>To provide for the housing needs of the community.</i> ▪ <i>To provide for a variety of housing types and densities.</i> ▪ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> <p>The development will provide an additional choice in housing without impacting on the housing needs of the community. The development is consistent with the objectives of the R1 General Residential zone.</p>
4.1	Minimum Lot Size	<p>The initial subdivision of 43 Brae Street into two lots is subject to the requirements of this clause.</p> <p>The Minimum Lot Size as per the LEP Lot Size Map for the site is 450m².</p> <p>Proposed Lot 1 (dwelling) has an area of 1252.6m² and Proposed Lot 2 (vacant) has an area of 650.4m².</p> <p>The proposed lots exceed the Minimum Lot Size (MLS) for the site and the subdivision is consistent with this clause.</p> <p>The dual occupancy subdivision is subject to the requirements of Clause 4.1D below.</p>
4.1D	Exception to minimum lot sizes for certain residential development in Zone R1.	<p>This clause allows the subdivision of dual occupancies in the R1 General Residential zone below the MLS of 450m², but no less than 300m².</p> <p>The proposed subdivision of the attached dual occupancy into two lots having areas of 325.2m² is consistent with this clause.</p>
5.10	Heritage conservation	<p>The site is located within the Ross Hill Heritage Conservation Area as identified under Schedule 5 of the ILEP.</p> <p>The site does not contain an item of heritage, with the nearest heritage item being opposite the site at 44 Brae Street. Being located on the opposite side of the</p>

		<p>development, the heritage item at 44 Brae Street is not considered to be adversely impacted by this development.</p> <p>The subdivision and construction of the dual occupancy is at the rear of 43 Brae Street and will not be inconsistent with the residential context or character of the area. The location and frontage to Davey Street will minimise any alteration to the Brae Street streetscape and will not effect the significance of the broader conservation area.</p> <p>The development is consistent with the objectives of this clause which are to conserve the significance of conservation areas, including settings.</p>
6.1	Earthworks	<p>Earthworks associated with the construction of the development will be minor and will be controlled through appropriate sediment and erosion control measures. They will not greatly alter the topography of the site. The development is considered to be consistent with the provisions of this clause.</p>
6.6	Essential Services	<p><u>Water Supply</u></p> <p>The existing water service to the site is located in Davey Street, which will serve Proposed Lot 2 and the dual occupancy.</p> <p>A new water service for the dwelling can be provided from Brae Street to the dwelling and a second water service can be provided from Davey Street for the dual occupancy.</p> <p><u>Sewer</u></p> <p>Sewer is connected to the existing dwelling from the main crossing the site. Sewer can be supplied to the dual occupancy from this sewer main as well.</p> <p><u>Stormwater</u></p> <p>All roof and surface water from the site is currently discharged to Davey Street. The applicant proposed to discharge stormwater from Lot 1 (dwelling) to a stormwater pit and discharged to Davey Street via an inter-allotment drainage easement along the northern boundary of proposed Lot 2. In this instance the dwelling stormwater must be drained to Brae Street with site runoff only to be captured in the proposed inter-allotment drainage. The dual occupancy will discharge stormwater to the gutter in Davey Street, which is acceptable</p>

		<p>Subject to detailed engineering design, the proposed stormwater drainage is satisfactory.</p> <p><u>Access</u></p> <p>Access to the site from Brae Street is existing and satisfactory. An access crossing is required from Davey Street. The suitability of Davey Street for access has been considered by Council's Manager Environmental Services (refer previous comments) and discussed further in the 'Submissions' section of this report.</p> <p><u>Electricity & Telephone</u></p> <p>Electricity and telephone infrastructure is available to the site, subject to the connection requirements of the utility agencies, which is acceptable.</p>
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Development Control Plans

Inverell Development Control Plan 2013 – Chapter 1 Introduction

SECTION	TITLE	COMMENT AND ASSESSMENT
1.11	Notification of Applications	<p>The application was notified to adjoining neighbours from 29 November 2018 to 13 December 2018. As a result of notification two (2) submissions by way of objections have been received.</p> <p>These objections have been discussed in the 'Submissions' section of the report.</p>
1.12	Advertising of Applications	The development did not meet the criteria to be advertised.

Inverell Development Control Plan 2013 – Chapter 2 Subdivision

SECTION	TITLE	COMMENT AND ASSESSMENT
2.3	Site Analysis	The applicant has provided a Site Analysis plan as part of the application as required by this clause. The plan is considered satisfactory and the development has been designed to the site characteristics.
2.4	Lot Dimensions	<p>The development has been designed to allow the existing dwelling (Proposed Lot 1) to retain its access and private open space.</p> <p>It is considered that the subdivision provides "sufficient area and configuration to enable the construction of dwellings and accessible on-site parking facilities" for the Davey Street lot, as demonstrated by the dual occupancy on Lot 2 forming part of this application.</p>

		The proposed Lots comply with the Minimum Lot Size requirements as stated above.
2.5	Lot Orientation	The proposed lot layout has provided opportunities for each lot to achieve good solar orientation while preserving private open space for the existing dwelling.
2.6	Frontage and Access	Providing a full street frontage via Davey Street to the rear lot is considered to be a more practical, optimal and consistent provision of frontage and access, rather than a battle axe handle from Brae Street.
2.8	Landscape	The development will ensure minimal disturbance to the onsite landscaping and vegetation.
2.10	Stormwater Drainage	The dwelling roof water must be redirected to Brae Street while the proposed surface runoff inter-allotment drainage to Davey Street is considered satisfactory.
2.11	Utility Services	The development can be provided with water, sewer, electricity and telecommunications services.

Inverell Development Control Plan 2013 – Chapter 3 Residential Accommodation

SECTION	TITLE	COMMENT AND ASSESSMENT
3.3	Site Analysis	The applicant has provided a Site Analysis plan as part of the application. The plan includes the topography of the site, roads, orientation and built development on adjoining land. It demonstrates that the development has accounted for these factors.
3.4	Neighbourhood Character	The neighbourhood is characterised by mixed residential accommodation (i.e. single dwellings, dual occupancies, flats, etc.), landscaping, outbuildings, etc. The proposed attached dual occupancy is consistent with this character.
3.5	Streetscape	<p>The site fronts both Brae and Davey Streets. The primary frontage is considered to be Brae Street and the development will not alter the Brae Street streetscape.</p> <p>The proposed dual occupancy ensures that the Brae Street frontage is maintained and has been designed with consideration for the building type and style in the Brae and Davey streetscapes.</p>
3.6	Density	The subdivision of the site into two lots is compatible with the area and past land development. The single dwelling on a large residential allotment is consistent with the streetscape and density in this block of Brae Street.

		The development complies with minimum lot size controls and applicant has provided density calculations demonstrating that the dual occupancy is below the maximum 60% site coverage controls of this section. It is also consistent with the density of surrounding dual occupancy development.
3.7	Building Height	The dual occupancy is single storey with a standard pitched roof. The height of the development is compatible with the adjoining dwellings and streetscape.
3.8	Setbacks	<p>This section requires a minimum of 4.5m front boundary setbacks with 5.5m to a garage. The proposed dual occupancy is setback 4.5m (front) and 6.6m (garage) complying with this control.</p> <p>The side and rear setback meet BCA requirements and provide for practical space up the side and at the rear of the dwellings.</p>
3.9	Private Open Space	<p>The existing dwelling will be setback 5.3m from the proposed common boundary providing ample private open space to the rear, with additional area on the southern façade of the dwelling.</p> <p>An unimpeded space of 4m x 5m has been provided directly off the living area of the units, with additional open space either side of this area. These spaces have been located to maintain privacy between the units, existing dwelling and adjoining land.</p>
3.10	Privacy and Amenity	There is considered to be sufficient area and distance between the proposed development and adjoining land, to minimise any adverse privacy or amenity impacts.
3.11	Solar Access	The dual occupancy has been designed to maximise separation and the height is not excessive to overshadow adjoining land. A shadow diagram has been submitted with the application which demonstrates compliance with this control.
3.12	Access and Parking	<p>The access and parking arrangement for the existing dwelling from Brae Street will not change and is satisfactory.</p> <p>The construction of the dual occupancy will require an access crossing off Davey Street. The development provides a single garage per unit and the ability for a visitor to park wholly within the site in front of the garage.</p>
3.13	Utilities	All utilities are available as discussed above under Clause 6.6 of the <i>Inverell Local Environmental Plan</i>

		2012.
3.14	Stormwater Drainage	<p>Stormwater from the development will be managed as follows:</p> <ul style="list-style-type: none"> • The existing dwelling will need to redirect its roof water to Brae Street; • Overland flow will drain to the inter-allotment drainage proposed between lots 1 and 2. This will drain to Davey Street and require an easement over Lot 2; and • The dual occupancy will discharge stormwater to the gutter in Davey Street. <p>Subject to detailed engineering design, the proposed inter-allotment stormwater drainage is satisfactory.</p>
3.15	Landscaping	The existing landscaping in the front yard of 43 Brae Street will be maintained. Some trees in the rear yard will be removed for the dual occupancy development. A dividing fence will be installed on the proposed common boundary and the dual occupancy will be provided with lawn and low native shrubs as shown on plan.
3.16	Site Facilities	The plans nominate suitable clothes line, bin and mailbox locations for the units.
3.17	Earthworks	The earthworks required for the construction of the dual occupancy development and associated services will not be unreasonable and have been minimised by the stepped design of the dual occupancy following the slope of the site. All sediment and erosions control measures will be implemented.
3.18	Security	Additional dwellings in the area will provide further passive surveillance of pedestrians and residents along Davey Street.
3.19	Ancillary Development	It is proposed to provide a 2500L rainwater tank per unit at the rear adjacent to the common boundary, which is acceptable. No further ancillary development is proposed.

Inverell Development Control Plan 2013 – Chapter 5 Parking & Traffic

SECTION	TITLE	COMMENT AND ASSESSMENT
5.3	Parking space requirements	The existing dwelling and dual occupancy requires one roofed space per dwelling unit.
5.4	Provision of Car Parking	<p><u>Proposed dual occupancy</u></p> <p>The proposed dual occupancy contains a single garage per unit which complies with section 5.3.</p>

		<p><u>Existing dwelling</u></p> <p>The single attached carport provides roofed parking for the existing dwelling and will be retained in compliance with sections 5.3 and 5.4.</p> <p>Both the existing dwelling and dual occupancy have the ability for additional parking on the driveway, wholly within the sites.</p>
5.5	Design	The design of the access and on-site car parking is consistent with the area and this section.
5.6	Stormwater	The hardstand areas will drain to Davey Street.
5.7	Landscaping	The applicant is proposing low native shrubs to soften the hardstand areas.
5.8	Access and Frontage to Laneways	This clause does not apply as Davey Street is not a "Laneway". This is discussed further in the 'Submissions' section of the report.

Inverell Development Control Plan 2013 – Chapter 7 Heritage

SECTION	TITLE	COMMENT AND ASSESSMENT
7.4	New Development and Buildings	<p>The development is consistent with this section as it respects the character of the surrounding conservation area, housing types and styles. Subdividing the rear of the lot maintains the Brae Street frontage and streetscape.</p> <p>The siting, scale, proportions, setbacks, facades, materials, finishes and colours have taken into account the wider area and designed to be in keeping and sympathetic to the locality.</p>

Section 7.11 Plan

In accordance with Section 7.11, previously Section 94, of the *Environmental Planning and Assessment Act 1979*, Council's Section 94 Plan applies to the site. The development will be required to pay two (2) contributions for Community Services and this can be included as a condition of consent.

The likely impacts of that development

Matters	Consideration
Context & Setting	<p>The proposed subdivision and residential development is consistent with the dominant land use and past land development practices in the area. The locality contains a mix of residential styles and materials as well as lot shapes and sizes.</p> <p>The dual occupancy is single storey, has a standard pitched roof and has</p>

	<p>been designed to “step” down the site further reducing the bulk of the development. The style and scale of the development is consistent with the locality and provides additional housing options in this area.</p>
Access, Transport & Traffic	<p>An average single dwelling will result in approximately nine traffic movements per day on the road network. Although this could be expected to double for the dual occupancy, this is not significant in the context of the area. Additionally, the proximity of the site to the CBD, schools and parks provides occupants the opportunity to walk or cycle potentially reducing traffic movements.</p> <p>The provision of access directly from Davey Street is preferable to a battle-axe handle from Brae Street as it promotes better design, passive surveillance and maintains the Brae Street streetscape. The setback of the garage from the boundary provides for stacked parking for occupants and or visitors within the site.</p> <p>The development is not considered to have an adverse impact on traffic or transport.</p>
Utilities	<p>All utilities are available to the site and utility infrastructure is not considered to be adversely impacted.</p>
Heritage	<p>The site is located in the Ross Hill Heritage Conservation Area. The development has been designed to be in keeping with and sensitive to the context of the area. Due to past disturbance, it is highly unlikely to contain any Aboriginal or European artefacts.</p>
Other Land Resources	<p>The site is not suitable for production of resources.</p>
Water	<p>The Macintyre River is located approximately 200 metres to the south-east and is not considered to be adversely affected by the development.</p> <p>It is considered that the development can adequately manage and divert stormwater.</p>
Soils	<p>The development has been designed to follow the gentle down slope of the site and suitable sediment and erosion control measures will be implemented during and post construction.</p>
Air & Microclimate	<p>The dwelling is not considered to influence microclimate and will not result in significant odour or dust affecting air quality.</p>
Flora & Fauna	<p>The site contains no significant flora or fauna.</p>
Waste	<p>The development will utilise Council's garbage and recycling collection services. All demolition and construction waste will need to be disposed at the Inverell landfill and this can be enforced as a condition of consent.</p>
Energy	<p>The dual occupancy is not considered to impact energy infrastructure and has achieved energy efficiency and thermal comfort targets under the BASIX scheme.</p>

Noise & Vibration	Noise and vibration will occur during the demolition and construction activities. Suitable conditions can be placed on any subsequent consent to restrict hours of construction.
Natural Hazards	The site is not subject to flooding, bush fire or other natural hazard.
Safety, Security & Crime Prevention	The development does not adversely impact safety or security in the area. Additional dwellings will provide further passive surveillance for pedestrians and residents of Davey Street.
Social Impacts in the Locality	The development is not considered to have an adverse social impact.
Economic Impact in the Locality	The dual occupancy contributes to the residential diversity and growth of Inverell and is not considered to have an adverse economic impact.
Site Design & Internal Design	<p>The design of the subdivision and dual occupancy responds to the characteristics of the site, in particular:</p> <ul style="list-style-type: none"> • The subdivision accounts for the existing dwelling, onsite sewer main, Brae Street streetscape, availability of Davey Street for access and amenity for the dual occupancy; • The demolition of the detached garage does not affect the availability of roofed parking for the existing dwelling and is not inconsistent with the area; • The dual occupancy follows the gentle slope onsite and ensures the development complies with setbacks controls; and • The garage setback provides stacked parking options wholly within the site.
Construction	Construction impacts can be mitigated with appropriate conditions of consent.
Cumulative Impacts	It is considered that the above mentioned impacts from the development can be adequately mitigated and are not considered to be cumulative or detrimental in the locality.
Climate Change	The development is not considered to significantly influence climate change factors.

Suitability of the Site

In assessing the suitability of the site, two matters are considered:

Does the proposal fit in the locality?

The locality is characterised by mixed residential development of diverse dwelling styles, height and material on varying lot sizes and shapes. The proposed subdivision and dual occupancy dwelling is compatible with the surrounding dwellings and is considered to 'fit' in the residential locality.

Are the site attributes conducive to development?

The constraints of the site (access, sewer main, existing development) have been accounted for in the design of the development. All essential services (water, sewer, electricity and telephone) are available to the site. There is sufficient fall for roof and ground water to be conveyed to Davey Street and acceptable.

The location of the development site is also conducive to in-fill development. It is located within walking distance of schools, parks and the CBD. Additionally, the site is not constrained by natural hazards such as flooding.

Legal and practical access is available from Brae Street and Davey Street. An assessment of Davey Street also confirms that it is suitable for use by this development. Sufficient on-site parking has been proposed for the development.

Overall, it is considered that the site attributes are conducive to the proposed development.

Submissions

The application was notified to adjacent and adjoining properties from 29 November 2018 to 13 December 2018. As a result of notification two (2) submissions by way of objection were received.

The objections primarily relate to the use of Davey Street to access the attached dual occupancy and perceived non-compliances with the sections of the *Inverell Development Control Plan 2013* (IDCP) relating to lot frontage, access and parking. The submission makers consider that Davey Street is a "Laneway", not a "Street".

The submissions have been circulated separately to Committee Members with the Business Paper and the matters raised by submission makers are discussed below.

5.8 Access and Frontage to Laneways

The first matter to address from the submissions is the view that Davey Street is a laneway. This view appears to originate from:

- Davey Street being shown as a "laneway" on a house plan from 1968; and
- A 'Laneway' is defined in the Glossary of Terms included with the *Inverell Development Control Plan 2013*. The submission makers appear to have focused on the first sentence of the definition relating to width, rather than the definition as a whole.

In regards to the reference to "laneway" on a 1968 house plan, as per the comments received from Council's Manager Environmental Engineering (refer 'Referrals' section of the report), the northern leg of Davey Street was designated as a lane in earlier times; however, it was widened out to 12.2m to become a street in the late 1960's / early 1970's to cater for development in the area between Brae Street and the Macintyre River.

As per the Glossary of Terms, a Laneway is:

"For the purpose of this plan a laneway is a narrow public access (usually 6 – 10m wide), commonly located at the rear of lots between two streets and not suitable as a principle access for new development. Laneways are usually of a lesser standard than streets and are quite often un-sealed and/or do not have kerb and gutter. In some cases laneways provide secondary access to properties particularly, where vehicle storage areas are located at the rear of a property."

In consideration of the 'Laneway' definition:

- The width in the definition relates to 'Reserve Width' not the 'Formation Width'. Therefore, as Davey Street has a Reserve Width of 12.2 metres, it exceeds the typical laneway dimensions;
- Davey Street is constructed to a street standard, being bitumen sealed and having kerb and gutter on both sides;
- Davey Street is located between Brae Street and the unformed King Street. However, the unformed King Street cannot be used for access; therefore, Davey Street is used as principle access and/or frontage for 12 properties; and
- The sealed pavement, kerb and gutter and drainage are in good condition, and require no augmentation to accommodate the proposed development. Davey Street is suitable for new development.

Overall, it is considered that the width, standard of construction and existing property accesses, are such that Davey Street does not meet the definition of a laneway under the *Inverell Development Control Plan 2013*.

Chapter 2 Subdivision, 2.6 Frontage and Access

In addition to the objections due to Davey Street being a laneway, the submission makers also object on the basis that the development does not meet the objectives of Section 2.6 of the IDCP as the development does not make provision for safe pedestrian or vehicular access nor will it optimise efficiency or safety of road network due to additional daily vehicle movements.

Council's Manager Environmental Engineering has reviewed the traffic volumes (pre and post development) and the Davey Street geometry. Based on this review:

- Currently 13 properties take access off Davey Street. Based on 9 traffic movements per day for each dwelling with access off Davey Street, the current traffic counts would be 117 per day. The proposed dual occupancy would create another 18 traffic movements, taking the total to 135 traffic movements per day, which is a light traffic volume. Davey Street therefore has sufficient capacity to cater for the additional movements;
- The geometry of Davey Street with "T" intersections at both ends, combined with a dog leg towards the southern end calms traffic and does not encourage through traffic;
- May Street is a local street terminating at the Lookout and does not attract through traffic and Davey Street is two way traffic which provides the option for traffic to access from May Street or Brae Street, further diluting traffic movements throughout the street;
- The geometry of the narrower section of Davey Street with gentle mountable kerbs fronting the proposed development allows room for vehicles to pass and vehicles to parallel park off the roadway while still allowing safe pedestrian movements;
- The proposed access for the dual occupancy has sufficient sight distance to minimise safety impacts for pedestrians and vehicles; and
- The proximity of the site to the CBD, schools and parks provides occupants the opportunity to walk or cycle potentially reducing traffic movements.

Overall, it is considered that the development has made satisfactory provision for safe pedestrian and vehicle movements without compromising the efficiency or safety of the road network.

Chapter 2 Subdivision, 2.7 Roads

The submission makers consider that the development doesn't meet the objectives of Section 2.7 of the IDCP *to ensure roads are appropriately designed for all users of the road including motorists, pedestrians, emergency services, service vehicles and cyclists*. It is also contended that the development does not comply with the requirement that *Subdivisions with laneway frontage must comply with 5.8 of the IDCP*.

Davey Street is not a laneway as already addressed above. The standard of construction, geometry and traffic movements are considered satisfactory.

It is noted that Davey Street is already accessed by service vehicles, i.e. garbage truck, emergency services. This will not change with the proposed development.

Chapter 5 Parking & Traffic, 5.5 Design

The submission makers object to development as they consider that it doesn't meet the outcome of Section 5.5 of IDCP *to ensure parking areas are designed for vehicles to enter and exit in a forward direction*.

Further reading of this section of the IDCP highlights that for residential development the trigger is *"development requiring 4 or more car parking spaces must provide adequate turning to allow all vehicles to enter and exit the site in a forward direction"*.

As confirmed by Council's Manager Environmental Engineering, there is no requirement for vehicles to enter and exit the duplex in a forward manner. Vehicles may reverse out the driveway. Furthermore, the driveways are proposed to be perpendicular to the carriageway, with good sight distance in all directions.

The proposal provides safe and user friendly parking while being designed for the vehicles occupying the site. The design of the access and on-site car parking is consistent with the area and this section of the IDCP.

Chapter 3 Residential Development, 3.12 Access and Parking

The submission makers object on the basis that the development does not meet the objectives of Section 3.12 of the IDCP to ensure that sufficient access and on-site parking is provided for residents and their visitors.

Whilst the development complies with the numerical requirement of the IDCP to provide one (1) covered space per dwelling, the submission makers contend that a 3 bedroom unit generally has 2 or more cars. Therefore, whilst the numerical standard is met, there is still in reality insufficient car parking.

In this regard, in addition to the garage (1 space) for each unit, the garages are setback 5.5 metres from the front boundary to facilitate an additional stacked park wholly within the boundary for each unit. Therefore, each unit does have capacity for 2 car parking spaces. This is considered to be sufficient parking for this development.

Conclusion

Davey Street is not a "laneway". It is currently the primary access and/or frontage for 13 residential properties. The proposed development, resulting in two additional dwellings is not considered to impact the safety or efficiency of the street. The standard of construction of geometry of Davey Street is such that it has sufficient capacity to cater for this development.

In regards to parking and design, the proposed dual occupancy complies with the requirements of the *Inverell Development Control Plan 2013*.

The proposed development is not considered to establish any significant precedents in the use of Davey Street, with any future developments subject to a merit based assessment. Whilst it is acknowledged there are other Brae Street properties with potential to develop fronting Davey Street, these properties do not benefit from wide frontage and total area of 43 Brae Street. Any significant demand for development is considered to be unlikely.

Public Interest

The application is not considered to be prejudicial to the public interest.

CONCLUSION

DA-156/2018 was lodged for the demolition of an outbuilding, subdivision of the land into 3 lots and construction of an attached dual occupancy dwelling at 43 Brae Street, Inverell. The dual occupancy proposed to take access off Davey Street at the rear of the site.

The proposed development complies with the *Inverell Local Environmental Plan 2012*, *Inverell Development Control Plan 2013* (IDCP) and applicable state planning policies.

As a result of notification of DA-156/2018, two (2) submissions by way of objection have been received. The objections primarily relate to the use of Davey Street to access the attached dual occupancy and perceived non-compliance with the sections of the *Inverell Development Control Plan 2013* (IDCP) relating to lot frontage, access and parking. The submission makers consider that Davey Street is a "Laneway", not a "Street".

Davey Street was widened in the late 1960's / early 1970's to cater for development in the area between Brae Street and the Macintyre River. Davey Street has a road reserve width of 12.2m with mountable kerb and gutter width of 5m, which is a significantly higher standard than a "laneway".

Furthermore, Davey Street currently provides access to 13 properties and has sufficient capacity to cater for the additional 2 dwellings under this development. The geometry of the narrower section of Davey Street with gentle mountable kerbs fronting the proposed development allows room for vehicles to pass and vehicles to parallel park off the roadway while still allowing safe pedestrian movements.

Overall, it is considered that Davey Street is not a "Laneway". Davey Street is considered to provide suitable access to this development and the proposed development will not result in significant or unreasonable traffic, parking or access impacts in the locality.

Following an assessment in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is recommended that DA-156/2018 be approved subject to conditions.

RECOMMENDATION:

The Committee recommend to Council that Development Application 156/2018 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:

- Demolition of an outbuilding;
- One (1) into Two (2) Lot Subdivision;
- Construction of Dual Occupancy (Attached) on rear lot fronting Davey Street; and
- Subdivision of the Dual Occupancy.

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 units shall be numbered as follows:
 - 12A Davey Street, the left facing unit; and
 - 12B Davey Street, the right facing unit.
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).

CONDITIONS RELATING TO DEMOLITION OF THE OUTBUILDING

4. All demolition work is to be carried out in accordance with *Australian Standard 2601 The demolition of structures*.
5. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
 - The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work;
 - Precautions are to be taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes; and
 - The site shall be sealed off at all times against the unauthorised entry of persons or vehicles.
6. All utilities are to be disconnected from the outbuilding and capped to the satisfaction of the relevant authority.

**CONDITIONS RELATING TO THE ONE (1) INTO TWO (2) LOT SUBDIVISION OF
LOT A DP 360260**

7. 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.
8. Prior to the issue of a Subdivision Certificate, electricity and telecommunications services are to be provided to all lots. The proponent is required to submit to Council, certificates from:
 - An approved electricity service provider indicating that satisfactory arrangements have been made for the provision of electricity to each lot in the subdivision.
 - An approved telecommunications service provider indicating that satisfactory arrangements have been made for the provision of telecommunications to each lot in the subdivision.
9. Prior to issue of a Subdivision Certificate, the roof water from the dwelling must be redirected to Brae Street.
10. Prior to issue of a Subdivision Certificate, inter-allotment drainage is to be provided along the common boundary of Proposed Lots 1 and 2.

Prior to construction of this inter-allotment drainage, plans of the inter-allotment drainage, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show piped and surface drainage paths, including kerbs as necessary beneath fences, to direct drainage to Davey Street. Where possible the roof water from the dwelling must be directed to the Brae Street kerb and gutter.
11. Two individual sewer junctions and 150mm diameter lines are to be constructed off the sewer main through Lot 1 to serve Lot 2.

Prior to construction of these sewer services, plans of the sewer junctions and lines, prepared by a suitably qualified engineer, are to be submitted to and approved by Council.

Prior to issue of a Subdivision Certificate:

 - The sewer services are to be constructed to Council's satisfaction, at the applicant's expense; and
 - Works-as-executed plans for the sewer services are to be submitted to and approved by Council.
12. A 3m easement over Council's sewer main is to be shown on the plan of subdivision and dedicated in favour of Council.
13. Prior to the issue of a Subdivision Certificate, a Sewer Contribution under Council's Development Servicing Plan No. 1 for 1 equivalent tenement, is to be paid to Council for Lot 2.

14. The existing water service in Davey Street is to be disconnected from the dwelling and serve Lot 2.

Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for water supply and new water connection for the existing dwelling on Lot 1. This will require payment to Council of:

- A Contribution per lot under Council's Development Servicing Plan No. 1 for 1 equivalent tenement; and
- A water connection fee in accordance with Council's fees and charges.

15. Prior to the issue of a Subdivision Certificate, a Community Services Contribution must be paid to Council pursuant to Section 94 of the *Environmental Planning and Assessment Act 1979*.

**CONDITIONS RELATING TO THE CONSTRUCTION OF THE DUAL
OCCUPANCY (ATTACHED)**

Prior to Commencement of Works

16. 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 shall include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.
17. Prior to issue of a Construction Certificate, approval under Section 68 of the *Local Government Act 1993* is to be obtained for sewerage work, water supply work and stormwater drainage work.
18. Prior to the issue of a Construction Certificate, a Community Services Contribution must be paid to Council pursuant to Section 94 of the *Environmental Planning and Assessment Act 1979*.
19. Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for unit B for sewer supply and sewer connections. This will require payment to Council of:
- A Contribution per lot under Council's Development Servicing Plan No. 1 for 1 equivalent tenement; and
 - A sewer junction fee in accordance with Council's fees and charges.
20. Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for unit B for water supply and water connections. This will require payment to Council of:
- A Contribution per lot under Council's Development Servicing Plan No. 1 for 0.6 equivalent tenement; and
 - A water connection fee by quotation from Davey Street in accordance with Council's fees and charges.
21. Prior to the issue of a Construction Certificate, the plan of subdivision for the one (1) into two (2) lot subdivision of 43 Brae Street, Inverell, is to be registered with the NSW Land Registry Services.

During Construction

22. 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

23. 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.
24. 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; and
 - 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.

25. 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*.
26. Prior to issue of Occupation Certificate, a concrete access crossing and driveway is to be constructed from Davey Street to the garage of each unit.

Prior to the commencement of this work the applicant is required to:

- Apply to Council for approval under Section 138 of the *Roads Act 1993* to install a paved vehicular access across the footpath (a copy of the application form is enclosed); and
- Contact Council for footpath levels so that the driveway can be constructed to provide vehicle access onto the site.

The installation of the vehicular access crossing must be carried out under the supervision of Council and the applicant must give Council two (2) working days' notice to inspect the formwork prior to pouring any concrete.


CONDITIONS RELATING TO THE DUAL OCCUPANCY SUBDIVISION

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, each unit is to be constructed and issued an Occupation Certificate.
29. Any other condition deemed appropriate by the Director Civil and Environmental Services.

APPENDIX 12

Sheet Index		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">2.</td> <td style="width: 15%;"></td> <td style="width: 60%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>1.</td> <td>A</td> <td>Original Application Drawing</td> <td>AB</td> </tr> <tr> <td>No.</td> <td>Rev</td> <td>Description</td> <td>Chg</td> </tr> </table>		2.				1.	A	Original Application Drawing	AB	No.	Rev	Description	Chg
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1.	A	Original Application Drawing	AB												
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D1	Floor Plan														
D2	Elevations														
D3	Elevations														
D4	Site Analysis														
D5	Site Plan														
D6	Site Work & Landscape														
D7	BASIX Commitments														
D8	Over Shadowing														

*Proposed Dual Occupancy Units
for
Ryan & Fiona Daley*



Precise Designs

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43 Brae Street, Inverell.

bda

**BUILDING
DESIGNERS
AUSTRALIA NSW**

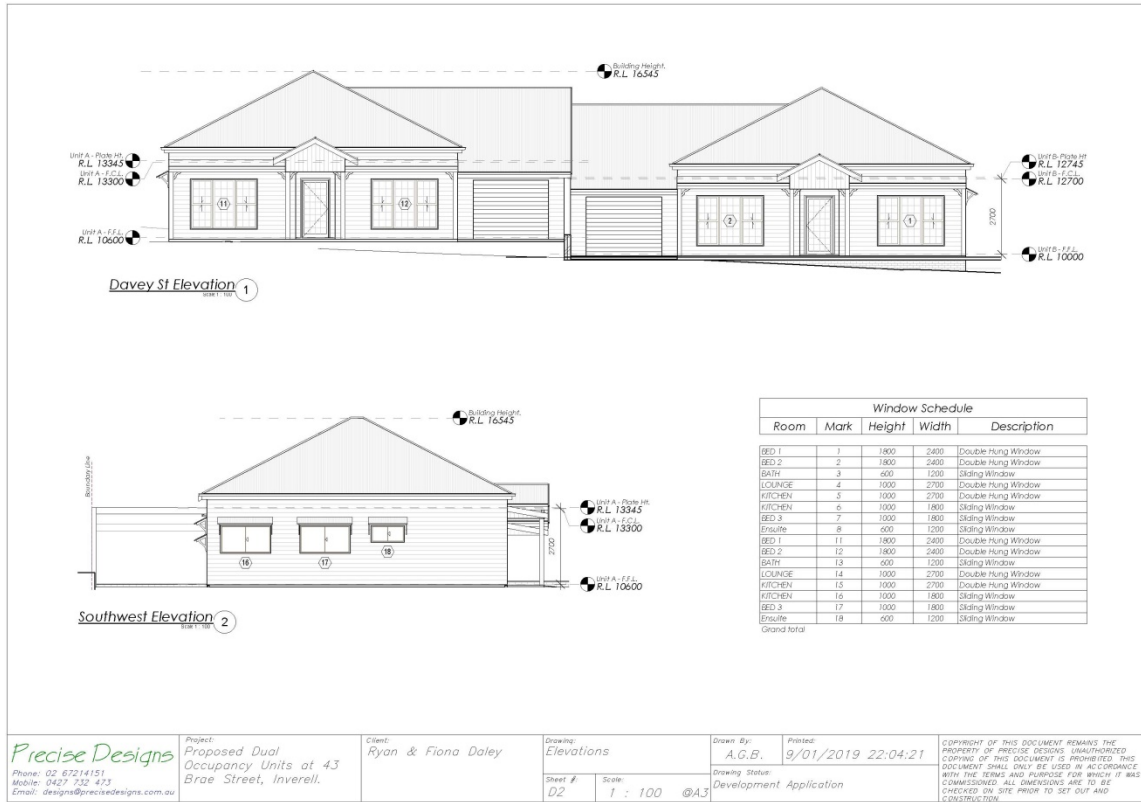
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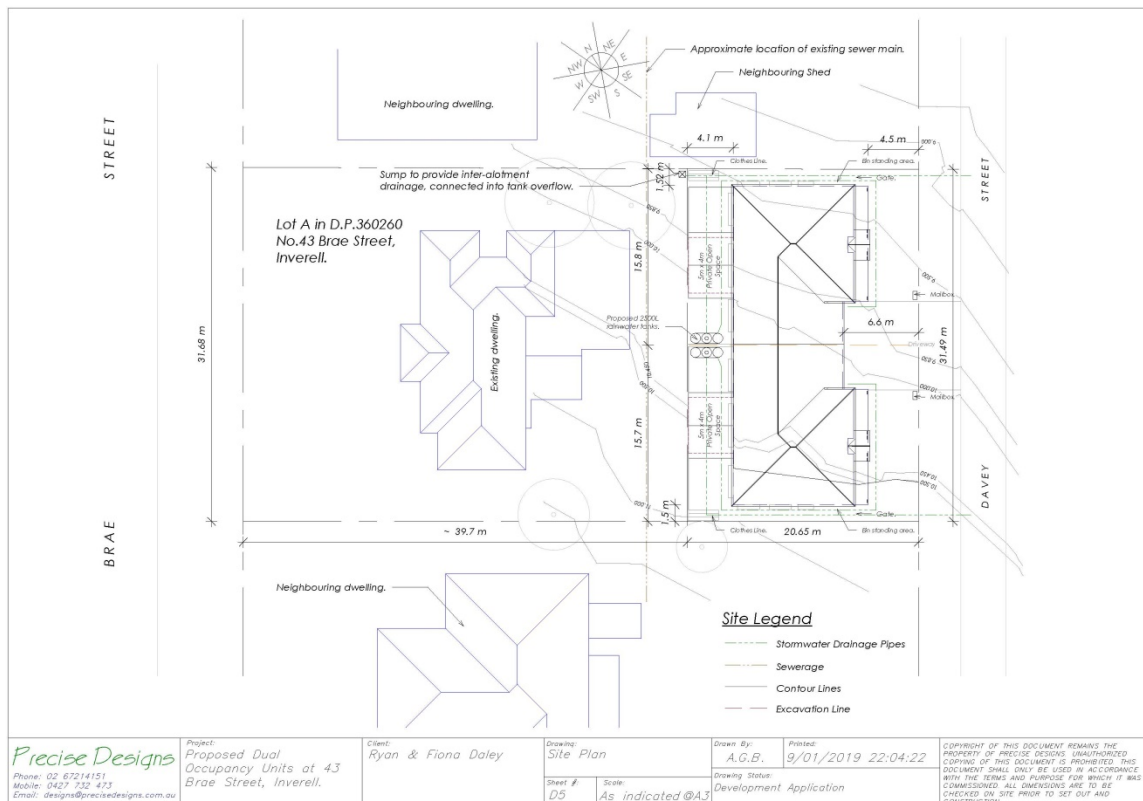
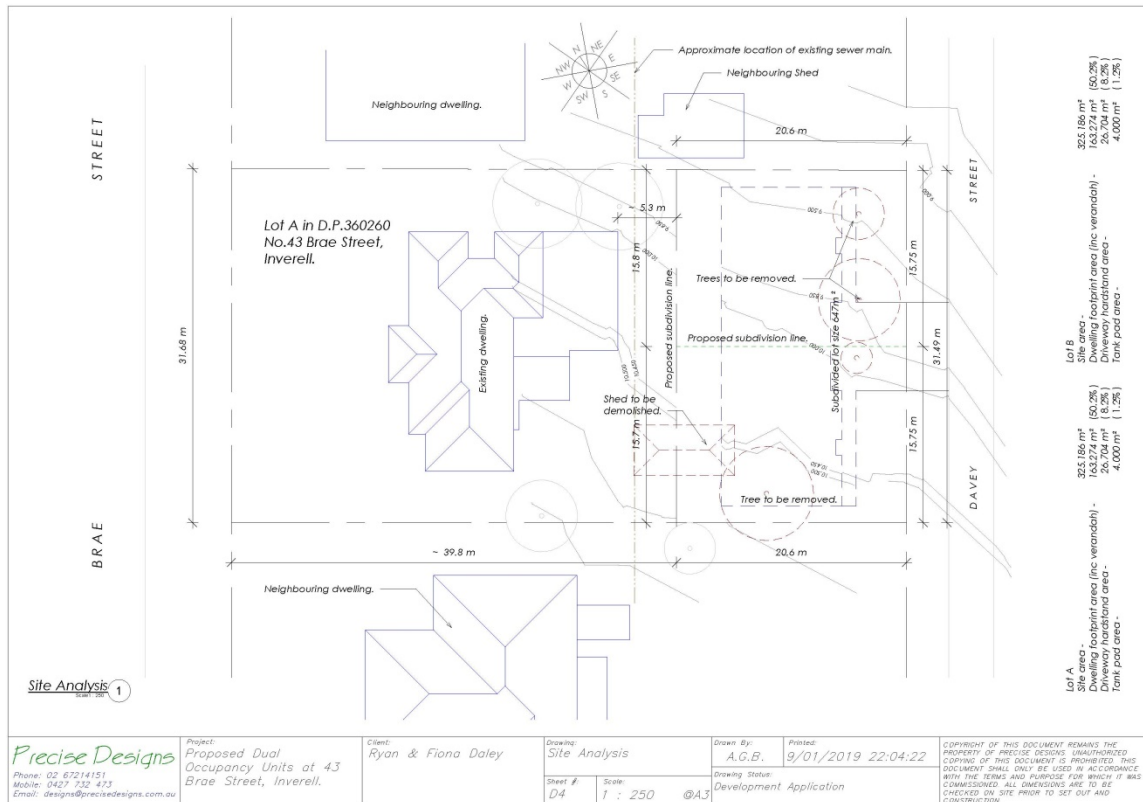
Client Approval Sign off:

We acknowledge that these working drawings will be the blueprint for construction & all work detailed in these working drawings has been accounted for in the contract price. Please initial each page in the plan set.

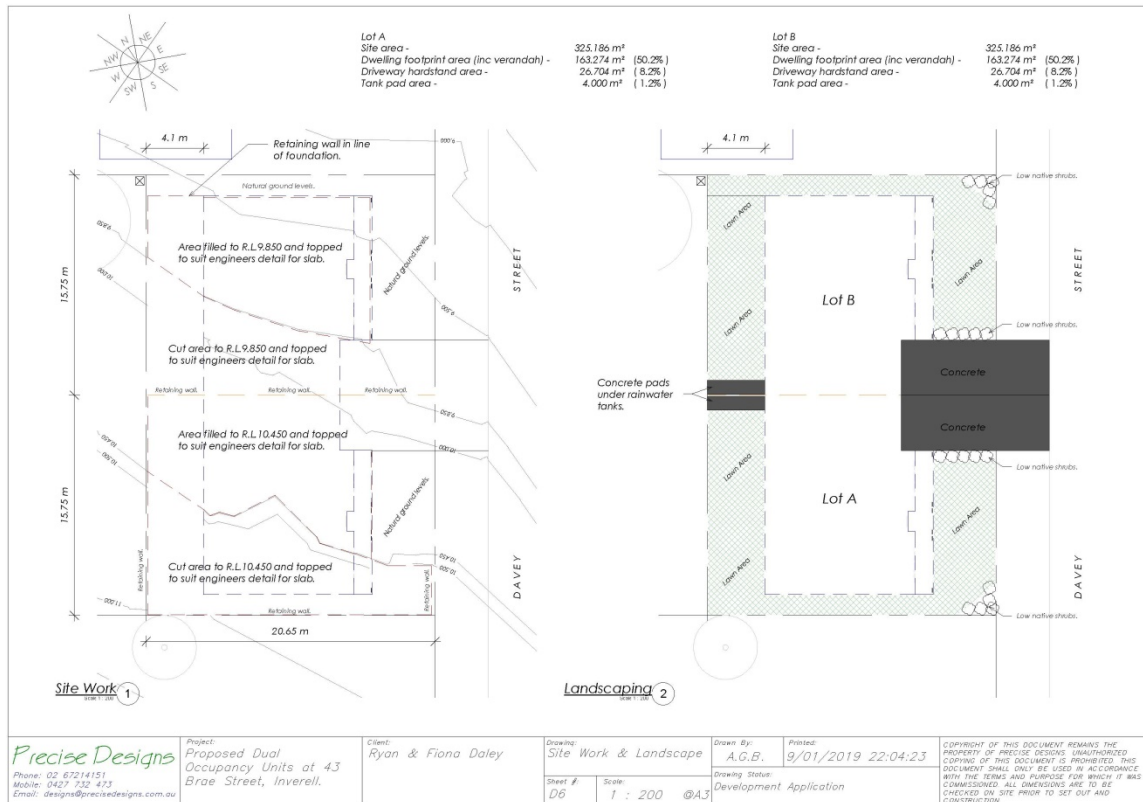
Client's Name _____ Client's Signature _____

Builders Name _____ Builders Signature _____





TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 13/02/2019



Door Schedule BASIX				
Room	Height	Width	Frame & Glazing Requirement.	Shading.
ENTRY	2040	920	Aluminium Frame with Single Clear Glass.	1800 eave 240 above door.
DINING	2100	3600	Aluminium Frame with Single Clear Glass.	450 eave 150 above door.
ENTRY	2040	920	Aluminium Frame with Single Clear Glass.	1800 eave 240 above door.
DINING	2100	3600	Aluminium Frame with Single Clear Glass.	450 eave 150 above door.

Window Schedule BASIX				
Room	Mark	Height	Width	Frame & Glazing Requirement.
BED 1	1	1800	2400	Aluminium Frame / Single Clear Glass.
BED 2	2	1800	2400	Aluminium Frame / Single Clear Glass.
BATH	3	600	1200	Aluminium Frame / Single Clear Glass.
LOUNGE	4	1000	2700	Aluminium Frame / Single Clear Glass.
KITCHEN	5	1000	2700	Aluminium Frame / Single Clear Glass.
BED 3	6	1000	1800	Aluminium Frame / Single Clear Glass.
BED 3	7	1000	1800	Aluminium Frame / Single Clear Glass.
Ensuite	8	600	1200	Aluminium Frame / Single Clear Glass.
BED 1	11	1800	2400	Aluminium Frame / Single Clear Glass.
BED 2	12	1800	2400	Aluminium Frame / Single Clear Glass.
BATH	13	600	1200	Aluminium Frame / Single Clear Glass.
LOUNGE	14	1000	2700	Aluminium Frame / Single Clear Glass.
KITCHEN	15	1000	2700	Aluminium Frame / Single Clear Glass.
KITCHEN	16	1000	1800	Aluminium Frame / Single Clear Glass.
BED 3	17	1000	1800	Aluminium Frame / Single Clear Glass.
Ensuite	18	600	1200	Aluminium Frame / Single Clear Glass.

BASIX - Water Commitments.**Fixtures.**

- * The applicant must install showerheads with a minimum rating of 3 star (> 6 but <= 7.5 L/min) in all showers in the development.
- * The applicant must install a toilet flushing system with a minimum rating of 3 star in each toilet in the development.
- * The applicant must install taps with a minimum rating of 5 star in the kitchen in the development.
- * The applicant must install basin taps with a minimum rating of 5 star in each bathroom in the development.

Alternative Water.

- * The applicant must install a rainwater tank of at least 10000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.
- * The applicant must configure the rainwater tank to collect rain runoff from at least 342.9 square metres of the roof area of the development (excluding the area of the roof which drains to any storm water tank or private dam).
- * The applicant must connect the rainwater tank to:
 - at least one outdoor tap in the development (Note: NSWHealth does not recommend that rainwater be used for human consumption in areas with potable water supply.)

BASIX - Energy Commitments**Hot Water.**

- * The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5 stars.

Cooling System.

- * The living areas must not incorporate any cooling system, or any ducting which is designed to accommodate a cooling system.
- * The bedrooms must not incorporate any cooling system, or any ducting which is designed to accommodate a cooling system.

Heating System.

- * The living areas must not incorporate any heating system, or any ducting which is designed to accommodate a heating system.
- * The bedrooms must not incorporate any heating system, or any ducting which is designed to accommodate a heating system.

Ventilation.

- * The applicant must install the following exhaust systems in the development:
 - At least 1 bathroom: individual fan, not ducted: Operation control: manual switch on/off.
 - Kitchen: individual fan, not ducted: Operation control: manual switch on/off
 - Laundry: natural ventilation only, or no laundry: Operation control: n/a

Artificial Lighting.

- * The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:
 - at least 4 of the bedrooms / study;
 - at least 2 of the living / dining rooms;
 - the kitchen;
 - the laundry; dedicated
 - all hallways;

Natural Lighting.

- * The applicant must install a window and/or skylight in the kitchen of the dwelling for natural lighting.
- * The applicant must install a window and/or skylight in 3 bathroom(s)/toilet(s) in the development for natural lighting.

Other.

- * The applicant must install a fixed outdoor clothes drying line as part of the development.

BASIX - Thermal Comfort Commitments.**Insulation.**

* The applicant must conduct the floor, walls, and ceiling/roof of the dwelling in accordance with the specifications listed in the table below. Insulation specified in this Certificate must be installed in accordance with Part 3.12.1.1 of the Building Code of Australia.

Construction	Additional Insulation Req'd (R Value)	Other Spec's
Floor- Concrete slab on ground.	n/a	
External wall- Brick veneer.	2.20 (or 2.60 including construction)	
Internal wall- Shared with garage.	0.84 (or 1.20 including construction)	
Ceiling & roof- Flat ceiling/ pitched roof.	ceiling: 3.5 (up), roof: foil/sarking	unventilated: medium (solar absorbance 0.475-0.70)

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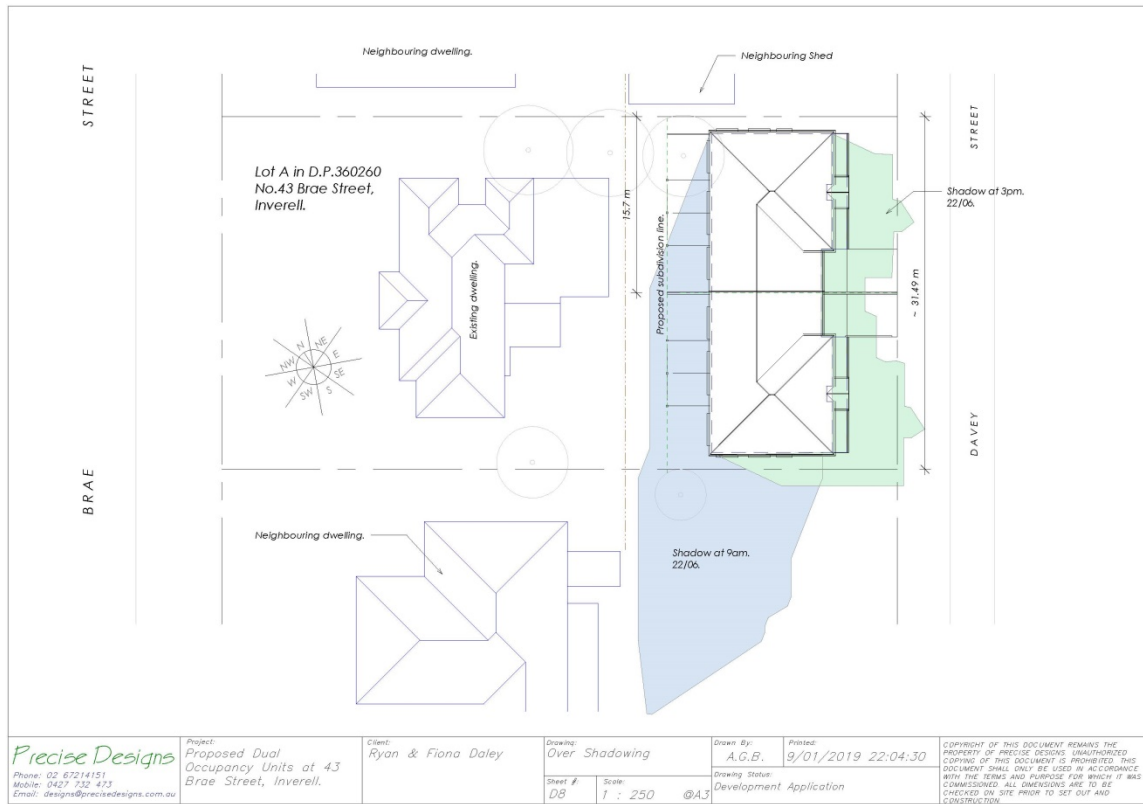
Project: Proposed Dual Occupancy Units at 43 Brae Street, Inverell.
Client: Ryan & Fiona Daley

Drawing: BASIX Commitments

Sheet #: D7
Scale: As indicated @A3

Drawn By: A.G.B.**Printed:** 9/01/2019 22:04:23**Drawing Status:** Development Application

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TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 13/02/2019

ITEM NO:	1.	FILE NO: S32.13.4
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	GRAMAN RAW WATER SUPPLY DROUGHT IMPACT	
PREPARED BY:	Michael Bryant, Manager Environmental Engineering	

SUMMARY:

The purpose of this report is to update the Committee on the impact of the current drought on the Graman raw water supply.

COMMENTARY:

The Graman raw water supply comprises a shallow bore approximately 14m deep, equipped with a submersible pump which delivers water to a 14,000 litre tank located on a stand within the village. The bore has limited capacity supplying restricted flow to seven (7) properties.

When Council took over the operation of the community water supply in 2002 it was on the basis that the supply was a limited raw water supply for internal non potable domestic use only, predominantly for toilet flushing. The water supply does not have capacity for lawn and garden watering. Approximately eight (8) years ago Council installed a bore adjacent to Graman Creek to improve security of supply and to avoid the constant maintenance problems associated with a surface water supply pumped from the creek.

Around mid January 2019 the water table at the shallow bore had dropped to a level where the pump was shutting off on low water level, unable to meet demand. The recovery time for the bore was 22 minutes, with daily production around 3,500L, equating to around 500L / day for each connection.

A letter has been forwarded to all consumers advising of the situation, the need to conserve water, and that the situation is being closely monitored.

The Committee will be provided a further update on the current status at the Committee meeting.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.03 Council provides equitable services, consistent with available resources and priorities to meet the Shire's identified needs and preferences.

Term Achievement: S.03.01 Services and programs that Council provides are determined based on equity, customer requirements and community benefits, best value and excellence.

Operational Objective: S.03.01.01 Appropriate services and programs are selected based on considerations of equity, best value, relevance and benefit to the community.

POLICY IMPLICATIONS:

Council took over the Graman local community water supply following the closure of the Graman school. The raw water supply is a basic non potable supply with insufficient capacity to sustain garden and lawn watering.

Properties connected to the supply pay an availability charge only, which for 2018/19 is \$364.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ITEM NO:	2.	FILE NO: S18.6.52/05
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	SAPPHIRE SOLAR FARM - ROADS	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

The proponents of the Sapphire Solar Farm have provided Council with a draft Traffic Management Plan associated with construction of the project. This report is intended to update the committee on aspects of the project that will have an impact on Council's rural road network.

COMMENTARY:

The proposed Sapphire Solar Farm is located entirely within the Inverell Local Government Area, approximately 30 kilometres east of Inverell. It will be co-located with the Sapphire Wind Farm, being situated within the New England Renewable Energy Precinct.

The Sapphire Solar Farm involves the installation of solar photovoltaic panels and battery-based storage facilities with a generation capacity of approximately 180 megawatts, producing enough energy to power the equivalent of 66,000 average NSW households.

The site area of the Sapphire Solar Farm is approximately 2,369 hectares, with the actual infrastructure footprint within the site being approximately 445 hectares. Once constructed, sheep grazing can continue within the footprint to control vegetation beneath the solar panels.

The project was approved by the Minister for Planning on 16 August 2018. Several conditions of consent relate to traffic and road infrastructure management. As such, the proponents of the project have provided Council with a draft Traffic Management Plan for review and comment. The TMP is inline with the plan that was used during the construction of the Sapphire Wind Farm. Impact on Council's infrastructure will be significantly reduced compared to the Wind Farm project as no oversize over mass vehicles will be required for construction of the Solar Farm. The Manager of Civil Engineering has reviewed the draft plan and provided the proponent with comments to ensure that:

- All Construction and operational vehicles access the site via the designated construction route;
- Ongoing maintenance is undertaken by the proponent during construction;
- A Dilapidation study is completed to the satisfaction of Council;
- Protection of Council's assets during and after construction; and
- Safety of road users during construction.

The designated construction route proposed by the proponent, in consultation with Council, traverses the Gwydir highway, then onto Strathbogie Road and Tuttle Lane in the Glen Innes Severn Shire, then onto Waterloo Road and Western Feeder Road in the Inverell Shire. All traffic associated with the project is expected to use this route. This is the same construction route used by the Sapphire Wind Farm.

Prior to commencement, a road dilapidation report needs to be provided by the proponent and signed off by Council. Essentially this report will identify the condition of all road related assets prior to construction and will be the minimum standard that the roads will be returned to at the completion of the project. As well as the dilapidation report, a formal agreement will be entered into between Council and the proponent regarding maintenance of the road network during construction. The dilapidation report and maintenance agreement will ensure that Council's assets are not adversely impacted due to the construction of the wind farm.

The planning approval for the project requires the proponents to adhere to extensive conditions to protect the environment and the community from negative impacts. The dilapidation report and maintenance agreement are two tools that Council will use to ensure that the road network is not adversely affected during construction. Also, the construction contractors are required to adhere to a project specific Transport Code of Conduct, which outlines strict guidelines that must be adhered to regarding traffic regulation and road safety.

A further report will be provided to the Committee once the final TMP and dilapidation report are presented and the maintenance agreement is ready to be executed.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.08 Civil infrastructure is secured, maintained and used to optimum benefit.

Term Achievement: S.08.01 An asset management strategy is in operation for civil infrastructure that optimises its use and maintains it to agreed standards fit for its contemporary purpose.

Operational Objective: S.08.01.01 An Asset Management Strategy for Civil assets is developed, maintained and implemented.

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ITEM NO:	3.	FILE NO: S24.12.3
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	FIRE BRIGADE USE OF STREET HYDRANTS, DELUNGRA	
PREPARED BY:	Michael Bryant, Manager Environmental Engineering	

SUMMARY:

The purpose of this report is to provide the Committee with information on the local Fire Brigade access and use of fire hydrants within Delungra. The report also provides information on the maintenance of hydrants.

COMMENTARY:

At the December 2018 Council Meeting Cr Watts requested that a report be prepared on fire hydrants at Delungra, as the Fire Brigade is claiming hydrants are not able to be used due to their state of repair.

Fire brigades as part of their training and preparedness check the location and accessibility of fire hydrants around the area in which they operate. They also use a fire hydrant for training purposes. If they discover any matter that needs attention it is reported to Council.

During the later part of 2018 the Delungra Fire Brigade began exercising fire hydrants around Delungra with several not sealing correctly resulting in leaking hydrants requiring repair. The only way to replace the seal in a spring hydrant is to isolate and bleed the section of water main, resulting in disruption to the water supply for several hours associated with each repair. At a minimum this involves isolating the water supply for an entire block between cross streets.

Due to the nature of the design of a fire hydrant it is not uncommon for it to leak if frequently exercised, or operated incorrectly.

Council staff requested the Fire Brigade to cease exercising the hydrants to avoid damaging the seals. The Fire Brigade may still check they have access and are able to plug in the standpipe at all hydrant locations, however not turn the hydrant handle down so that it runs water. It should be noted that if the hydrant standpipe can be plugged in it will always work in the event of a fire and not place the community at risk.

During training exercises it is preferable that the Fire Brigade use the same hydrant to avoid the problem of seals being damaged on numerous hydrants around Delungra.

The Manager Environmental Engineering has contacted the NSW Rural Fire Service, Northern Tablelands Team Superintendent, Mr Chris Wallbridge to reconfirm Councils concerns regarding exercising hydrants. A letter has also been forwarded to the RFS which will be disseminated to brigades within the Inverell Shire Local Government Area.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.08 Civil infrastructure is secured, maintained and used to optimum benefit.

Term Achievement: S.08.01 An asset management strategy is in operation for civil infrastructure that optimises its use and maintains it to agreed standards fit for its contemporary purpose.

Operational Objective: S.08.01.01 An Asset Management Strategy for Civil assets is developed, maintained and implemented.

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ITEM NO:	4.	FILE NO: S18.3.1
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	KALDAS REVIEW OF DECISION-MAKING IN THE PLANNING SYSTEM	
PREPARED BY:	Anthony Alliston, Manager Development Services	

SUMMARY:

This report has been prepared following an independent review of the governance of decision-making within the NSW planning system by Nick Kaldas APM in late 2018.

The purpose of this report is to provide Committee members with information in relation to the review.

COMMENTARY:

Nick Kaldas, former NSW Deputy Police Commissioner and Director of Internal Oversight Services for the UN's Relief Works Agency, was engaged to undertake an independent governance review of decision-making in the NSW planning system.

The purpose of the review was to inquire into and make recommendations in relation to the decision making governance framework in the New South Wales Planning system.

In summary the Review was to:

1. Assess the structure and governance of the planning system in NSW;
2. Consult with stakeholders and identify governance issues that they feel require consideration or which risk the integrity of the system;
3. Consider interstate and overseas planning and other administrative systems to ensure that relevant best practice options are considered for inclusion in New South Wales;
4. Consider the interactions between the NSW planning system's governance and agencies, other government agencies, and other levels of government;
5. Consider technological solutions to governance challenges;

6. Identify actions, procedures, processes or steps that could or would:

- o Improve the integrity of the system; or
- o Improve the visibility of the integrity of the system.

Kaldas, in his review made 19 recommendations of which the NSW Government has now accepted all 19, including the creation of a new Ethics Unit, mandatory probity checks for all IHAP members including community representatives, and an infrastructure contribution audit.

A copy of the "Review of Governance in the NSW Planning System" can be found at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Reports/Assess-and-Regulate/About-compliance/review-of-governance-of-decision-making-in-the-nsw-planning-system-report-2018-12-18.pdf>.

A copy of the review has also been distributed to Committee Members under a separate cover.

Many of the findings and recommendations contained within the review will not impact Inverell Shire Council as there is a strong focus towards Independent Hearing and Assessment Panels (IHAP). These panels currently operate in Sydney Metropolitan areas and Wollongong with a possible expansion of the panels into the Central Coast and Newcastle Local Government Areas.

After considering the review and associated recommendations it would not prompt any changes to Council's existing development determination framework.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: E.03 Protect, rehabilitate and manage all impacts on the built and natural environment.

Term Achievement: E.03.01 Industrial and residential estate areas designed constructed and maintained to deliver ecologically sustainable outcomes.

Operational Objective: E.03.01.01 To establish measures and processes to protect the built environment and safety of the residents of the Shire through both direct control and education.

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ITEM NO:	5.	FILE NO: S28.21.1/12
DESTINATION 5:	The communities are served by sustainable services and infrastructure.	S
SUBJECT:	WORKS UPDATE	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

This report is intended to keep Council updated on the capital works and maintenance programs.

COMMENTARY:**MR 187 Yetman Road Pavement Widening and Rehabilitation**

This project involves the widening and rehabilitation of the section of Yetman Road north of Cucumber Creek, including upgrades to a number of significant drainage structures. Currently \$2.1M is allocated to the project from multiple sources. The project will be completed in stages with the exact length to be rehabilitated dependant on the final design and cost. It is anticipated the total extent of works will be between 4 and 5kms. Stage one (1) of the project incorporates a section of Yetman Road from 62.6km to 64.0km north of Inverell, whilst stage two (2) incorporates a section from 64.0km to 66.7km north of Inverell.

Stage 2 is currently under construction with 1.56km of a 2.7km length completed to date. Council's construction crew completed an 860 metre section prior to the Christmas break with works re-commencing on the remaining 1.14km early January 2019. Pavement works are nearing completion on an 880 metre section with a primer seal planned for 11 February, 2019. The remaining 260 metres which links stage 1 and stage 2 will commence directly after the application of the primer seal. This is expected to continue until the end of February 2019, completing stage 2. Given the recent weather conditions the construction crew are having difficulty sourcing sufficient water locally. An additional water cart is being utilised and is hauling water from Ashford, in order to meet the needs of the project.

It is anticipated that at the completion of these works there will be under expended funds, due to savings from operation efficiencies. It is intended to return to MR187 and complete further rehabilitation works with these funds once climatic conditions improve and a suitable water source is identified. The additional work will be completed adjacent to the property "Ulupna", directly to the south of works completed in 2018.

MR 137 Bonshaw Road Pavement Widening and Rehabilitation

This project involves the widening and rehabilitation of the section of Bonshaw Road 5km north of Ashford, including upgrades to a number of drainage structures. Currently \$930K is allocated to the project from the Repair Program. The project will be completed in 2 stages with the exact length to be rehabilitated dependant on cost. It is anticipated the total extent of works will be 2.4km. Stage one (1) of the project incorporates a section of Bonshaw Road from 63.24km to 64.44km north of Inverell, whilst stage two (2) incorporates a section from 62.06km to 63.24km north of Inverell.

A 400 metre section of stage 1 from 64.04km to 64.44km has been completed to date with a 1.22km section incorporating stages 1 and 2 from 62.82km to 64.04km currently under construction. Works on this section commenced early January 2019 with the sub base layer completed. The base layer is now under construction with a seal date planned for the end of February 2019. Dependant on funds, the remaining 760 metres will then commence.

Heavy Patching – HW12 Gwydir Highway

Council have been allocated \$492,000 by the RMS for the 2018/2019 Financial Year to undertake heavy patching works along sections of the Gwydir Highway. The breakdown is made up of Council's annual budget allocation of \$145,000 relating to safety issues on the entire length of the highway with an additional \$347,000 allocated specifically for pavement rehabilitation under the reseal segments.

Council's annual allocation was spent on various segments east and west of Inverell that posed a safety concern to the travelling public. An area of 4795 square metres was heavy patched in November 2018 along the Highway.

This year the RMS allocated additional funding in preparation for the annual reseal program. Thirteen segments, totalling 12.99km was proposed for a bitumen reseal, with the majority of these segments requiring some form of pavement rehabilitation. Of the thirteen segments the Lamont's Lane area had some significant pavement failures cumulating over a number of years and this is where the majority of funding was expended. An area of 16,896 square metres of heavy patching was completed in reseal segments during November/December 2018.

HW12 Gwydir Highway "Bald Nob" Rehabilitation Project

Council staff are in the process of negotiating undertaking a construction project on the Gwydir Highway in the Glen Innes LGA. Council staff would be completing the works as a private works project under RMS Roads Maintenance Council Contract. RMS contacted Council in late 2018 explaining that they had funding available and the project needed to be completed by the end of the current financial year. Given limited availability of Civil contractors, and Council's proven performance in completing these types of projects, RMS requested that Council consider undertaking the project, on a fee for service basis.

Given that Council is having difficulty in sourcing water for construction projects in our shire, it was seen as a good opportunity to gain valuable construction experience for our construction crew. Negotiations are currently being finalised and it is anticipated that drainage works will commence during February and the construction crew will commence pavement works in March, following completion of the current project on MR187 Yetman Road.

This project is scheduled for completion over a six week period. Due to the lack of water in the Inverell LGA, undertaking this project will not adversely impact our works program. The Committee will be provided a further update on the current status of this project at the Committee meeting.

Bitumen Resealing Program

This project involves the bitumen resealing of Council's road network identified as part of Council's Asset Management. Currently \$1.28M is allocated for bitumen reseals excluding final seals on construction works, which are allocated to the specific project and the Gwydir Highway which are funded through the RMCC arrangements with the RMS.

Council's annual bitumen resealing program commenced on 1 November, 2018 with NSW Spray Seal awarded a full service contract through Local Government Procurement. The program duration was four weeks with Council's own rural roads and urban streets completed by the end of November 2018. The following reseal lengths were undertaken.

Road Class	Road Name	Length Resealed (km)
Regional Roads	Yetman Road	23.0
Rural Local Roads	Wallangra, Kings Plains Swanbrook	8.8
Urban Street	Various Inverell Streets	8.5
Village Streets	Various Ashford Streets	2.2
Construction	Various final seals on projects	14.6
	TOTAL	57.1

The Gwydir Highway Resealing Program was undertaken in conjunction with Council's Resealing Program and commenced on 5 December, 2018 with five of the thirteen segments completed. Due to the recent heavy patching works undertaken in some segments, the decision was made to postpone resealing activities for the remaining eight segments until the New Year. The resealing program is due to commence early February 2019. A further report detailing the outcomes of the program will be presented to Council once the final segments have been completed.

Road Class	Road Name	Length Resealed (km)
State Highway	Gwydir Hwy	5.2 (completed)
State Highway	Gwydir Hwy	9.5 (not completed)
	TOTAL	14.7

Pedestrian Access and Mobility Program (PAMP) – Footpath Construction

Council concrete construction crew are currently working on a project within the PAMP program. Works were completed in February to extend the footpath along Rosslyn Street, from Urabatta Street to Brown Street. Further works will be undertaken in February and March to extend the footpath along Gilchrist Street, from Swan Street to Vernon Street. Other minor works will also be completed, including minor footpath extension in Lawrence Street.

Regional Roads REPAIR Program

Council receives State Government funding for rehabilitation and development of the regional road network through the Regional Roads REPAIR program. This program is undertaken on a 4 year cycle and 2018/2019 financial year is the final year of the current program. The objective of the REPAIR Program is to provide additional assistance to councils to undertake larger works of rehabilitation, and development on Regional Roads to minimise the long term maintenance costs of these roads. Funding under the program is administered by Roads and Maritime Services (RMS) and is supplied on a 50:50 basis.

Council has recently received correspondence from RMS, notifying that the Business Rules for the next 4 year cycle will remain relatively unchanged. Council have also been notified the approximate funding profile for the following 4 years. Inverell's funding profile is similar to our existing funding levels, with a minor indexed increase each year. A report will be presented to a future committee meeting presenting the proposed project for the 2019/2020 financial year for Council's endorsement.

Maintenance Grading

Maintenance grading works were undertaken on the following roads during December 2018 and January 2019.

Road Number	Road Name	Length Graded (km)
SR 124	Lamonts Lane	1.58
SR 181	Havilah Park Road	7.33
SR 262	Rifle Range Road	4.75
SR 238	Woodstock Road	14.71
SR 243	Waterloo Road	6.0
SR 234	Kings Plains Road	5.0
	TOTAL	39.37

The maintenance grading program is under significant pressure due to the current climatic conditions and severe lack of available water. Given the conditions, Council crews do not draw water that local farms are reliant on. The above works were completed in the South of the shire at the few locations that had sufficient remaining water. No grading works were completed in the North of the Shire over this period. Council staff will continue to monitor water availability and the full program will re-commence as soon as possible.

Gravel Patching

No Gravel Patching works were undertaken during December 2018 and January 2019.

Gravel Re-sheeting

The following gravel re-sheeting works were undertaken during December 2018 and January 2019.

Road Number	Road Name	Length Resheeted (km)
SR 234	Kingsplains Road	8.0
SR 111	Faulkners Lane	1.9
SR 106	Gunnee Road	8.0
	TOTAL	17.9

Given the current climatic conditions there is significant stress on the gravel resheeting program with lack of available water. Works will be completed on Kings Plains Road during February, with water being sourced from the Council gravel pit on that road. Unless significant rain falls during February, the gravel resheeting program will be put on hold as all other roads to be resheeted do not have sufficient water in their vicinity. Council staff will continue to monitor water availability and the program will re-commence as soon as possible.

Heavy Patching

Heavy Patching Works were undertaken on the following roads during November/December 2018 and January 2019.

Road Number	Road Name	Area Patched (m²)
HW 12	Gwydir Hwy	21,691
MR 462	Bruxner Way	4,100
	TOTAL	25.791

Other Maintenance Activities

Council's State, Regional and Local Roads, Urban and Village Street maintenance activities, such as bitumen patching, drainage and shoulder repairs as well as vegetation control, are continuing as required. Town maintenance will continue as programmed.

RECOMMENDATION:

That the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 13 February, 2019 be received and noted.