

INVERELL SHIRE COUNCIL
NOTICE OF MEETING
CIVIL & ENVIRONMENTAL SERVICES COMMITTEE

3 May, 2019

A Civil & Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 8 May, 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

SECTION A	APOLOGIES CONFIRMATION OF MINUTES DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS PUBLIC FORUM BUSINESS ARISING FROM PREVIOUS MINUTES
SECTION B	ADVOCACY REPORTS
SECTION D	DESTINATION REPORTS
SECTION E	INFORMATION REPORTS
SECTION F	GENERAL BUSINESS
SECTION H	CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

8.30AM	ON SITE INSPECTION, 63 GRANVILLE STREET, INVERELL (OPTIONAL)
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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, 8 May, 2019

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MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 10 APRIL, 2019, COMMENCING AT 9.00 AM.

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

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

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

SECTION A

APOLOGIES:

Apologies were received from Cr Harmon who could not attend due to personal reasons.

RESOLVED (Michael/Berryman) that the apology from Cr Harmon be noted.

1. CONFIRMATION OF MINUTES

RESOLVED (Berryman/Peters) that the Minutes of the Civil and Environmental Services Committee Meeting held on 13 March, 2019, 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 S13.5.6/10

The Chairperson noted that there were no members of the public registered to speak at the public forum session.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

SECTION B
ADVOCACY REPORTS

Cr McCosker Gilgai Bushfire Recovery Meeting

Cr McCosker attended the Gilgai Bushfire Recovery meeting held on Wednesday, 3 April, 2019. It was largely a positive meeting with some concerns expressed about some aspects of the fire fighting response.

SECTION D
DESTINATION REPORTS

1. NATIONAL CLASS 1 AGRICULTURAL VEHICLE AND COMBINATION MASS AND DIMENSION EXEMPTION NOTICE 2019 S28.15.3/09

RESOLVED (Peters/Berryman) that the Committee recommend to Council that the NHVR consent request be approved for inclusion on the Inverell Shire Council road network in the National Class 1 Agricultural Vehicle and Combination Mass Exemption Notice 2019.

2. STAGE 2 RIFLE RANGE ROAD INDUSTRIAL SUBDIVISION S5.2.58

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

- i) the funding strategy as proposed for stage 2 of the Rifle Range Road Industrial Subdivision be approved and works commence accordingly; and*
- ii) a budget of \$1,148,600 be approved from the Industrial Development Reserve.*

3. ROAD CLOSURE – STAR WARS DAY – MAY THE FOURTH BE WITH YOU S28.23.1/12 & S15.8.92

Matter considered in conjunction with item 5.

4. ROAD CLOSURE – ELSMORE COMMUNITY FUN DAY S15.8.90/17 & S28.23.1/12

Matter considered in conjunction with item 5.

5. ROAD CLOSURE – YETMAN – YES WE CAN S15.8.90/17 & S28.23.1/12

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

- i) to approve the request for closure of Evans Street, Inverell, between Otho and Campbell Streets on Saturday, 4 May, 2019 from 9am until 9pm to coincide with Star Wars Day – ‘May the Fourth Be with You’, a community event organised by Council.*
- ii) to approve the request for closure of Daw Lane, Elsmore between Elsmore Road and the Elsmore Fire Shed on Saturday, 18 May, 2019 from 1pm until 8pm to enable the Elsmore Community Fun Day to proceed.*
- iii) to approve the request for closure of Warialda Street, Yetman between Dight Street and Simpson Street from 12 noon on Saturday, 8 June 2019 until 1am on Sunday, 9 June, 2019 to enable the Yetman Yes We Can community event to proceed.*

6. SPECIAL PROJECTS ROADS INFRASTRUCTURE FUNDING ALLOCATION – 2019/2020 S28.16.7

RESOLVED (Berryman/Peters) that the Committee recommend to Council that the Special Projects Roads Infrastructure funding of \$341,055 be allocated to Gravel Resheeting 11.3km of unsealed road network in the Maybole area.

7. ELSMORE ROAD CAUSEWAY - FUNDING ALLOCATION S28.10.SR246

RESOLVED (Peters/Michael) that the Committee recommend that Council allocate \$115,500 for the replacement of the concrete causeway on Elsmore Road in the 2019/2020 budget, the source of funding being:

- \$72,500 – ACRD Culverts and Causeways*
- \$43,000 – ACRD Bitumen Renewal*

SECTION E

INFORMATION REPORTS

1. WORKS UPDATE S28.21.12

RESOLVED (Michael/McCosker) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 10 April 2019, be received and noted.

There being no further business, the meeting closed at 9.21 am.

CR D F BAKER

CHAIRPERSON

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 08/05/2019

ITEM NO:	1.	FILE NO: DA-23/2019
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-23/2019 – DEMOLITION, CONSTRUCTION OF DUAL OCCUPANCY (ATTACHED), CONSTRUCTION OF DWELLING AND SUBDIVISION – 63 GRANVILLE STREET, INVERELL	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY

An application (DA-23/2019) has been received for a residential development at 63 Granville Street, Inverell. The proposed development comprises:

- Demolition of all structures;
- One (1) into Two (2) Lot Subdivision, being;
 - Lot 1 – 504.2m² rectangular lot;
 - Lot 2 – 507.7m² battle axe lot;
- Construction of Dual Occupancy (Attached) on the rectangular lot; and
- Construction of a dwelling on the battle-axe lot.

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

The proposed development 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 20 March 2019 to 3 April 2019. As a result of notification, one (1) submission by way of objection has been received. Detailed discussion in relation to the submission has been undertaken in the 'Submissions' section of the report.

DA-23/2019 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: Ms Rebecca Kostas

Owner: Ms Rebecca Kostas

Application No: DA-23/2019

Address: 63 Granville Street, INVERELL 2360

Title Particulars: Lot 2 DP 653729

Proposed Development:

- Demolition of all structures;
- One (1) into Two (2) Lot Subdivision, being;
 - Lot 1 – 504.2m² rectangular lot;
 - Lot 2 – 507.7m² battle axe lot;
- Construction of Dual Occupancy (Attached) on the rectangular lot; and
- Construction of a dwelling on the battle-axe lot.

BCA Classification Class 1a

Existing Site Area: 1012m²

Zoning: R1 General Residential

Existing Use: Residential – dwelling and outbuildings

DA-23/2019 - APPLICATION HISTORY

<u>Date</u>	<u>Comment</u>
18 March 2019	DA-23/2019 lodged.
20 March 2019	Neighbour notification begins.
3 April 2019	Notification period ends. One (1) submission received by way of objection.
8 April 2019	Request for further information to confirm gravity drainage of sewer for the single dwelling, including floor level, site level and sewer main levels.
10 April 2019	Revised site plan submitted showing requested information in relation to sewer and levels.

SUBJECT SITE AND LOCALITY

The site is known as Lot 2 DP 653729, 63 Granville Street, Inverell and has an area of 1012m². It contains a dwelling and outbuildings, with frontage to Granville Street (primary frontage) and Granville Lane at the rear (Figure 1).



Figure 1 – Aerial Image of Site

63 Granville Street is within an established residential area comprised of single dwellings and unit developments, notably the large unit development on the corner of Granville and Wood Streets. Two duplexes (4) units have recently been constructed on the corner of Chester and Wood Streets (Figure 2). The broader Belgravia and Albion Hill areas of Inverell also contain a number of scattered unit developments.

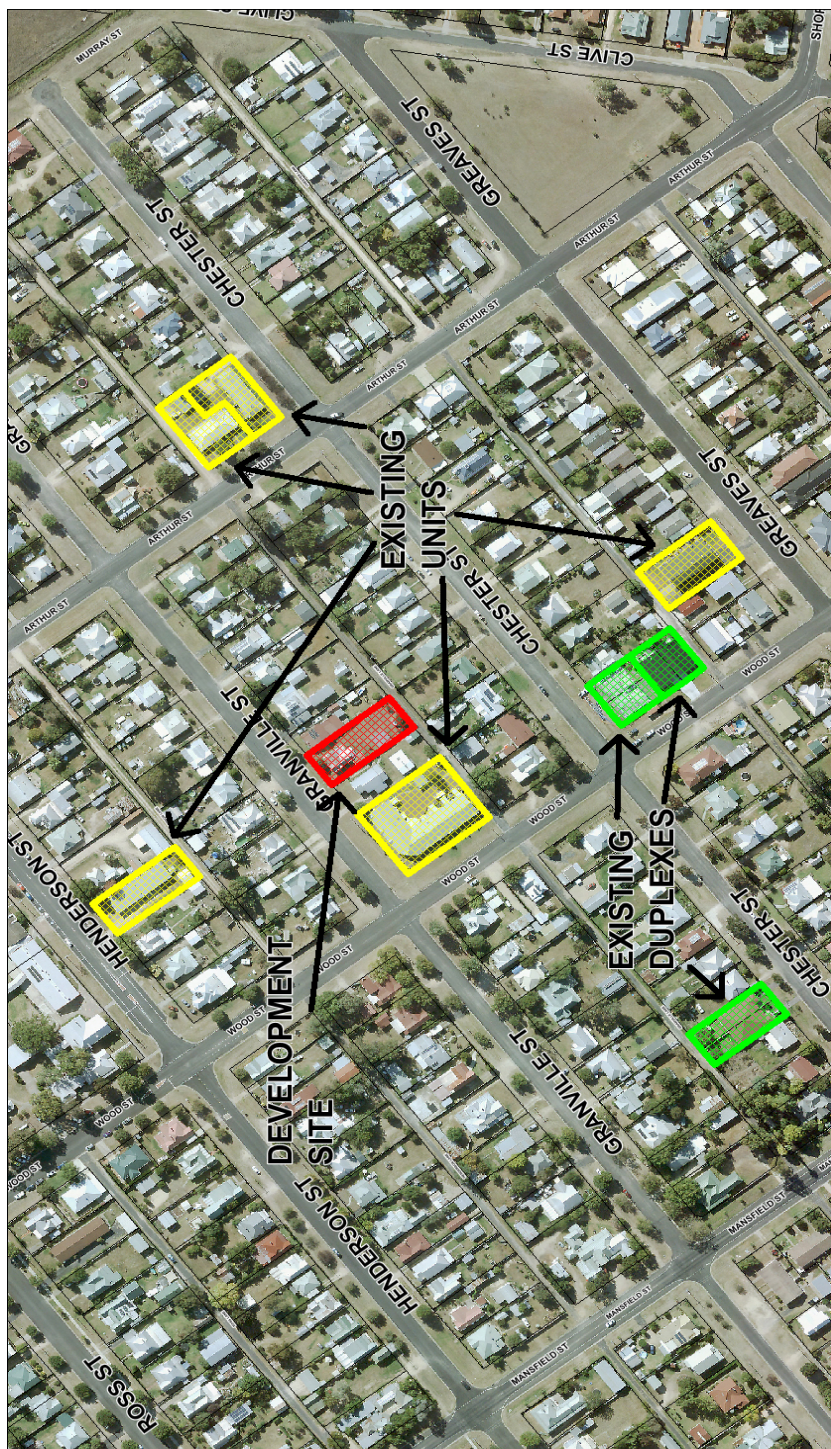


Figure 2 – Locality Plan showing nearby duplex and unit developments

The subject site has minimal grade from the rear to Granville Street. Sewer, water, electricity, telephone and stormwater infrastructure are located in Granville Street and are currently connected to the site.

The site takes primary access from Granville Street, which is a bitumen sealed urban street with kerb and gutter. Secondary access is available from Granville Lane. Granville Lane is part kerb and guttered for the frontage to the nearby large unit development; however the remaining length of the lane (including the frontage to the development site) is a minor seal with no kerb.

Council records indicate that the site is not affected by flood, bush fire, heritage or heritage conservation area.



Figure 3 – 63 Granville Street



Figure 4 – View of Granville Street (looking towards Wood Street)

PROPOSED DEVELOPMENT

It is proposed to undertake a residential development at 63 Granville Street, Inverell.

The development consists of:

- Demolition of all structures;
- One (1) into Two (2) Lot Subdivision, being;
 - Lot 1 – 504.2m² rectangular lot;
 - Lot 2 – 507.7m² battle-axe lot;
- Construction of Dual Occupancy (Attached) on the rectangular lot; and
- Construction of a dwelling on the battle-axe lot.

Demolition of all structures

To facilitate the construction and subdivision, it is proposed to demolish all structures on Lot 2 DP 653729.

All services will be disconnected prior to demolition. Based on the age of the dwelling, the presence of asbestos material is considered highly likely and suitable handling and disposal measures will be undertaken by the demolition contractor (subject to obtaining consent, this would also be enforced as a condition).

One (1) into two (2) lot subdivision

It is proposed to subdivide Lot 2 DP 653729 into two lots.

Proposed Lot 1 will be a rectangular lot having an area of approximately 504.2m². This lot will have sole frontage to Granville Street. Proposed Lot 1 will contain the proposed Dual Occupancy (Attached) (discussed below).

Proposed Lot 2 will be a battle-axe configuration having a total area of 507.7m², comprised of:

- 3.6 metre wide x 30.53 metre long access handle (total area 109.9m²); and
- 20.12 metre x 19.77 metre rectangular residual (total area 397.8m²).

Proposed Lot 2 will have primary access and frontage to Granville Street, with secondary frontage to Granville Lane. No access is proposed from Granville Lane with Proposed Lot 2 containing a single dwelling (discussed below), which has been designed with sole access from Granville Street.

Inter-allotment drainage has been proposed along the boundary of the subdivision, with the type of system to be designed by an engineer subject to obtaining development consent.

The applicant has not nominated whether the subdivision is to occur prior to or after construction. To ensure the orderly completion of this development, it is recommended that any subsequent development consent be structured so that:

- Prior to issue of a Subdivision Certificate, a Construction Certificate must be issued for both the dwelling and dual occupancy (attached); and
- Prior to issue of an Occupation Certificate for either the dwelling or dual occupancy (attached), the plan of subdivision is to be registered with the NSW Lands Registry Services.

It should be noted:

- As the final outcome of the development is the dwelling and dual occupancy (attached) being on separate allotments, the development does not constitute 'Multi-dwelling housing'; and
- No subdivision of the dual occupancy (attached) has been proposed.

Construction of a Dual Occupancy (Attached) – Shown as units A & B on the plans

The dual occupancy (attached) will be located on Proposed Lot 1 of the subdivision.

The dual occupancy (attached) will be a mirror image duplex, each unit having an overall floor area of 135.8m² consisting of:

- 3 bedrooms, main with en-suite;
- Living areas containing kitchen, dining and lounge;
- Bathroom;
- Laundry;
- Rear Patio; and
- Single car garage.

It will be constructed on a reinforced concrete slab, having external brick walls and a pitched colorbond custom orb roof. A maximum of 400mm of fill is required to level the building footprint.

The building will be setback:

- 4.5 metres from the front boundary (Granville Street). The garages are setback 5.7 metres from the front boundary;
- 6.5 metres from the rear (future) boundary;
- 1.11 metres from the north-eastern side boundary; and
- 1.16 metres from the south-western side boundary (access handle).

Stormwater will be discharged to 1,100L rain water tanks located in the rear yard of each unit, with overflow directed to the kerb in Granville Street.

A shared concrete access crossing and driveway will be constructed for the units.

Construction of a Single Dwelling – Shown as Unit C on the plans

The single dwelling will be located on Proposed Lot 2 of the subdivision.

The dwelling will have an overall floor area of 132.7m² consisting of:

- 3 bedrooms, main with en-suite;
- Living areas containing kitchen, dining and lounge;
- Bathroom;
- Laundry;
- Front veranda; and
- Single car garage.

It will be constructed on a reinforced concrete slab, having external brick walls and a pitched colorbond custom orb roof. A maximum of 400mm of fill is required to level the building footprint.

The building will be setback:

- 2.78 metres from the rear (lane) boundary;
- 0.92 metres from the north-eastern side boundary; and
- 0.92 metres from the south-western side.

Stormwater will be discharged to a 1,400L rain water tank located in the rear yard with overflow directed to the kerb in Granville Street.

It is proposed to concrete the access handle of Lot 2 and provide a concrete turning area to allow vehicles to enter and exit the battle-axe in a forward direction. Landscaping is proposed along the access handle and around the concrete turning area.

PLANS & DOCUMENTATION

The following information was submitted with the Development Application:

- Design plans;
- BASIX Certificates; and
- Statement of Environmental Effects.

Appendix 1 (D28 – D30) 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:

The developer proposes to demolish an old weatherboard dwelling and construct an attached dual occupancy dwelling fronting Granville Street and a single dwelling behind the duplex on a separate battle-axe block.

Previous additions to the existing dwelling are Fibro cladding boards. Special consideration will be needed during the demolition of the old residence as the building is likely to contain asbestos containing materials.

Arising from the site assessment and looking at the DA plans provided, it is considered that the proposed development can achieve compliance with the relevant provisions of the Building Code of Australia.

Development Planner Comment

Detailed plans and engineering (slab, stormwater, etc.) will be required for the Construction Certificate. However, 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:

I provide comments below with respect to the above proposed development. It is noted that the applicant proposes a dual occupancy comprising two three bedroom units fronting Granville Street, plus a three bedroom dwelling at the rear of the site on land subject to a proposed subdivision (battle-axe handle off Granville Street).

Demolition & Removal of Existing Dwelling

Existing water service to be disconnected at the water main in Granville Street (needs to be relocated to make way for the proposed development).

Existing sewer service to be temporarily capped to prevent damage / ingress into the sewer system prior to commencement of demolition activities.

Development Planner Comment: The disconnection of services prior to demolition can be enforced as a condition of any subsequent consent.

Access

Each unit requires a reinforced concrete, or paved driveway from the upright kerb and gutter in Granville Street.

All reinforced concrete driveways to have key joints located 0.6m out from both faces of the water main located in the Granville Street footpath (to provide access to the main for maintenance purposes).

The existing gutter crossing to service the proposed battle-axe block.

A new gutter crossing will be required for the duplex. Subject to application and approval by Council.

The drawing for proposed Unit C has a roller door for the garage coming off the Granville Street which is what is required. May need to install a clause that the design for the garage not be amended to allow vehicular access off Granville Lane (i.e. no vehicular access off Granville Lane).

Development Planner Comment: The proposed access crossings are considered satisfactory. Prior to issue of a Construction Certificate, approval under Section 138 of the *Roads Act 1993* must be obtained for the driveways. The advice in relation to potential a roller door off Granville Lane is noted and agreed. A condition of consent will enforce that a roller door (or similar) must not be installed in the garage facing Granville Lane.

Drainage

A site inter-allotment drainage plan is to be prepared by a certified Civil Engineer and submitted to Council for approval prior to the issue of a construction certificate. The drainage systems for each dwelling are to be kept independent and drain to the kerb and gutter in Granville Street.

Development Planner Comment: A condition can be imposed on any subsequent development consent requiring engineering design for the inter-allotment drainage. It is noted that the site has fall to Granville Street and all stormwater can be discharged to the kerb.

Water Supply

A water main runs along the footpath in Granville Street fronting the site.

The existing water service will be relocated to service proposed Unit A. New water services will be required for proposed Units B and C.

The site currently has 1 Equivalent Tenement (ET) water credit.

Unit A - 3 bedroom	0.80 ET
Unit B - 3 bedroom	0.80 ET
Unit C - Lot greater than 450m ²	1 ET
Total Development	2.6 ET

Water DSP Contribution of 1.60 ET Required

Development Planner Comment: Water connection and water contribution requirements can be conditioned on any subsequent development consent.

Sewer

The sewer main is located in the Granville Street footpath approximately 1.2m from the property boundary. It would appear that the property junction 21.6m from the downstream manhole to the north east. The downstream manhole is approximately 2.1m deep, so the sewer line at the junction is likely to be around 1.8m deep and at the proposed battle-axe handle approximately 1.6m deep (based on a 1 in 80 grade on sewer main).

For the duplex, Unit A is to be connected to the existing junction with Unit B requiring a new sewer junction.

Unit C located on a subdivided parcel of land will require a new sewer junction for the sewer service running along the access handle. The applicant will need to reconfirm sewer main invert levels and design the service line to Unit C to ensure adequate grade is available.

The site currently has 1 Equivalent Tenement (ET) sewer credit

<i>Unit A - 3 bedroom</i>	<i>1.00 ET</i>
<i>Unit B - 3 bedroom</i>	<i>1.00 ET</i>
<i>Unit C - Lot greater than 450m²</i>	<i>1.00 ET</i>
<i>Total Development</i>	<i>3.00 ET</i>

Sewer DSP Contribution of 2.00 ET Required

Development Planner Comment: The sewer drainage for the single dwelling was discussed with the applicant's designer John Williams 3d Design. Mr Williams has taken levels of Council's sewer manholes and determined the level of the sewer main at the battle-axe handle. The internal sewer line has subsequently been designed and shown on the site plan, which indicates that sufficient grade is available for the single dwelling. Sewer connection and sewer contribution requirements can be conditioned on any subsequent development consent.

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 Granville 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

<u>Policy</u>	<u>Comment</u>
<i>State Environmental Planning Policy No. 55 – Remediation of Land</i>	63 Granville 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)</i>	BASIX certificates have been submitted and are considered satisfactory.

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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 and single dwelling contributes to the residential growth of Inverell. No built or cultural heritage assets are considered to be impacted by the development.</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 proposed development is characterised as demolition, subdivision, 'dual occupancy (attached)' and 'dwelling house', which are 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 provides facilities or services to meet the day to day needs of residents.</i> <p>The development provides additional housing for the community and increases the variety of housing types within the area. The development is consistent with the objectives of the R1 General Residential zone.</p>
4.1	Minimum Lot Size	<p>The Minimum Lot Size as per the LEP Lot Size Map for the site is 450m².</p> <p>The proposed lot sizes are:</p> <p>Lot 1 (rectangular lot) – 504.2m²; and Lot 2 (battle-axe lot) – 507.7m².</p> <p>The proposed lot sizes comply with this clause.</p> <p><i>Note: Under the LEP, access handles are included in</i></p>

		<i>lot size calculations.</i>
6.1	Earthworks	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.
6.6	Essential Services	<p>Water and sewer are available to the site subject to payment of connection fees and contributions, as per the recommendations of Council's Manager Environmental Engineering.</p> <p>The subject site falls from the rear to Granville Street and all stormwater can be drained to the kerb. This is considered satisfactory, subject to a suitable engineering design being completed prior to construction.</p> <p>Electricity and telephone infrastructure are available in Granville Street.</p> <p>Access is taken from Granville Street, which is bitumen sealed urban street with kerb and gutter. No access is proposed from Granville Lane. The proposed access crossings are considered satisfactory.</p> <p>The development is considered to comply with the essential services provisions of this clause.</p>

Development Control Plans

Inverell Development Control Plan 2013 – Chapter 1 Introduction

SECTION	TITLE	COMMENT AND ASSESSMENT
1.11	Notification of Applications	The application was notified to adjoining and adjacent neighbours from 20 March 2019 to 3 April 2019. As a result of notification, one (1) submission by way of objection has been received. Detailed discussion in relation to the submission has been undertaken in the 'Submissions' section of the report.
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 site is not subject to natural hazards (flood, bush fire, etc.). It is suitably serviced and has access from Granville Street. The subdivision is considered to

		respond to the characteristics of the site and a detailed site analysis plan is not required for this development.
2.4	Lot Dimensions	<p>The proposed lot sizes comply with Clause 4.1 of the Inverell Local Environmental Plan 2012.</p> <p>The dimensions of Proposed Lot 1 (rectangular lot) and Proposed Lot 2 (battle-axe) are satisfactory, allowing for the proposed dual occupancy (attached) and single dwelling, which have been assessed below against Chapters 3 and 5 of the <i>Inverell Development Control Plan 2013</i>.</p>
2.5	Lot Orientation	The proposed lot orientation is considered satisfactory.
2.6	Frontage and Access	Both lots have frontage to a public road and take sole access from Granville Street.
2.8	Landscape	No significant landscape elements are present on the site.
2.10	Stormwater Drainage	Inter-allotment drainage will be provided as part of the subdivision. This will need to be designed by an engineer; however, it is considered to be able to be suitably discharged to the kerb in Granville Street.
2.11	Utility Services	As discussed under Clause 6.6 of the <i>Inverell local Environmental Plan 2012</i> above, all utility services are available.

Inverell Development Control Plan 2013 – Chapter 3 Residential Accommodation

SECTION	TITLE	COMMENT AND ASSESSMENT
3.3	Site Analysis	As discussed in Chapter 2 above, the development has been designed in response to the characteristics of the site and a detailed site analysis plan is not required for this development.
3.4	Neighbourhood Character	<p>The neighbourhood character is residential, with single dwellings and scattered unit developments. The development comprising both a single dwelling and a dual occupancy (attached), is consistent with the established character of the area.</p> <p>The proposed residential development does not cause a land use conflict with the surrounding residential land.</p>
3.5	Streetscape	<p>The proposed buildings are single storey and are not inconsistent with the bulk and scale in the streetscape (notably the large unit development on the corner of Granville Street and Wood Street).</p> <p>The proposed dual occupancy garages are setback</p>

		<p>behind the building line and do not exceed 50% of the frontage. The access handle for the battle-axe will be landscaped to reduce the visual impact of the hard stand area.</p> <p>Overall, the proposed development is not considered to adversely affect the streetscape.</p>
3.6	Density	<p>An attached dual occupancy in the R1 General Residential zone should be located on a lot with a minimum area of 450m². The proposed dual occupancy is located on Proposed Lot 1 with an area of 504.2m², which is satisfactory.</p> <p>The maximum site coverage for both single dwellings and dual occupancies is 60%. Calculations have been provided and shown on plan, demonstrating that the site coverage of the development is 57%, which is satisfactory.</p> <p>The proposed development is consistent with the density requirements of this clause.</p> <p>It is noted that the density of this development is significantly less than the density of the unit development on the corner of Granville and Wood Streets.</p>
3.7	Building Height	<p>Both the proposed dwelling and dual occupancy (attached) are single storey dwellings, commensurate in height with surrounding residential development.</p> <p>The proposed development is not considered to:</p> <ul style="list-style-type: none"> • Detrimentially increase the overshadowing of adjoining properties; • Significantly obstruct views from adjacent buildings and public spaces; or • Have an adverse impact on the scenic or landscape quality of the locality.
3.8	Setbacks	<p>The setback requirements for both a dwelling and dual occupancy are:</p> <ul style="list-style-type: none"> • Front – 4.5 metres (5.5 metres to garage); and • Side/Rear – In accordance with the Building Code of Australia (900mm). <p>The proposed development complies with these setback requirements.</p>
3.9	Private Open Space	<p>The proposed development is considered to have suitable private open space for each dwelling.</p>

3.10	Privacy and Amenity	The site is relatively flat and minimal earthworks are required. Accordingly, the floor levels of the dwelling prevent overlooking of adjoining properties or living area. The development is not considered to adversely affect the privacy or amenity of the neighbourhood.
3.11	Solar Access	The development has been designed with private open space and living areas having suitable solar access, without detrimentally affecting the solar access of adjoining land.
3.12	Access and Parking	The proposed access and parking for the development is considered satisfactory. This is discussed in further detail below against the provisions of Chapter 5 of the Inverell Development Control Plan 2013.
3.13	Utilities	As previously discussed in this report, the development is considered to have suitable access to utilities. Whilst further design and/or costs may be required prior to construction, this does preclude issuing of development consent.
3.14	Stormwater Drainage	Stormwater has been discussed in this report and subject to further design prior to construction, can be suitably discharged to the kerb in Granville Street.
3.15	Landscaping	A landscaped strip has been proposed along the access handle for the single dwelling, which will assist in softening the visual impact of the hard stand areas. This proposed landscaping is considered satisfactory.
3.16	Site Facilities	Site facilities (clothes lines, mail boxes, etc.) will be provided for each dwelling, which is acceptable.
3.17	Earthworks	Existing site levels and finished floor levels have been shown on plan. Minimal earthworks are required and are considered satisfactory.
3.18	Security	The design of the dwellings allows for passive surveillance of the street and access handle. The development is not considered to have an adverse security impact.
3.19	Ancillary Development	Water tanks are located in the rear yards of the dwellings and will not detract from the streetscape. No other ancillary development is proposed.

Inverell Development Control Plan 2013 – Chapter 5 Parking & Traffic

SECTION	TITLE	COMMENT AND ASSESSMENT
5.4	Provision of Car Parking	In accordance with Section 5.3 Parking Space Requirements of this chapter, dwellings and dual occupancies require 1 roofed space per dwelling.

		<p>Each dwelling has been provided with a garage, which complies with this clause.</p> <p><i>Note: The development does not constitute multi-dwelling housing; therefore, visitor parking is not required.</i></p>
5.5	Design	<p>As the dwelling is located on a battle-axe lot, the driveway/garage has been designed with a turning area for vehicles to enter and exit in a forward direction. This is a good design outcome for a battle-axe allotment.</p> <p>In regards to the dual occupancy, it has good frontage, access and sight distance. The proposed access design is considered satisfactory.</p> <p><i>Note: The requirement for vehicles to enter and exit in a forward direction is triggered by a development requiring 4 or more car parking spaces. This development only requires 3 spaces in total and only 2 spaces for the dual occupancy. Therefore, the requirement for vehicles to enter and exit in a forward direction is not triggered for the dual occupancy (attached).</i></p> <p>The driveways are intended to be constructed with concrete, which is considered satisfactory.</p>
5.6	Stormwater	Stormwater from the driveways will be discharged to the kerb in Granville Street, which is satisfactory.
5.7	Landscaping	The proposed landscaping treatment of the access handle is considered satisfactory.
5.8	Access and Frontage to Laneways	<p>No access has been proposed from Granville Lane.</p> <p>It is noted that the design of the garage for the single dwelling could facilitate installation of a garage door facing Granville Lane at a later date. Therefore, it is recommended that a condition of consent enforce that no garage door may be installed facing Granville Lane.</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	The subject site is located within an existing residential area comprised of single dwellings, duplexes and unit developments (Refer Figure 2). The

	<p>broader Belgravia and Albion Hill areas of Inverell also contain a number of scattered unit developments. The proposed dwelling and dual occupancy (attached) are single storey buildings commensurate with the area.</p> <p>Overall, the proposed development is considered to be consistent with the context and setting of the area.</p>
Access, Transport & Traffic	<p>The site has frontage to both Granville Street and Granville Lane. The development has been designed to take access solely from Granville Street. No access has been proposed from Granville Lane and as previously discussed a condition of consent can enforce that no garage door is to be installed facing Granville Lane.</p> <p>Granville Street is a wide urban street, bitumen sealed with kerb and gutter. It is open ended and has sufficient capacity for the additional traffic generated by this development.</p> <p>A covered parking space (garage) has been provided for each dwelling. The accesses are considered satisfactory, with the dwelling on the battle-axe lot being designed with a turning area for vehicles to enter and exit in a forward direction.</p> <p>The development is not considered to have an adverse impact on access, traffic or transport.</p>
Utilities	<p>As discussed throughout this report, utility services are available to the development. Subject to design and costs, utility infrastructure is not considered to be adversely impacted by this development.</p>
Heritage	<p>The site is not identified as a heritage item or within a heritage conservation area. Due to historic disturbance from residential activities, the presence of Aboriginal or European artefacts is considered highly unlikely.</p>
Other Land Resources	<p>The site is not considered suitable for other land resources, primary production, etc.</p>
Water	<p>All stormwater can be discharged to the kerb. The development is not considered to have an adverse impact on water quality.</p>
Soils	<p>Minimal earthworks are required and erosion control measures can be enforced on any subsequent consent.</p>
Air Quality	<p>Residential dwellings are not considered to result in any significant air quality impacts (dust, smoke, etc.).</p>
Flora & Fauna	<p>The site is not considered to contain any significant flora or fauna. A biodiversity assessment report under the <i>Biodiversity Conservation Act 2016</i> is not required for this development.</p>
Waste	<p>The dwellings will utilise Council's garbage and recycling services. Waste generated during construction will be disposed at the Inverell Landfill (condition of any subsequent consent).</p>
Energy	<p>The development has achieved energy efficiency and thermal comfort</p>

	targets under the BASIX scheme. Energy infrastructure is not considered to be adversely affected by this development.
Noise & Vibration	Construction noise can be mitigated with conditions on any subsequent consent. The proposed residential development will not significantly alter noise levels within the existing residential area.
Natural Hazards	The site is not identified as subject to natural hazards, e.g. bush fire, flooding, etc.
Safety, Security & Crime Prevention	The development allows for passive surveillance of the public road and access handle of the battle-axe lot. The development is not considered to have an adverse impact on safety, security or crime prevention.
Social Impacts in the Locality	The development is not considered to have an adverse social impact.
Economic Impact in the Locality	The development is not considered to have an adverse economic impact.
Site Design & Internal Design	The design of the development responds to characteristics of the site and is not considered to adversely impact solar access, privacy or amenity of the area.
Construction	Construction impacts (noise, dust, erosion, etc.) can be mitigated with appropriate conditions on any subsequent consent.
Cumulative Impacts	The development results in a net gain of two additional dwellings within the area. Two dwellings are not considered to have significant burden on the road network or utility infrastructure. The cumulative impact of the development is considered minimal.
Climate Change	The development is not considered to affect 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 comprised of single dwellings and unit developments. The proposed dwellings are single storey being commensurate in height, bulk and scale with the area. Overall, the proposal is considered to be consistent with the locality.

Are the site attributes conducive to development?

The site is not constrained by hazards, such as flooding or bushfire. It has suitable vehicle access from Granville Street, has access to all essential services and the grade of the land allows for discharge of stormwater to the street. The site attributes are conducive to infill residential development.

Submissions

The application was notified to adjoining and adjacent neighbours from 20 March 2019 to 3 April 2019. As a result of notification, one (1) submission by way of objection has been received.

The submission has been circulated separately to Committee Members with the Business Paper and the matters in the submission have been extracted and discussed below.

We object to the construction of more multiple unit dwellings within an already established single dwelling neighbourhood. We, currently have a large multi dwelling complex at 57 Granville Street, (Corner. Granville & Wood Streets) adjoining our property of 59 Granville Street, Inverell and this new development application of more units to be adjoining our other property boundary, will be unfair and a considerable decrease in valuation to our property.

As discussed in this report, the proposed development complies with the controls of the *Inverell Local Environmental Plan 2012* and *Inverell Development Control Plan 2013*. The design of the development is not considered to adversely affect the privacy or amenity of adjoining properties. On that basis the development is not "unfair". Furthermore, there is no empirical evidence to suggest that the proposed development will decrease property values.

The plans submitted for three (3) dwellings and three (3) concrete driveways conflicts with the environment of an already established residential neighbourhood and will set a precedent for possible more multi complex developments in the future.

As already noted by the objector, the precedent for infill residential development has already been established in the neighbourhood with the notable example of the large unit development on the corner of Granville Street and Wood Street. Figure 2 earlier in the report also demonstrates the presence of duplex and unit developments throughout the area. On that basis, the development is not inconsistent with the area.

It is acknowledged that the development does result in additional driveways; however, the driveways are suitably located and Granville Street has sufficient capacity and sight distance. It would be unreasonable to refuse a development on the grounds of the additional, compliant driveways.

We have had long term, reliable, well behaved neighbourhood tenants at this property and believe that this development of multiple dwellings may deter our current tenants and deter any future tenants, for security and noise related issues.

There is no evidence to support the claim that this development would impact the tenancy viability of neighbouring properties. The proposed development is residential and is capable of co-existing in harmony with adjoining existing residential development. The character of future occupants of this development is not a matter for Council consideration.

Having the only driveway access to the multiple complex at 57 Granville the rear laneway (Granville Lane) this is also access for all the properties of Granville and Chester Streets. This approval leaves opportunity for excess traffic if these multiple dwellings are approved for 63 Granville Street. Therefore, vehicle/traffic monitoring should be conducted and submitted with this development application.

No access has been proposed from Granville Lane. As previously discussed, a condition of consent will enforce that a garage door must not be installed within the garage facing Granville Lane.

In regards to Granville Street, as previously mentioned Granville Street is a wide urban street with bitumen seal and kerb and gutter. The proposed development results in a net increase of two (2) additional dwellings, which equates to 18 additional movements per day. 18 movements are not considered significant and can be suitably catered for in Granville Street.

Overall, the development is not considered to adversely impact traffic and vehicle/traffic monitoring is not considered necessary for this development.

Public Interest

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

CONCLUSION

DA-23/2019 was lodged for the demolition of all on-site structures, subdivision of the land into 2 lots, construction of a dwelling and construction of a dual occupancy (attached) at 63 Granville Street, Inverell.

The site is not constrained by any hazards, has suitable vehicle access and availability of services. 63 Granville Street is suitable for infill residential development. Overall, the proposed development complies with the *Inverell Local Environmental Plan 2012*, *Inverell Development Control Plan 2013* and applicable state planning policies.

As a result of notification of DA-23/2019, one (1) submission by way objection has been received. The objections primarily relate to:

- Decrease in property values – there is no empirical evidence to support this objection.
- Compatibility with the locality and precedent for multi-dwelling development – A number of infill unit style developments have previously been undertaken in the area. Infill residential development is permissible with the R1 General Residential and the proposed development is considered to be compatible with the neighbourhood and Council's development controls;
- Security and noise impacts on neighbouring tenants – There is no evidence to support the claim that this development would impact the tenancy viability of neighbouring properties.
- Traffic impacts – The proposed development results in a net increase in two dwellings, resulting in an additional 18 traffic movements. Granville Street is considered to have sufficient capacity to cater for these increased movements. The proposed parking and access arrangements for the development are satisfactory. No access is proposed from Granville Lane. The development is not considered to have an adverse impact on traffic.

Following an assessment in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is recommended that DA-23/2019 be approved subject to conditions.

RECOMMENDATION:

That the Committee recommend to Council that Development Application 23/2019 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 all structures;
- One (1) into Two (2) Lot Subdivision, being;
 - Lot 1 – 504.2m² rectangular lot;
 - Lot 2 – 507.7m² battle-axe lot;
- Construction of Dual Occupancy (Attached) on the rectangular lot; and
- Construction of a dwelling on the battle-axe lot.

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

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

CONDITIONS RELATING TO DEMOLITION

3. All demolition work is to be carried out in accordance with *Australian Standard 2601 The demolition of structures*.
4. 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.
5. All utilities are to be disconnected from the dwelling and capped to the satisfaction of the relevant authority.
6. If the development is found to contain asbestos the applicant/builder must investigate, and carry out, their obligations as specified under WorkCover, the *Work Health and Safety Regulation 2011* and the *Protection of the Environment Operations (Waste) Regulation 1996*.
7. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the demolition 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;
 - Demolition may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no demolition 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;
- 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;
- Demolition 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 NSW Land Registry Services.

CONDITIONS RELATING TO THE ONE (1) INTO TWO (2) LOT SUBDIVISION

8. 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.
9. Prior to the issue of a Subdivision Certificate, a Construction Certificate must be issued for both the dwelling and the dual occupancy (attached) approved under this consent.

CONDITIONS RELATING TO THE CONSTRUCTION OF THE DWELLING

Prior to Commencement of Works

10. 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.
11. 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.
12. Prior to issue of a Construction Certificate, approval under Section 138 of the *Roads Act 1993* is to be obtained for the construction of the concrete access crossing in Granville Street.
13. New water and sewer connections are to be provided for the dwelling. Prior to issue of a Construction Certificate, the following is to be paid to Council:
 - A water connection fee in accordance with Council's fees and charges; and
 - A sewer junction fee in accordance with Council's fees and charges.

14. Prior to issue of a Construction Certificate, stormwater drainage plans, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show:
- Inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached);
 - Drainage of the concrete driveway; and
 - Roof water drainage.

During Construction

15. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
- Works on site are to be carried out in accordance with the *Protection of the Environment Operations Act 1997* in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
 - Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
 - Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;
 - Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and
 - Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the *Surveying and Spatial Information Act 2002*. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.
16. A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:
- by the pegging of the site prior to the commencement of work; and
 - on completion of footings.

Prior to Occupation

17. 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.*

18. 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.
19. Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.
20. Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage and driveway drainage shall be drained in accordance with the approved engineering and *Australian Standard 3500.3 Plumbing and drainage*.
21. Prior to issue of Occupation Certificate, the concrete access crossing, concrete access handle and turning areas are to be constructed in accordance with the approved plans and approval under Section 138 of the *Roads Act 1993*.
22. Prior to issue of an Occupation Certificate, all landscaping is to be completed as per the approved plan.

Ongoing Use

23. A vehicle access door (e.g. roller door or similar) must not be installed within the garage wall facing Granville Lane.
24. All landscaping must be maintained in perpetuity in a reasonable manner.

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

Prior to Commencement of Works

25. 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.
26. 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.
27. Prior to issue of a Construction Certificate, approval under Section 138 of the *Roads Act 1993* is to be obtained for the construction of the concrete access

crossings.

28. Prior to the issue of a Construction Certificate, two Community Services Contributions must be paid to Council pursuant to Section 7.11 (formerly Section 94) of the *Environmental Planning and Assessment Act 1979*.
29. Separate sewer connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for sewer supply and separate sewer connections. This will require payment to Council of:
 - A Contribution under Council's Development Servicing Plan No. 1 for 2 equivalent tenements; and
 - A sewer junction fee (Unit B) in accordance with Council's fees and charges.

Note: Unit A will utilise the existing sewer junction.
30. Separate water connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council 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 1.6 equivalent tenements; and
 - Water connection fees in accordance with Council's fees and charges.
31. Prior to issue of a Construction Certificate, plans of the inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached), prepared by a suitably qualified engineer, are to be submitted to and approved by Council.

During Construction

32. 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 NSW Land Registry Services.

33. A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:
- by the pegging of the site prior to the commencement of work; and
 - on completion of footings.

Prior to Occupation

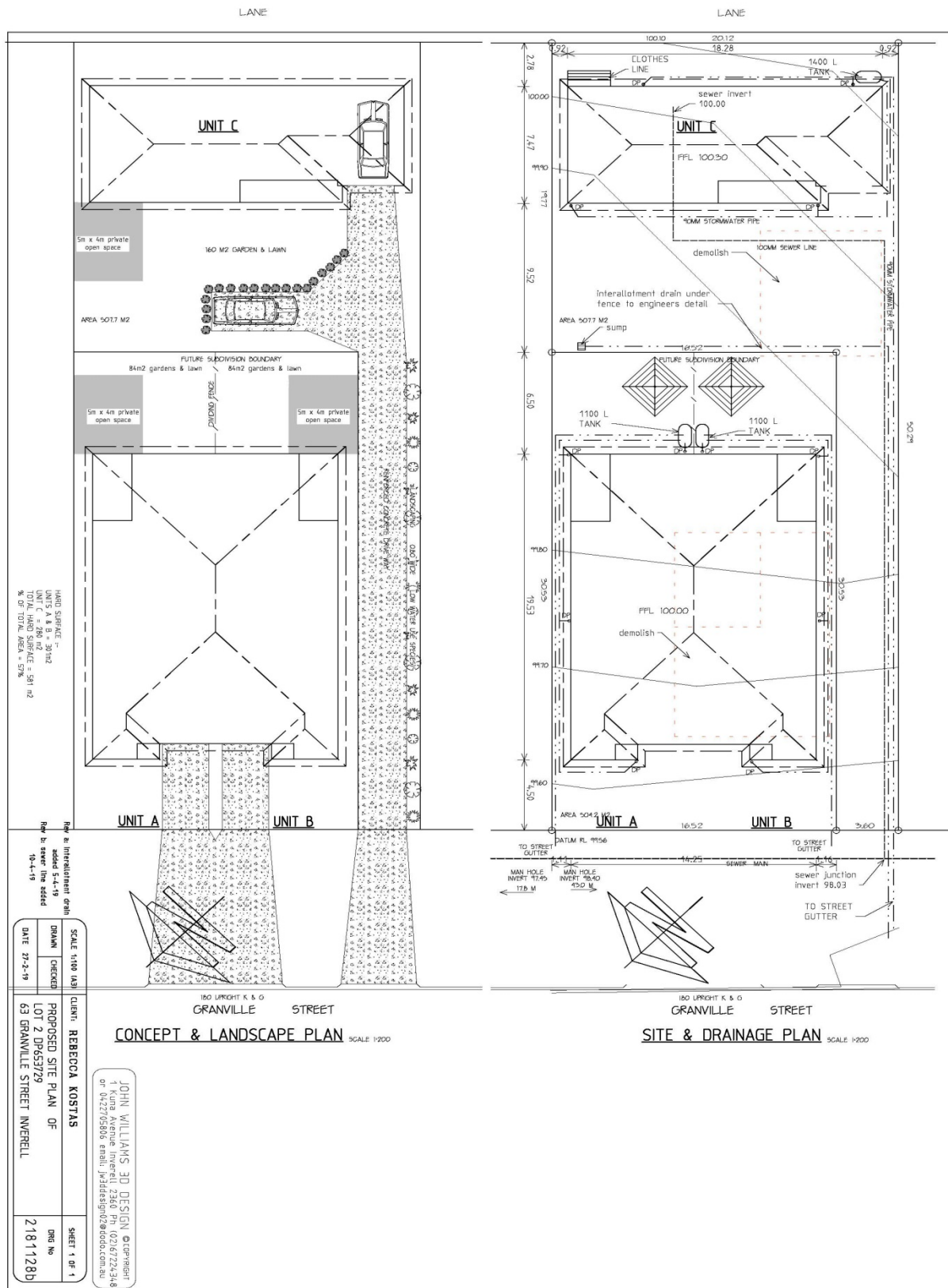
34. Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the *Environmental Planning and Assessment Act 1979*.

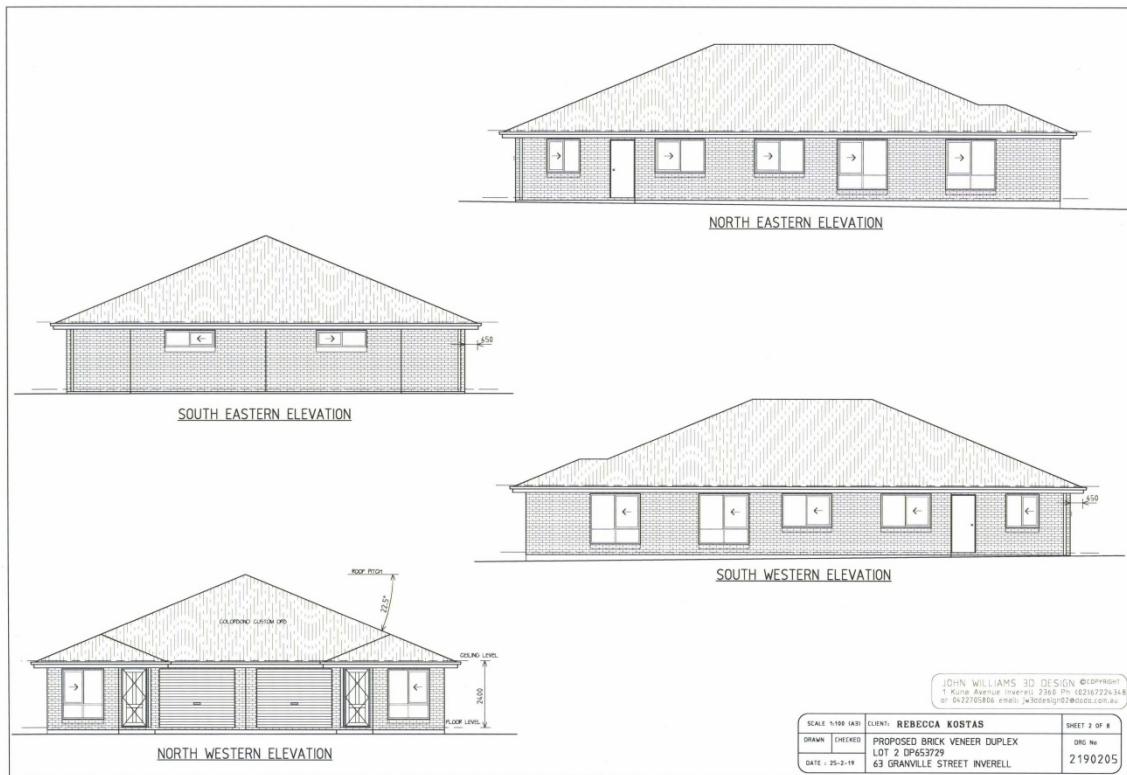
Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

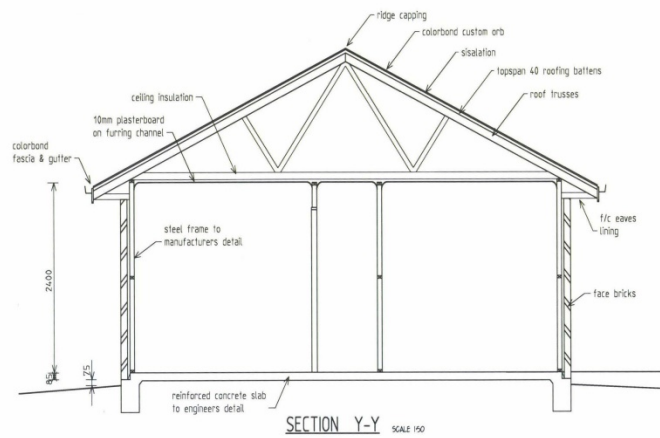
- *all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and*
- *any preconditions to the issue of the certificate required by a development consent have been met.*

35. 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.
36. Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.
37. Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage shall be drained in accordance with the approved engineering and *Australian Standard 3500.3 Plumbing and drainage*.
38. Prior to issue of Occupation Certificate, a concrete access crossing and driveway is to be constructed from Granville Street to the garage of each unit in accordance with the approved under Section 138 of the *Roads Act 1993*.
39. Any other condition deemed appropriate by the Director Civil and Environmental Services.

APPENDIX 1







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SCALE 1:100 (A3)		CLIENT: REBECCA KOSTAS	SHEET 2 OF 4
DRAWN	CHECKED	PROPOSED BRICK VENEER UNIT C	DRG No
DATE 25-2-19		LOT 2 DP653729	
		63 GRANVILLE STREET INVERELL	2181206

ITEM NO:	2.	FILE NO: DA-29/2019
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-29/2019 – SINGLE DWELLING USE – 124 TRAFALGAR LANE, GUM FLAT – VARIATION TO MINIMUM LOT SIZE DEVELOPMENT STANDARD	
PREPARED BY:	Elise Short, Planning Officer	

SUMMARY

This report has been prepared for the Committee to consider and determine Development Application DA-29/2019 for a “single dwelling use” on Lot 308 DP 754840, 124 Trafalgar Lane, Gum Flat. The Development Application seeks to vary the 100 hectare minimum lot size, which is required for a dwelling.

A “single dwelling use” is a type of approval used to establish a dwelling entitlement. Development Application DA-29/2019 is seeking development consent for a dwelling entitlement on Lot 308 DP 754840. Should consent be granted for the single dwelling use (dwelling entitlement), a subsequent application would need to be lodged for the construction of a dwelling.

Lot 308 DP 754840 is zoned RU1 Primary Production under the *Inverell Local Environmental Plan 2012 (ILEP)*. To construct a dwelling on land zoned RU1 Primary Production compliance with Clause 4.2A of the ILEP is required, with the land having to meet one of the following:

- Be created via an approved subdivision; or
- Have at least the minimum area – in this case 100 hectares.

Lot 308 DP 754840 was not created via an approved subdivision process and its area is only 54.63 hectares. Therefore, Council cannot approve the construction of a dwelling pursuant to Clause 4.2A of the ILEP.

As Lot 308 DP 754840 does not comply with 4.2A of the ILEP, the applicant has made a written request pursuant to Clause 4.6 of the ILEP, to vary the minimum lot size. The variation sought is approximately 45%.

An assessment of the variation has been undertaken, and it is recommended that the Committee support the proposal. In accordance with Planning Circular PS 18-003, Council staff cannot approve variations greater than 10% for rural dwellings under delegated authority.

Due to the size of the variation, DA-29/2019 requires:

- Determination by Council (i.e. DA-29/2019 cannot be determined under delegated authority); and
- Concurrence from the Department of Planning and Environment – Concurrence has been requested and is still pending. It is considered Council could determine DA-29/2019 subject to concurrence.

DA-29/2019 was notified to adjoining neighbours and was advertised in the Inverell Times from 12 April 2019 to 26 April 2019. No submissions were received.

The application has been assessed having regard to the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements. It is considered that the site is suitable for the development and the proposed single dwelling use:

- Complies with the *Inverell Local Environmental Plan 2012* subject to the Clause 4.6 variation request discussed further below;
- Complies with the relevant State Environmental Planning Policies;
- Complies with the *Inverell Development Control Plan 2013*;
- Will have minimal impacts on the natural and built environment;
- Will have minimal social or economic impact; and
- Is not prejudicial to the public interest.

APPLICATION DETAILS

Applicant:	Mr Glenn Jeffrey John Partridge
Owner:	Mr Glenn Jeffrey John Partridge
Application No:	DA-29/2019
Address:	124 Trafalgar Lane, Gum Flat
Title Particulars:	Lot 308 DP 754840
Proposed Development:	Single Dwelling Use
Site Area:	54.63 hectares
Zoning:	RU1 Primary Production
Existing Use:	Agriculture – stock grazing

SUBJECT SITE AND LOCALITY

The site is known as Lot 308 DP 754840, 124 Trafalgar Lane, Gum Flat. It has an area of 54.63 hectares and is located approximately 15 kilometres west of Inverell, off the Copeton Dam Road (Figure 1). The site is also approximately 2km west of the village of Gum Flat (Figure 2).



Figure 1 – Locality Map

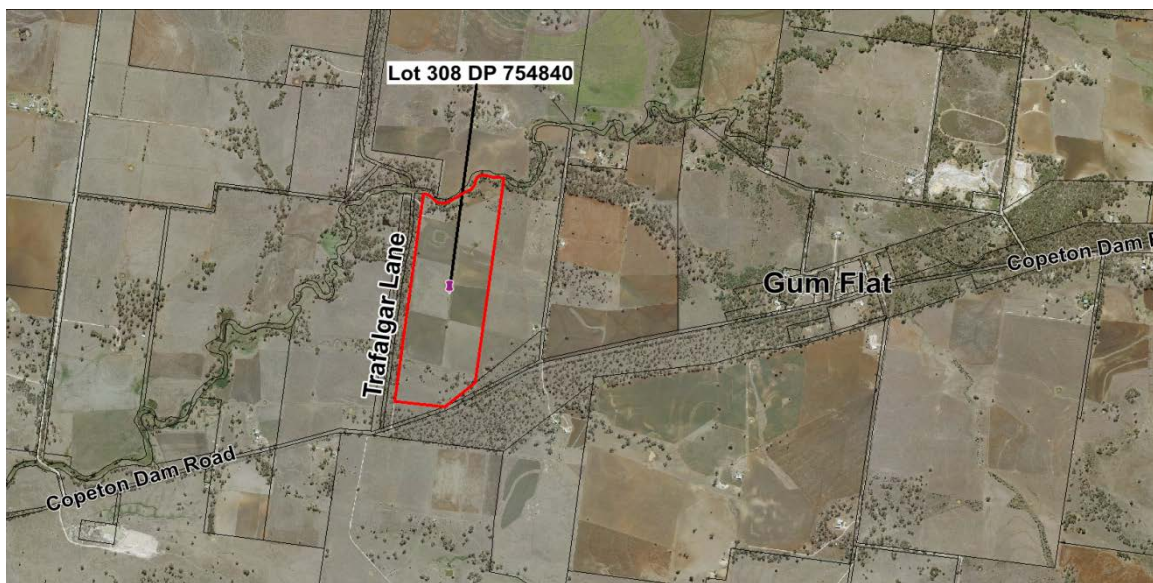


Figure 2 – Aerial Image

Lot 308 DP 754840 is used for stock grazing and contains a shed and stock yards at the northern end of the property. There is some vegetation clustered at the northern end of the property as well with some trees scattered over the remaining land (Figure 3). Parts of the property are mapped as bush fire prone land; however, it is considered that there is sufficient clear area to provide for a future dwelling site outside these areas (Figures 3 & 4).



Figure 3 – Aerial Image



Figure 4 – The site

The site has frontage to Trafalgar Lane, off Copeton Dam Road. Trafalgar Lane is a gravel road and the site has an existing access crossing constructed into the northern end of the property (Figure 5).



Figure 5 – Photo of Access Crossing to Lot 308 DP 754840 off Trafalgar Lane

The surrounding area is comprised of a mixture of small rural holdings and some larger agricultural properties and the village of Gum Flat to the east (Figure 6). The lot/holding pattern is discussed further in the report.

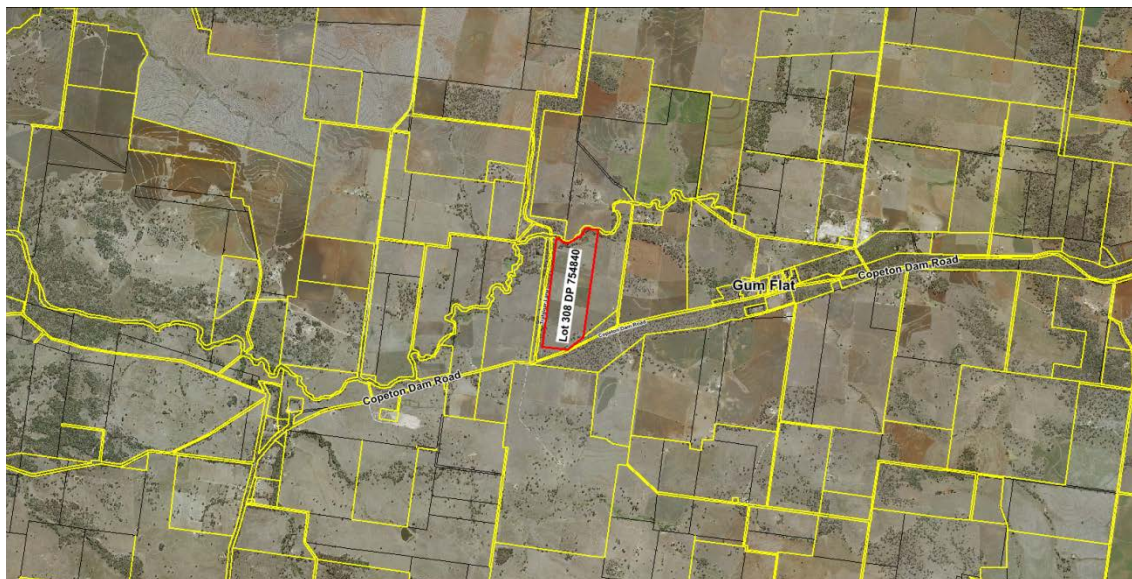


Figure 6 – Surrounding property holdings – black line indicates lots and yellow line indicates property holding

PROPOSED DEVELOPMENT

The applicant is seeking consent for a single dwelling use on the above property, including a request to vary the minimum lot size. In the event that consent is granted a separate application will be lodged for the actual construction of a dwelling.

REFERRALS UNDERTAKEN & OTHER APPROVALS REQUIRED

External referrals

As per the requirements of Clause 4.2(4)(b) of the *Inverell Local Environmental Plan 2012* the application has been referred to the NSW Department of Planning and Environment for concurrence. It is considered that this application can be considered and determined subject to concurrence from the Department.

ASSESSMENT - STATUTORY REQUIREMENTS – S.4.15

Relevant State Environmental Planning Policies

Policy	Comment
<i>State Environmental Planning Policy No. 44 – Koala Habitat</i>	Whilst the site contains areas of native vegetation at northern end of the site, there is a large cleared area for any future dwelling. As DA-29/2019 is for a use only (no works proposed) and a future dwelling is unlikely to require clearing, the development is not considered to impact potential Koala habitat.
<i>State Environmental Planning Policy No. 55 – Remediation of Land</i>	There is no evidence that the site is contaminated or unsuitable for a dwelling.
<i>State Environmental Planning Policy (Primary Production and Rural Development) 2019</i>	<p>This policy replaced State Environmental Planning Policy (Rural Lands) 2008, and others relating to rural land development. The aim of this policy is to protect rural land, prevent land use conflict and minimise fragmentation. In particular it aims to:</p> <ul style="list-style-type: none"> (a) <i>facilitate the orderly economic use and development of lands for primary production,</i> (b) <i>reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources.</i> <p>The proposed single dwelling use supports these aims to balance and enhance the onsite primary production practices by supporting it through an onsite residential dwelling use.</p>

Local Environmental Plans

Inverell Local Environmental Plan 2012

In accordance with the *Inverell Local Environmental Plan 2012* (ILEP) Lot 308 DP 754840 is zoned RU1 Primary Production and a 'dwelling house' is permitted with consent.

The construction of a dwelling in the RU1 Zone must comply with Clause 4.2A of the ILEP 2012, in this instance compliance with the Minimum Lot Size (MLS) requirement. Full discussion on consideration of Clause 4.2A and the request for variation to the MLS under 4.6 of the ILEP 2012 has been undertaken below.

Other clauses of the ILEP which must be considered are:

- 5.10 Heritage Conservation – The site is not listed as heritage and there is no evidence to suggest the presence of European or Aboriginal artifacts.
- 6.1 Earthworks – No earthworks are required for a single dwelling use, as actual construction is subject to a separate DA. It is considered that any future earthworks on the site for a dwelling are not unreasonable and will comply with this clause; and
- 6.6 Essential Services – Access exists to the site off Trafalgar Lane and electricity is already extended into the site. The site is considered suitable for on-site effluent disposal, with the type of system to be approved at the time of dwelling construction. Any future dwelling application would demonstrate water supply (e.g. tanks); however, Council's general policy is lots greater than 12.5 hectares in size do not require reticulated (mains) supply (e.g. Council supply).

Inverell LEP 2012 – Clause 4.2A – Erection of Dwelling Houses on land in certain Rural and Environment Protection Zones

To construct a dwelling (or obtain a dwelling entitlement) on a property zoned RU1 Primary Production, it is necessary for the subject property to satisfy the provisions of Clause 4.2A of the *Inverell Local Environmental Plan 2012*. An assessment of Lot 308 DP 754840 against Clause 4.2A has been undertaken below.

- (1) *The objectives of this clause are as follows:*
 - (a) *to minimise unplanned rural residential development,*
 - (b) *to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones.*
- (2) *This clause applies to land in the following zones:*
 - (a) *Zone RU1 Primary Production,*
 - (b) *Zone E3 Environmental Management,*
 - (c) *Zone E4 Environmental Living.*
- (3) *Development consent must not be granted for the erection of a dwelling house on land to which this clause applies, and on which no dwelling house has been erected, unless the land:*
 - (a) *is a lot that is at least the minimum lot size shown on the [Lot Size Map](#) in relation to that land, or*

Planner Comment: The minimum lot size shown on the lot size map in relation to the development site is 100 hectares. The site area is 54.63 hectares.

- (b) *is a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or*

Planner Comment: Lot 308 DP 754840 was not created under the necessary subdivision provisions to enable a dwelling under this sub-clause.

- (c) *is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or*

Planner Comment: Lot 308 DP 754840 was not created under the necessary subdivision provisions to enable a dwelling under this sub-clause.

(d) is an existing holding, or

Planner Comment: Pursuant to Clause 4.2A (4), the 'existing holding' provisions above ceased on 7 December 2015. Additionally, an existing holding is a property which is comprised of the same land as the holding that existed on 1 July 1979. Lot 308 DP 754840 is not an existing holding.

An assessment of Lot 308 DP 754840 concludes that it does not satisfy the provisions of Clause 4.2A. As such, the construction of a dwelling on Lot 308 DP 754840 cannot be approved by Council pursuant to Clause 4.2A of the ILEP.

Accordingly, the applicant has lodged a written request to vary the minimum lot size development standard provision (4.2A (3) (a)) as discussed below.

Inverell LEP 2012 – Clause 4.6 – Exception to Development Standards

Clause 4.6 of the ILEP allows Council to consider and grant consent to a proposed development, subject to written request, even though the development would contravene a development standard. In this case, granting consent for a single dwelling use despite the property not meeting the minimum lot size standard (4.2A (3) (a)) of the (ILEP).

An assessment of Lot 308 DP 754840 against Clause 4.6 has been undertaken below.

(1) The objectives of this clause are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

Planner Comment: The applicant has requested to vary the principal development standard specified in Clause 4.2A (3) (a) of the ILEP, requiring land to have at least the minimum area as specified on the applicable ILEP Lot Size Map. The variation is summarised in Table 1.

Table 1 – Variation Summary			
Development Standard – Required Property Size			100 hectares
Actual Property Size			54.63 hectares
Percentage Variation			45.37%

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

-
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Planner Comment: A written request has been submitted by the applicant. The written request seeks to justify the contravention of the development in accordance with the requirements of this clause. The request is included as **Appendix 2** (D46 – D48) to this report.

The request has been assessed under sub clause (4) below.

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*

- (a) *the consent authority is satisfied that:*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*

Planner Comment: The applicant seeks to justify that compliance with the minimum lot size development standard is unreasonable and there are sufficient environmental planning grounds for the variation based on following reasons:

- Lot 308 DP 754840 is similar in area and consistent with the lot holding pattern in the area;
- Lot 308 DP 754840 is in close proximity to an area with a 40 hectare MLS;
- Lot 308 DP 754840 is being used for stock grazing and a dwelling would provide the opportunity for stock breeding with onsite residents to support this agricultural undertaking; and
- Strict compliance with the standard would not encourage sustainable development of the land or surrounding area nor promote economic use and development of the lot.

An analysis of the properties and development within the surrounding area has been undertaken, which has identified:

- Ten (10) dwellings have been identified in the area surrounding Lot 308 DP 754840 (refer Figure 7). The lot sizes for these dwellings vary from 0.3 hectares to 230.4 hectares, being an average of 53.32 hectares (Table 2);
- The average “holding” size for the nine (9) dwellings is 86.31 hectares (Table 2) – Holding refers to one or more lots held in the same ownership as the dwelling; and
- The land is approximately 5km from the 40 hectare MLS area to the east.

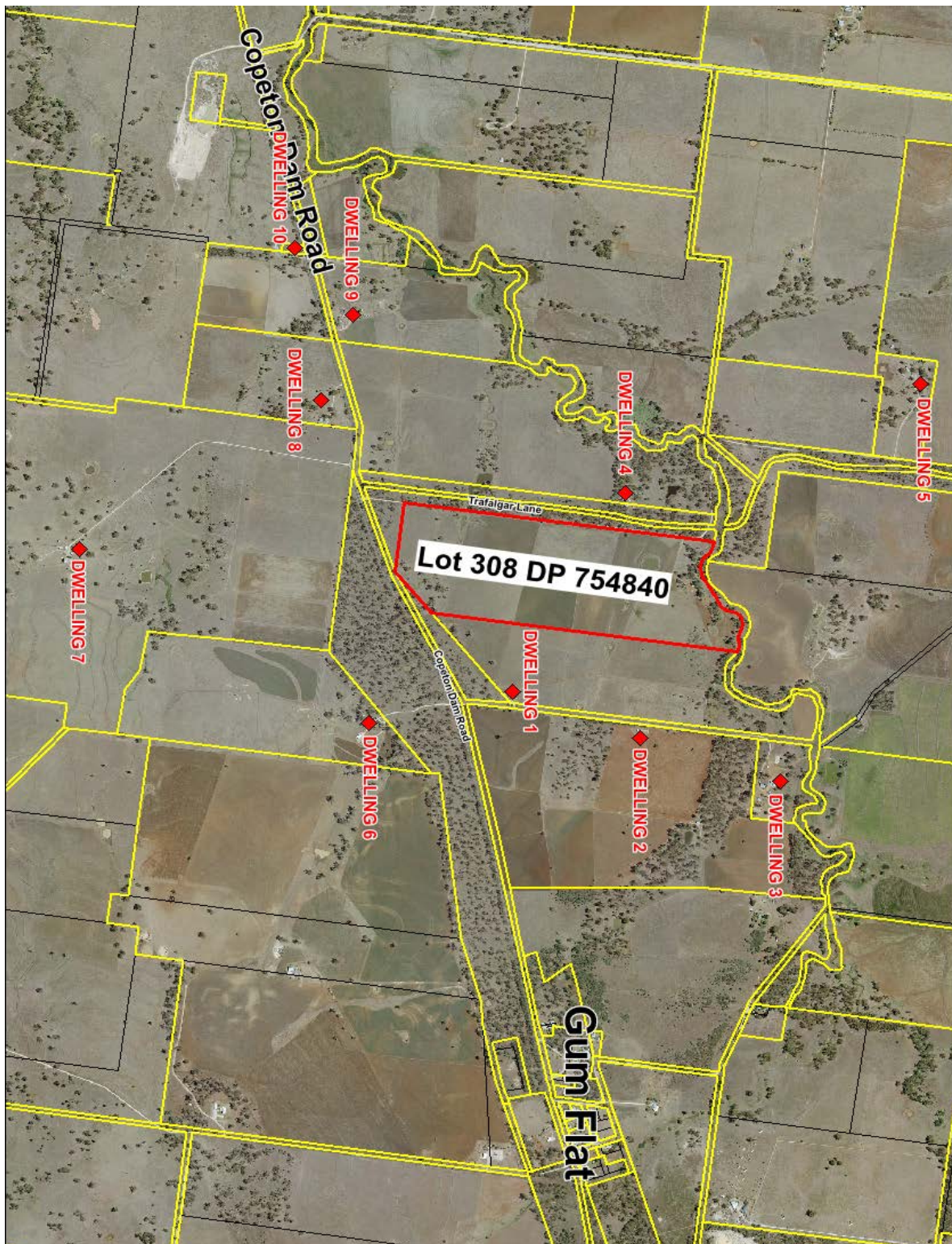


Figure 7 – Lot Map

Table 2 - Summary of Lots with Dwellings Immediately Surrounding Lot 308 DP 754840			
Map No.	Lot Area (ha)	Property Area (ha)	Address
1	40.47	40.47	3 Thomas Lane
2	80.57	80.57	76 Thomas Lane
3	7.388	324.1089	124 Thomas Lane
4	60.31	60.31	105 Trafalgar Lane
5	8.518	8.518	247 Trafalgar Lane
6	44.0	44.0	1119 Copeton Dam Road
7	230.4	230.4	1249 Copeton Dam Road
8	20.61	20.61	1263 Copeton Dam Road
9	40.68	41.68	1284 Copeton Dam Road
10	0.3	12.44	1317 Copeton Dam Road
Average	53.3246	86.3107	-

As can be seen, the area of Lot 308 DP 754840 is consistent with the surrounding lot pattern in the immediate area, being slightly larger than the average lot size for existing dwellings in the area. Whilst the average holding size is larger (86.31 hectares), this is due to two (2) large holdings comprising 324.1 and 230.4 hectares, which is not common in this location. Six (6) out of the ten (10) identified dwellings in the area are on a holding of less than 45 hectares and seven (7) out of ten (10) identified dwellings are on individual lots less than 45 hectares.

Given that Lot 308 DP 754840 has an area of 54.63 hectares and is currently used for agriculture, it is reasonable to concur with the applicant's statement that a dwelling would support and enhance the ongoing agricultural viability of the land. As also stated, this supports the aims of the Inverell Strategic Land Use Plan 2011-2031 of supporting agriculture and rural communities and retaining populations around villages, the variation request has further merit.

It is considered that the applicant's written request to vary the minimum lot size for the construction of a dwelling has adequately addressed the matters contained in Clause 4.6 sub-clause (3).

- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The relevant aims and objectives to be considered for this development within the zone are shown in Table 3.

Table 3 – Relevant Aims and Objectives	
ILEP – Clause 1.2 (2) Aims of Plan	<i>The particular aims of this Plan are as follows:</i> <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>

	<p>(d) <i>to protect built and cultural heritage assets,</i></p> <p>(e) <i>to provide opportunities for growth.</i></p>
ILEP – RU1 Primary Production Zone Objectives	<ul style="list-style-type: none"> • <i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i> • <i>To encourage diversity in primary industry enterprises and systems appropriate for the area.</i> • <i>To minimise the fragmentation and alienation of resource lands.</i> • <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>
ILEP – Clause 4.2A (1) - Erection of dwelling houses on land in certain rural and environment protection zones	<p><i>The objectives of this clause are as follows:</i></p> <p>(a) <i>to minimise unplanned rural residential development,</i></p> <p>(b) <i>to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones.</i></p>
State Environmental Planning Policy (Primary Production and Rural Development) 2019	<p><i>The aims of this Policy are as follows:</i></p> <p>(a) <i>to facilitate the orderly economic use and development of lands for primary production,</i></p> <p>(b) <i>to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</i></p> <p>(c) <i>to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</i></p> <p>(d) <i>to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</i></p> <p>(e) <i>to encourage sustainable agriculture, including sustainable aquaculture,</i></p> <p>(f) <i>to require consideration of the effects of all proposed development in the State on oyster aquaculture,</i></p> <p>(g) <i>to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</i></p>

Planner comment: From the above aims and objectives, it is evident that the underlying intent for development within rural areas is to protect rural land, prevent land use conflict and minimise fragmentation. Orderly and economic use of land can occur, where this intent is achieved.

The intent of these objectives is generally achieved through the use of minimum lot size provisions.

In respect to Lot 308 DP 754840, it is considered that strict compliance with the minimum lot size provisions is not required to achieve the intent of the aims and objectives for development within the RU1 zone as:

- The agricultural potential of the land is limited without permanent supervision of stock to enable breeding from the site. This use and potential increase is consistent with adjoining rural holdings. A single dwelling use on Lot 308 DP 754840 will not have a significant impact on the availability or viability of agricultural land in the area;

- A dwelling on Lot 308 DP 754840 is consistent with the land use on surrounding lots. A single dwelling use will not result in land use conflict; and
- Lot 308 DP 754840 is a single lot, cannot be further subdivided for additional dwellings and will not result in any fragmentation of rural land.

(b) *the concurrence of the Secretary has been obtained.*

Planner comment: Concurrence has been requested. It is considered that DA-29/2019 can be approved subject to this concurrence being received, which is consistent with past practice of Council in assessing and determining these types of variation applications.

Development Control Plans

As per the requirements of the *Inverell Development Control Plan 2013* (IDCP), the development was notified and advertised for a period of fourteen (14) days. The assessment of this application does not trigger any other sections of the IDCP and it is considered that a potential future dwelling on the site will be capable of being designed and sited in compliance with the relevant controls of the IDCP.

Other Documents/Policies

Planning for Bush Fire Protection 2006

The subject site is bush fire prone land and the construction of a dwelling must be considered against *Planning for Bush Fire Protection 2006*. Whilst a dwelling is not actually being constructed under this DA, consideration should still be given to possible dwelling envelope, asset protection and access for a future dwelling. In this regard:

- The majority of the site is cleared grazing land with ample area to site a dwelling and associated asset protection zones; and
- The site has suitable access off Trafalgar Lane for ease of evacuation in case of an emergency as well as access for fire fighting.

Overall, it is considered that a future dwelling on the subject property could readily achieve compliance with *Planning for Bush Fire Protection 2006*.

The likely impacts of that development

It is necessary to consider the likely impacts of the proposed single dwelling use, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. Having reviewed the proposal in consideration of any potential environmental, social or economic impacts the following comments are made:

- The single dwelling use on Lot 308 DP 754840 is consistent with the smaller rural holding pattern context and setting. This is supported by the lot size of Lot 308 being 54.63 hectares and the area having average lot size with a dwelling 53.32 hectares;
- Access to the site is suitable and a single dwelling use will not impact the safety and efficiency of the surrounding road network;
- The site is mapped as bushfire prone land; however, there is ample area for the siting and design of a dwelling to ensure compliance with *Planning for Bushfire Protection 2006*;
- A single dwelling use will support the existing onsite grazing activities and provide the opportunity for expansion; and
- A future dwelling can be serviced by electricity and telecommunications utilities in the area, the site is suitable for onsite effluent disposal and water harvesting is achievable.

In summary, a single dwelling use will eventually result in the construction of a single dwelling on Lot 308 DP 754840. Given the ongoing primary production activities on the site, the existing smaller rural holding pattern, property size (54.63 hectares) and distance between neighbours, it is considered that a dwelling will have minimal impact on the natural and built environment. Also, a dwelling (use and construction) will not have a detrimental social or economic impact in the locality.

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 rural holdings, mostly smaller holdings (average 80 hectares) with some larger holdings, all with associated residential uses. The proposed single dwelling use and eventual construction of a single dwelling on the site is considered to 'fit' in the residential locality.

Are the site attributes conducive to development?

The constraints of the site, including being bushfire prone land, onsite vegetation occurrence, site access and grazing activities, can be accounted for in the design and siting of a future dwelling. All essential services (septic system, electricity and telephone) are available for a future dwelling.

As stated, the proposed single dwelling use and construction of a future dwelling is consistent with the rural holding pattern in locality and suitable separation can be achieved to ensure land use conflict will not occur.

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

Submissions

DA-29/2019 was notified to adjoining neighbours and was advertised in the Inverell Times from 12 April 2019 to 26 April 2019. No submissions were received.

Public Interest

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

CONCLUSION

This application (DA-29/2019) is for a single dwelling use (dwelling entitlement) on Lot 308 DP 754840. Lot 308 DP 754840 is zoned RU1 Primary Production and the Minimum Lot Size for a dwelling is 100 hectares. Lot 308 DP 754840 has an area of 54.63 hectares.

The applicant has lodged a written request to vary the minimum lot size to facilitate the single dwelling use pursuant to Clause 4.6 of the *Inverell Local Environmental Plan 2012*. An assessment of this variation has concluded that:

- The written request has been made in accordance with and addressed the requirements of Clause 4.6;
- The variation is justified in terms of:
 - Consistency with the surrounding lot pattern;
 - Consistency with the past approved dwellings in the locality; and
 - A single dwelling will support the ongoing agricultural viability of the site; and
- Strict compliance with the Minimum Lot Size is unnecessary.

It is recommended that the Committee support the variation made under Clause 4.6 and recommend that Council grant consent for the single dwelling use on Lot 308 DP 754840.

Given the size of the variation, any consent granted by Council must have concurrence from the NSW Department of Planning and Environment. DA-29/2019 has been referred to the Department with concurrence pending. On that basis, it is recommended that the Committee recommend to Council that DA-29/2019 be approved subject to concurrence being received from the NSW Department of Planning and Environment.

RECOMMENDATION:

That the Committee recommend to Council, subject to concurrence being received from the NSW Department of Planning and Environment, DA-29/2019 be approved subject to the following conditions:

Preliminary

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

Consent is granted for a single dwelling use only on Lot 308 DP 754840.

Advice Only

2. The following matters are not conditions of consent, but will require consideration in the design of any proposed dwelling:
 - A separate application is to be approved for the actual construction of a dwelling.
 - Any new dwelling is to comply with the provisions of *Planning for Bush Fire Protection 2006*.
 - Approval is required under Sec. 68 of the *Local Government Act 1993* for the installation and operation of an onsite sewage management system.
 - No native vegetation should be removed as a result of the construction of a dwelling without the approval of Council.
 - The external colours of the dwelling should be sympathetic with the surrounding rural landscape.
3. Any other condition deemed appropriate by the Director Civil and Environmental Services.

APPENDIX 2

RE: 124 Trafalgar Lane, Gum Flat NSW, 2360

Lot 308 DP 754840

Lot size 546300 ha/m

Submission for variation of development standards.

I would like to make a request for Inverell Shire Council to relax the current rules relating to the planning changes in the LEP 2012, which does not currently allow for a building entitlement for the above property, to enable single dwelling use for that property.

My request is based on:

Supporting the Inverell Shire 'strategic Lane Use Plan 2011 -2031'. As outlined in the strategic plan, it is important to ensure land is used and developed in a prosperous, affordable and sustainable manner. This, I totally agree with as the 54.6 hectare acre block has been primarily used for agriculture purposes since the purchase of the land in 2003. This, through the production of beef by restocking of steers. I will continue to farm and ensure sustainable practices are implemented.

However, I have been restricted to restocking sheep and cattle rather than breeding as it is too difficult to monitor stock during the breeding season (birth) as I live in the township of Inverell. If living on the property this would allow breeding to occur to carefully monitor the health and safety of all livestock.

Trees and pastures have continually been planted as a sustainable practice to maintain and protect the land. Thus reducing storm runoff in which reduces erosion. Fencing off of the proposed site because of unsuitability of cropping has already taken place.

As mentioned in the strategic plan, there are a number of small rural villages and hamlets located within the Inverell Shire. Gum Flat village is one of these. To support the key issue of, **retain population, support for rural community, promote lifestyle as alternative to Inverell and foster community development**. I feel as a family of five, we would be able to fully support the key issues and objectives in a number of ways. Examples include, enrolling our two youngest children at the local Primary School and supporting all community events (sense of belonging) in Gum Flat. Trafalgar Lane is only 1.6 km from the village. Services are already in existence such as mail, roadside garbage collection, school bus and Gum Flat Public school. Power runs directly through the property and ample water through a reliable bore.

Furthermore, **based on the holding pattern** within the immediate area, I ask that my submission be favourably considered as five neighbouring properties all have dwellings under 100 hectares. All properties are within 5 km from the Gum Flat Village.

Building entitlements for 40 hectare properties is approximately 6 kilometres away. Percentage Variation is approximately 45.37% for my proposal.

Aerial shots and boundaries are available through www.sixmaps and typing in the above address.

Kind Regards

Glenn Partridge

2 Oakland Lane Inverell, NSW, 2360

GUIDELINES

Appendix 3: Application Form to vary a development standard

Written application providing grounds for variation to development standards

To be submitted together with the development application (refer to EP&A Regulation 2000 Schedule 1 Forms).

1. What is the name of the environmental planning instrument that applies to the land?

Inverell Local Environment Plan 2012

2. What is the zoning of the land?

RU1 Primary Production

3. What are the objectives of the zone?

To encourage sustainable primary industry production by maintaining and enhancing the natural resource base

To encourage diversity in primary industry enterprises and systems appropriate for the area

To Minimise the fragmentation and alienation of resource lands

To minimise conflict between land uses within this zone and land uses within adjoining zones

4. What is the development standard being varied? e.g. FSR, height, lot size

4.2A (3) (a) Minimum lot sizes for the erection of a dwelling if no dwelling erected.

5. Under what clause is the development standard listed in the environmental planning instrument?

Clause 4.2A

6. What are the objectives of the development standard?

(a) to minimise unplanned rural residential development

(b) to enable the replacement of lawfully erected dwellinghouses in rural and environment protection zones

7. What is the numeric value of the development standard in the environmental planning instrument?

100 hectares

8. What is proposed numeric value of the development standard in your development application?

54.63 hectares

9. What is the percentage variation (between your proposal and the environmental planning instrument)?

45.37%

GUIDELINES

10. How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

Strict compliance could prevent a new dwelling on the property which greatly reduces the value of the land. The holding pattern within the immediate area all have dwellings under 100 hectares. Mail and roadside garbage services are all ready in existence, excellent bore water is available and power runs through the block. Gum Flat School is only 1.6km away. Bus service is available.

11. How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act.

Strict compliance would not support the Inverell Shire Strategic Land Use Plan 2011 - 2031 for small hamlets such as Gum Flat.

The key issues being retain populaation support for rural community, promote lifestyle as alternative to Inverell and foster community development.

Note: If more than one development standard is varied, an application will be needed for each variation (eg FSR and height).

12. Is the development standard a performance based control? Give details.

Additional matters to address

As outlined in "Varying Development Standards: A Guide" there are other additional matters that applicants should address when applying to vary a development standard.

13. Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?

Strict compliance with the standard would be unreasonable as 5 neighbouring properties have dwellings under the 100 hectare requirement. This addition of a new dwelling would be in line with the holding pattern of this area.

14. Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

Erection of the dwelling would not effect the existing land use of land and current environmental character. The location of the proposed buiding site does not effect grazing land. The area is located at the northern end of the property and and is already fenced of to prevent erosion. The site is unsuitable for a agriculture as surrounding trees roots suck moisture and nutrients which would normally feed crops. Therefore the proposed area is not viable for agriculture which is why I believe this would be suitable.

ITEM NO:	3.	FILE NO: DA-26/2019
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY

An application (DA-26/2019) has been received for the construction of a colorbond fence at the front of the RSM Clay Target Club facility on Lot 3 DP 1101540, 6375 Gwydir Highway, Inverell.

This Development Application relates to the construction of the colorbond fence only.

Vegetation removal has already been undertaken along the front boundary of 6375 Gwydir Highway, Inverell. This vegetation removal did not require any prior planning or environmental approval, as:

- The RSM Clay Target Club has been in use since 1953 and operates under continuing use rights. There are no conditions of operation which require retention of this landscaping;
- No local Tree Preservation Order or similar Policy is applicable to the site;
- The vegetation removal did not exceed the Biodiversity Scheme Offsets Threshold under the *Biodiversity Conservation Act 2016*; and
- The site is “non-rural” land as defined under the *Local Lands Services Act 2013* and native vegetation provisions do not apply to non-rural land.

The subject site is zoned E3 Environmental Management under the *Inverell Local Environmental Plan 2012*. Within the E3 Environmental Management zone, it is possible to construct a 1.8 metre high “post and rail” or “post and wire” fence as Exempt Development (i.e. no development consent required). However, as the proposed fence will be constructed using colorbond sheeting, Development Consent is required for the fence.

DA-26/2019 was notified to adjoining/adjacent neighbours from 28 March 2019 to 11 April 2019. During the notification period, Council received:

- Two submissions by way of objection; and
- A petition from surrounding landowners objecting to the development.

The objections and the petition primarily relate to:

- Noise – Objectors perceive that the former vegetation along the front boundary provided significant noise attenuation for the RSM Clay Target Club and with the removal of the vegetation there may be increased noise impacts on surrounding properties. Objectors have requested that instead of a colorbond fence a suitable acoustic barrier be installed.
- Visual impact associated with a colorbond fence, in particular compliance with Council’s Protecting Rural Landscapes Management Policy; and
- Public safety aspects associated with the firearms range.

The submissions have been discussed in further detail in the 'Submissions' section of this report.

This report, including consideration of the submissions, has been prepared by Council's planning staff primarily in relation to Council's planning functions under the *Environmental Planning and Assessment Act 1979*. DA-26/2019 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.

Council has an additional role in this development as the Owner of the subject land. In its capacity as the Owner of the subject land, Council may apply a standard higher than the minimum planning standard, subject to any necessary approvals under the *Environmental Planning and Assessment Act 1979* and other legislation.

APPLICATION DETAILS

Applicant: Inverell Shire Council

Note: Whilst Council is the nominated applicant for this development application, the works will be undertaken by the RSM Clay Target Club.

Owner: Inverell Shire Council

Note: The subject site is leased to the Inverell RSM Club on behalf of the two firearms club.

Application No: DA-26/2019

Address: 6375 Gwydir Highway, INVERELL

Title Particulars: Lot 3 DP 1101540

Proposed Development: New Colorbond Fence

BCA Classification Class 10b

Zoning: E3 Environmental Management

Existing Use: RSM Clay Target Club Facility and RSM Smallbore Rifle Club Facility

DA-26/2019 - APPLICATION HISTORY

<u>Date</u>	<u>Comment</u>
25 March 2019	DA-26/2019 lodged.
28 March 2019	Neighbour notification begins.
11 April 2019	Notification period ends. Two (2) submissions and one (1) petition received by way of objection.

SUBJECT SITE AND LOCALITY

The site is known as Lot 3 DP 1101540, 6375 Gwydir Highway, Inverell. Lot 3 DP 1101540 forms part of the larger Lake Inverell Reserve, which contains Lake Inverell proper, off-road recreational circuit (under construction), RSM Clay Target Club and RSM Smallbore Rifle Club. **Figure 1** shows the site locality.

The footprint of the development (fence location) is contained wholly within Lot 3 DP 1101540, being located at the front of the RSM Clay Target Club.

The RSM Clay Target Club contains a club building, storage building (approved under DA-154/2009), trap layouts and parking areas. The trap layouts consist of 4 down the line traps and 2 ball traps, with Trap Layout 4 only being permitted for use on two occasions a year. The RSM Smallbore Rifle Club is located on the western side of the Clay Target range. **Figure 2** shows the layout of the firearms ranges.

The historic fencing around both firearm clubs has consisted of a simple picket and wire fence, which is still present around the majority of the boundary. A temporary fence comprised of star pickets and flagging tape has been installed along the frontage of the Gwydir Highway, where the vegetation has been removed.

Whilst the vegetation removal has already occurred along the Gwydir Highway, this former vegetation predominantly consisted of Privet and Osage Orange, both weeds of regional concern.

The site is located on the eastern fringe of Inverell, within the transition area from the urban residential areas to the rural residential (and rural) land to the east of Inverell (towards Glen Innes). The following land uses are present in the area:

- RSM Clay Target and RSM Smallbore Rifle Clubs;
- Holy Trinity Agricultural Plot;
- Barayamal National Park;
- Council water reservoir;
- Motel signage;
- Rural residential dwellings, with the nearest dwellings to the development (Figure 3) being:
 - ‘Roslyn’, 6386 Gwydir Highway – Approximately 150 metres from Trap 3 and 100 metres from Trap 4;
 - ‘Langunya’, 6411 Gwydir Highway- Approximately 350 metres west from Trap 3 and 300 from Trap 4; and
 - Short Street dwellings – Approximately 300 metres north.

The RSM Clay Target Club is approximately 800 metres from the Macintyre River to the south. The site is identified as bush fire prone land.

Photos have also been provided below, which depict the site and locality. A historic photo of the former vegetation in front of the RSM Clay Target Club has also been provided for reference.

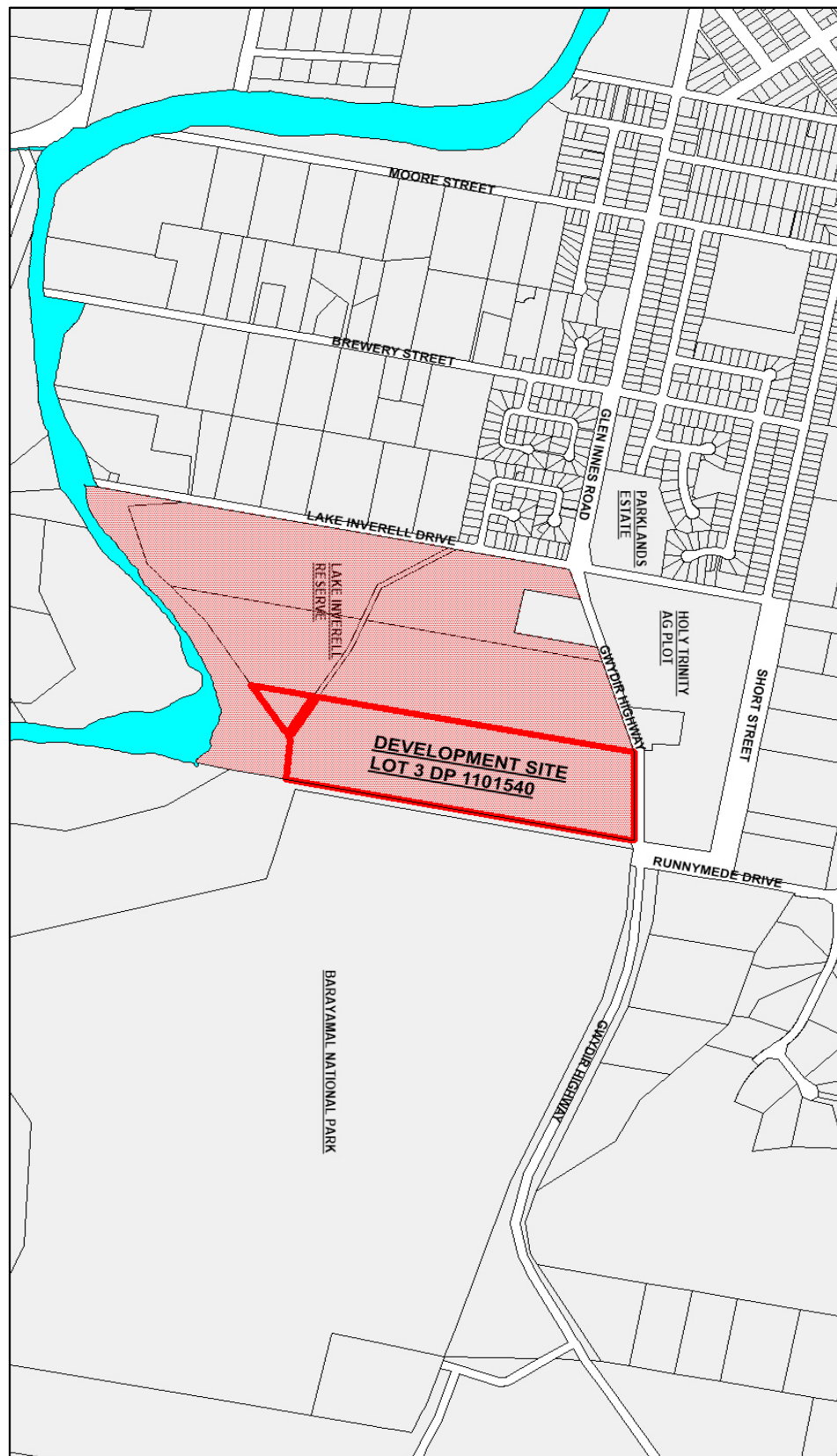


Figure 1 – Locality Plan



Figure 2 – Layout of Firearms Ranges

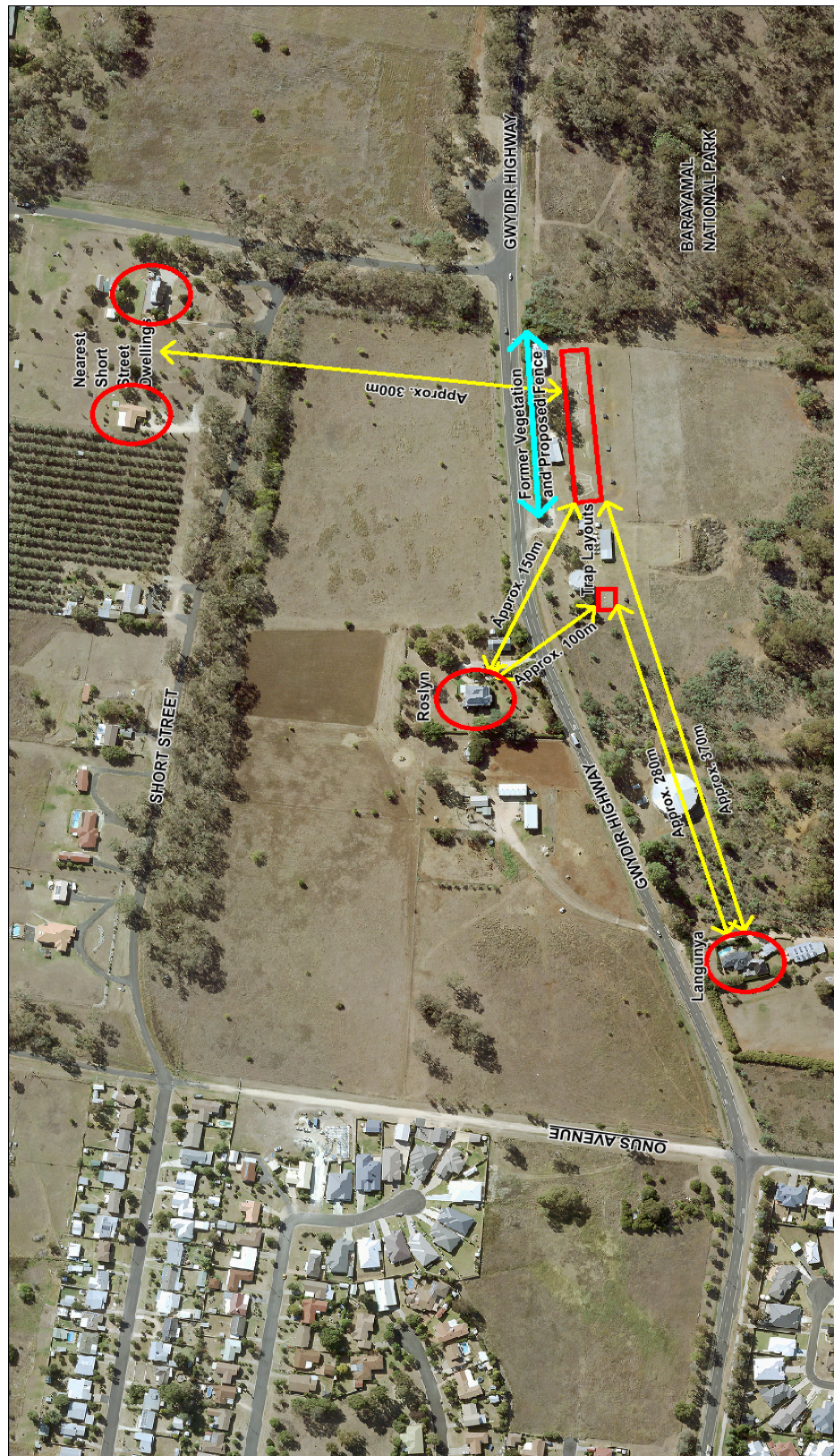


Figure 3 – Dwellings near the RSM Clay Target Club



Photo 1 – View of RSM Clay Target Club from opposite the range site access



Photo 2 – View of RSM Clay Target Club between club house and storage building



Photo 3 – View of RSM Clay Target Club from 'Roslyn' Driveway



Photo 4 – View of RSM Clay Target from Runnymede Intersection



Photo 5 - View along Gwydir Highway looking west from Runnymede Drive Intersection



Photo 6 – View along Gwydir Highway looking west from ‘Roslyn’



Photo 7 – View along Gwydir Highway looking east from ‘Roslyn’



Photo 8 – View along Gwydir Highway looking east from ‘Langunya’



Photo 9 – Historic image (December 2015) of former vegetation. Source Google Maps/Streetview

PROPOSED DEVELOPMENT

It is proposed to construct a 1.8 metre high colorbond fence, for a distance of approximately 160 metres, along the front of the RSM Clay Target Club (refer Figure 4).

The fence is proposed to be 'Woodland Grey' colour and setback 1 metre from the front boundary to facilitate landscaping between the fence and Gwydir Highway. The type of landscaping has not been nominated at this point in time.

Subject to development consent, conditions of consent would require:

- Landscaping to be completed within six (6) months of completion of the fence; and
- Prior to the landscaping being undertaken, a landscaping plan nominating plant species, planting size, size at maturity and location, is to be approved by Council.

The fence will also have a small extension south, along the eastern boundary of Lot 3 DP 1101540, for a distance of approximately 10 metres. To maintain consistency, it is not unreasonable to require this section of the fence to also be setback 1 metre inside the eastern boundary of Lot 3 DP 1101540, to cater for landscaping on the eastern side of the fence and range. This can be included as a condition of any subsequent consent.

The purpose of the fencing is to clearly delineate the property boundary and when used in conjunction with existing warning signage, acts as barrier for accidental entry into the range. As evident by the existing historic fencing of the firearms range, fencing is not required to be solid or "man-proof".

It is noted that the boundary with Gwydir Highway has been identified and pegged by a Registered Surveyor.



Figure 4 – Plan of Proposed Fence

REFERRALS UNDERTAKEN & OTHER APPROVALS REQUIRED

Internal Referrals

No internal referrals were required for this application.

External Referrals

DA-26/2019 was referred to the NSW Firearms Registry. A copy of this response is attached as **Appendix 3** (D77 – D78) to this report. No issues have been raised by the NSW Firearms Registry.

Council Policies

Protecting Rural Landscapes Policy

This Policy applies to all non-urban zoned areas of Inverell Shire and shall be taken into consideration by Council when determining a development application. It was adopted in May 2009 as a Local Management Policy and its provisions have not been embodied within the *Inverell Local Environmental Plan 2012* or *Inverell Development Control Plan 2013*.

In *Stockland Development Pty Ltd v Manly Council* [2004] NSWLEC 472 revised, the Land and Environment Court established a Planning Principle for the weight to be given to policies which had

been adopted by councils although not embodied in DCPs. The matters which are relevant when determining the weight to be given to a planning policy adopted by a council are as follows:

- *the extent, if any, of research and public consultation undertaken when creating the policy;*

No public consultation was undertaken prior to adoption of the Management Policy in May 2009.

- *the time during which the policy has been in force and the extent of any review of its effectiveness;*

The Protecting Rural Landscapes Policy has been in force for 10 years. No review of its effectiveness has been undertaken; however, anecdotal evidence suggests the policy has increasingly lost its effectiveness due to the number of zincalume and light coloured roofs constructed in recent years. This can largely be attributed to the expansion of Complying Development provisions across the State, which facilitates fast-track housing approvals without specific controls on materials or colours (discussed further below).

- *the extent to which the policy has been departed from in prior decisions;*

Given the expansion of Complying Development, a large number of Development Application decisions have departed from the Protecting Rural Landscapes Policy to maintain a practical level of consistency between neighbouring developments approved under Complying Development vs. Development Application.

- *the compatibility of the policy with the objectives and provisions of relevant environmental planning instruments and development control plans;*
- *the compatibility of the policy with other policies adopted by a council or by any other relevant government agency;*

These two points have been considered together given the similarity. In both instances, the Protecting Rural Landscapes Policy is incompatible with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 facilitates fast-track housing approvals without any controls relating to colour or material. This policy takes precedence over local Council controls, meaning Council is unable to apply the Protecting Rural Landscapes Policy to a Complying Development application.

A number of dwellings and/or sheds have been approved as Complying Development, which would be considered to be non-compliant with the Protecting Rural Landscapes Policy.

- *whether the policy contains any significant flaws when assessed against conventional planning outcomes accepted as appropriate for the site or area affected by it.*

The Protecting Rural Landscapes Policy does not contain any significant flaws. At the time of adoption, its intentions were sound. Unfortunately, the continued expansion of Complying Development across NSW has undermined its effectiveness.

In consideration of the Planning Principle established in Stockland Development Pty Ltd v Manly Council [2004] NSWLEC 472 revised, no weight is able to be given to Council's Protecting Rural Landscapes Management Policy.

Despite this, visual impact is a matter that can be considered under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. Visual impact has been discussed in the 'Submissions' section of this report.

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 AND ASSESSMENT
<i>State Environmental Planning Policy No. 44 – Koala Habitat Protection</i>	<p>Before a council may grant consent to an application to carry out development on land, it must satisfy itself whether or not the land is a potential koala habitat.</p> <p>The RSM Clay Target Club and RSM Smallbore Club are located within a large clearing, which is not considered to be a potential habitat for Koala.</p> <p>It is considered that the proposed colorbond fence will not affect any Koala Habitat within the adjacent Barayamal National park.</p>
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	<p>Gwydir Highway is a Classified Road (i.e. state highway). Under Section 101 of this policy, Council must not grant consent for development with frontage to a Classified Road unless it is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i> (b) <i>the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:</i> <ul style="list-style-type: none"> (i) <i>the design of the vehicular access to the land, or</i> (ii) <i>the emission of smoke or dust from the development, or</i> (iii) <i>the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</i> (c) <i>the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i> <p>The proposed development does not alter the access location or the volume/frequency of vehicles utilising the site. The proposed fence will be setback a minimum of 1 metre within the Gwydir Highway boundary and is not</p>

	<p>considered to affect sight distance. The development is not sensitive to traffic noise or emissions.</p> <p>Overall, the development complies with this clause.</p>
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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> <p><i>f) To encourage sustainable economic growth and development,</i></p> <p><i>g) To protect and retain productive agricultural land,</i></p> <p><i>h) To protect, conserve and enhance natural assets,</i></p> <p><i>i) To protect built and cultural heritage assets,</i></p> <p><i>j) To provide opportunities for growth.</i></p> <p>The proposed fence is not inconsistent with the aims of the LEP.</p>
2.1	Land use zones	<p>The site is zoned E3 Environmental Management. The RSM Clay Target Club has been in use since 1953 and operates under continuing use rights. The proposed fence is ancillary to this existing operation and is permissible with consent.</p> <p>The objectives of the E3 zone are:</p> <ul style="list-style-type: none"> <i>To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.</i> <i>To provide for a limited range of development that does not have an adverse effect on those values.</i> <p>The proposed fence is considered to be a minor development, which does not affect any ecological, scientific, cultural or aesthetic values.</p> <p>The development is not considered to be inconsistent with the E3 Environmental Management zone.</p>
6.1	Earthworks	<p>Minor earthworks will be required for installation of fence posts and landscaping. These earthworks are not considered to have an adverse environmental impact and comply with the provisions of this clause.</p>

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/adjacent neighbours from 28 March 2019 to 11 April 2019. During the notification period, Council received:</p> <ul style="list-style-type: none"> • Two submissions by way of objection; and • A petition from surrounding landowners objecting to the development. <p>These objections have been discussed in the 'Submissions' section of the report.</p>

No other chapters of the *Inverell Development Control Plan 2013* are considered relevant to the assessment of the colorbond fence.

The likely impacts of that development

Matters	Consideration
Context & Setting	<p>The proposed fence is ancillary to the RSM Clay Target Club and will not alter or intensify the firearms use of the site. The proposed fence will be setback 1 metre from the boundary to incorporate landscaping, which will soften the visual appearance of the fence. Visual impact is discussed in further detail in the 'Submissions' section of this report.</p> <p>Overall, the proposed development is not considered to adversely affect the context and setting of the area.</p>
Access, Transport & Traffic	There will be no change to the existing access or parking arrangements associated with either the RSM Clay Target or RSM Smallbore ranges. The proposed fence and landscaping will be located within the property boundary and is not considered to impact sight distance for vehicles.
Utilities	The development is not considered to impact utilities within the locality.
Heritage	The site is not identified as a heritage item and due to historic disturbance is highly unlikely to contain any European or Aboriginal artefacts.
Water	The proposed development is approximately 800 metres from the Macintyre River and will not have an adverse water impact.
Soils	Minimal earthworks are required for fence footings and landscaping. Subject to granting development consent, a condition of consent can enforce erosion control measures to minimise soil impacts.
Air Quality	The proposed fence and landscaping is not considered to result in adverse air quality impacts (dust, odour, etc.).
Flora & Fauna	As previously discussed, the vegetation removal along the Gwydir Highway does not form part of this report. The proposed fence is not considered to impact the Barayamal National Park.
Waste	The proposed colorbond fence is not considered to result in any significant waste. Any waste generated during construction of the fence can be

	suitably disposed at the Inverell landfill.
Energy	The proposed development is not within close proximity of any electricity infrastructure and does not require an energy supply.
Noise & Vibration	Noise is discussed in detail in the 'Submissions' section of this report; however, overall, the proposed development is not considered to have any significant changes to noise.
Natural Hazards	The site is identified as bush fire prone land. The colorbond fence is non-combustible and will not be adversely impacted by bush fire.
Safety, Security & Crime Prevention	The proposed fence will provide a secure barrier along the front boundary of the site, which is considered a good outcome. Safety has also been discussed in further detail in the 'Submissions' section of this report.
Social Impacts in the Locality	The development is not considered to have an adverse social impact.
Economic Impact in the Locality	The development is not considered to have an adverse economic impact.
Site Design & Internal Design	The fence has been proposed 1 metre inside the front boundary to facilitate landscaping, which will soften the visual impact.
Construction	Minimal works are required for the construction of the fence. Suitable conditions of any subsequent consent can mitigate construction impacts.
Cumulative Impacts	The proposed colorbond fence is minor structure and is not considered to have any significant cumulative impact.
Climate Change	The development is not considered to impact climate change factors.

Suitability of the Site

The vegetation along the Gwydir Highway has already been removed. There is no obligation to reinstate the landscaping or install a new acoustic barrier. On that basis, whether the colorbond fence proceeds or the site remains with a post and rail/wire fence, the suitability of the site for the RSM Clay Target and RSM Smallbore Club is not altered.

Submissions

DA-26/2019 was notified to adjoining/adjacent neighbours from 28 March 2019 to 11 April 2019. During the notification period, Council received:

- Two submissions by way of objection; and
- A petition from surrounding landowners objecting to the development.

A copy of the submissions and petition has been circulated to the Committee Members separately with the Business Paper.

The matters raised in the submissions and petition have been discussed below.

Matter – Noise

Objectors perceive that the former vegetation along the front boundary provided significant noise attenuation for the RSM Clay Target Club and with the removal of the vegetation there may be increased noise impacts on surrounding properties. Objectors have requested that instead of a colorbond fence a suitable acoustic barrier be installed, with the acoustic barrier being determined following professional noise monitoring by an acoustic consultant.

In the first instance, it must be noted:

- The vegetation removal has already been undertaken and did not require any prior planning or environmental approvals;
- A post and rail/wire fence could be constructed as Exempt Development (no Development Application required);
- If DA-26/2019 was withdrawn or a post and rail/wire fence installed, there would be no planning or environmental requirement to reinstate landscaping;
- If DA-26/2019 was withdrawn, there would be no planning or environmental obligation to install a solid fence; and
- If DA-26/2019 was withdrawn, there would be no planning or environmental obligation to cease the use of the RSM Clay Target Club.

Essentially the site could remain with a simple post and wire fence, with no landscaping. Therefore, for this Development Application, the noise assessment is actually comparing:

- The site 'as is' or with a simple post and wire/rail fence (the former vegetation is not considered); and
- The proposed site with a colorbond fence and landscaping.

On that basis, the proposed colorbond fence is considered to be the same or even an improvement, on the current (not former) situation in relation to potential noise impacts from the RSM Clay Target Club. An acoustic assessment is not required for this Development Application.

Despite the above, it is acknowledged that if DA-26/2019 was withdrawn and/or a post and rail/wire fence installed as Exempt Development, Council would still likely receive representations and/or complaints from surrounding residents in relation to potential noise impacts from the RSM Clay Target Club. On this basis, discussion has been provided below on:

- Did the former vegetation along the Gwydir Highway provide any significant noise attenuation?; and
- Does the existing RSM Clay Target Club comply with current noise guidelines or should noise attenuation be investigated?

Did the former vegetation along the Gwydir Highway provide any significant noise attenuation?

It is a common misconception that a line of landscaping (trees, bushes, etc.) is an effective manner in attenuating noise. Empirical studies indicate that unless vegetation is planted in significant density (e.g. 30-100 metres wide), trees and shrubs are not an effective noise barrier. This is further supported by the *Noise Guide for Local Government* and *Noise Policy for Industry*, both published by the NSW Environment Protection Authority (NSW EPA). These documents state:

- Materials commonly used for noise barriers include solid brick walls, concrete blocks or panels, earth mounds, trenches and cuttings. Trees or other vegetation do not provide an effective noise barrier. Some limited attenuation may be gained where trees are densely

planted but little attenuation is achieved for low frequencies (Section 3.2.3.2 of *Noise Guide for Local Government*); and

- Vegetation will not normally provide a significant reduction in noise levels (Section 3.4.3 of *Noise Policy for Industry*).

Overall, based on empirical studies and the guidance material issued by the NSW EPA, the former vegetation along the Gwydir Highway would have provided minimal attenuation of the noise from the RSM Clay Target Club. Accordingly, it is considered that its removal has not resulted in a significant change to potential noise levels.

Does the existing RSM Clay Target Club comply with current noise guidelines or should noise attenuation be investigated?

The RSM Clay Target Club has been in use since 1953 and operates under continuing use rights. There are no conditions of consent which specify noise limits on club operations. Alterations and additions were approved on 12 October 2000 under D-228/2000. Whilst this consent places limitations on the frequency of use of Traps 3 and 4, no actual noise limit was specified.

The NSW Environment Protection Agency have published *Target Shooting Ranges: Application Note for Assessing Noise Compliance*. Appendix A to this Practice Note recommends maximum numbers of days (nights) per week corresponding to shooting noise level (Table 1 below).

Table 1 - Recommended number of days and nights or range usage corresponding to shooting noise level											
	Residential level (linear peak hold, decibels)										
	60	65	70	75	80	85	90	95	100	105	Over 105
	Maximum usage days (nights) per week										
Existing Range Day Use	7	7	7	7	7	7	5	4	3	2	1
Existing Range Night Use	3	3	2	2	2	1	-	-	-	-	-
Future Range Day Use	7	5	5	4	3	2	1	-	-	-	-
Future Range Night Use	3	2	1	-	-	-	-	-	-	-	-

It should be noted:

- 'Day' is considered to be from 10am to 5pm;
- 'Night' is considered to be from 5pm to 10pm; and

- To cater for special events such as state or national championships or charity shoots, the EPA may consider an extension of the times on both nights in one weekend provided such events occur no more than two or three times a year.

Based on Table 1 above, assuming a worst-case scenario of the noise levels generated by the existing RSM Clay Target Club range exceeding 105 dBA, the Club would still be permitted to operate one day a week.

As per the NSW Clay Target Association 2019 Shoot Program, the RSM Clay Target Club (Inverell) 2019 shoots have been listed in Table 2 below.

Table 2 – RSM Clay Target Club 2019 Shoot Program		
Date	Start Time	Comment
Saturday 19 January 2019	11.00am	
Saturday 16 February 2019	11.00am	
Saturday 16 March 2019	9.00am	Annual Two Day Major Event
Sunday 17 March 2019	8.30am	Annual Two Day Major Event
Saturday 20 April 2019	11.00am	
Saturday 18 May 2019	11.00am	
Saturday 15 June 2019	11.00am	
Saturday 20 July 2019	11.00am	
Saturday 17 August 2019	9.00am	Annual Two Day Major Event
Sunday 18 August 2019	8.30am	Annual Two Day Major Event
Saturday 21 September 2019	11.00am	
Saturday 19 October 2019	11.00am	
Saturday 16 November 2019	11.00am	
Saturday 21 December 2019	11.00am	

When the Competition Program for the RSM Clay Target Club (Table 2) is compared against the *Target Shooting Ranges: Application Note for Assessing Noise Compliance* (Table 1), the following is evident:

- For 10 months of the year, the RSM Clay Target Club has one shoot per month during day hours. In a worst-case scenario (noise exceeds 105dBA), one shoot per month is significantly less than the allowable one day a week. Accordingly, no noise limits apply to these shoots.
- For 2 months of the year, the RSM Clay Target Club has a two-day Annual Event. Consistent with the EPA approach, these would be considered Special Events and extension of the times on both nights in one weekend would apply. No noise limits apply to these shoots.

Overall, the current operation of the RSM Clay Target Club complies with current noise guidelines and noise attenuation does not currently need to be investigated.

Matter - Visual Impact

For the purpose of assessing DA-26/2019 consideration of visual impact has been limited to the development proposed, a 1.8 metre high 'woodland grey' colorbond fence.

A number of broader visual impact matters have been raised by objectors, but are considered to be Council strategic matters, and have no bearing on this development application. The following matters raised by objectors have not been considered in this report:

- Any requirement for a Tree Preservation Order and/or similar restrictions on Council land;
- The existing condition of the approaches to Inverell (e.g. plastic flowers, signage, etc.).
- The standard of street landscaping established by the recent Otho Street CBD re-development.

As previously discussed, in consideration of the Planning Principle established in Stockland Development Pty Ltd v Manly Council [2004] NSWLEC 472 revised, no weight is able to be given to Council's Protecting Rural Landscapes Management Policy.

The visual landscape of the immediate area includes:

- RSM Clay Target Club and RSM Small Bore Clubs, including club buildings, infrastructure and signage;
- Council water storage reservoir, including aerials;
- Large bitumen sealed Gwydir Highway;
- The dwelling 'Roslyn', which is obscured by ornamental landscaping;
- School buildings associated with Holy Trinity Agricultural land;
- Motel signage;
- Future off-road recreational circuit (currently under construction); and
- Variety of landscaping and vegetation (i.e. road side vegetation, ornamental landscaping, National Park, etc.).

It is also noted that with the recent construction of Parklands Estate, any future dwellings will likely construct colorbond fences along Onus Avenue, which would be visible when entering Inverell from an easterly direction. Landscaping along Onus Avenue is required as part of the Parklands Estate conditions of approval, which will soften future colorbond fencing.

Based on the above, it is considered that the setting of the area would be described as 'Peri-Urban' being the transition area between urban, rural residential areas (Runnymede) and rural land towards Glen Innes.

This 'Peri-Urban' area supports buildings and structures often constructed with colorbond material. The visual appearance of these buildings and structures are then softened through the use of landscaping.

In this regard, the proposed colorbond fence, which is to be setback 1 metre from the front boundary to incorporate landscaping to visually obscure and soften the fence, is compatible with the area. The proposed 'woodland grey' colour is considered acceptable; being a darker non-reflective colour, compatible with surrounding natural tones and colours. With landscaping at the front of the fence, the 'woodland grey' colour is not considered to be visually intrusive.

The type of landscaping has not been nominated at this point in time. Subject to development consent, conditions of consent would require:

- Landscaping to be completed within six (6) months of completion of the fence;
- Prior to the landscaping being undertaken, a landscaping plan nominating plant species, planting size, size at maturity and location, is to be approved by Council; and
- All landscaping is to be maintained in perpetuity in a reasonable manner, with replacement plantings undertaken in the event of any loss of plants.

It is recommended that Council impose that the landscaping must have a minimum mature growth height of 4 metres and must be planted in a manner to create a hedge. This will visually obscure the colorbond fence and other buildings and structures within site. It would also serve the purpose of replicating the former vegetation along the highway, which the surrounding residents supported.

Overall, it is considered that the proposed colorbond fence when landscaped as per above, will have minimal visual impact.

Matter – Public Safety

Several concerns have been received in relation to public safety. These objections primarily relate to the removal of the vegetation and associated concerns with:

- Compliance with firearms range legislation;
- Accidental discharge of firearms towards the road; and
- Traffic safety with drivers being distracted with increased sight of shooters.

As addressed in the noise consideration above, the vegetation has been removed and the site could remain with a simple post and rail/wire fence. There is no planning obligation to reinstate a high, solid safety barrier. Ultimately, the proposed fencing and landscaping is a better planning outcome than retaining the current situation.

The safety of firearm ranges is primarily a function of the NSW Firearms Registry division of the NSW Police Force. Each approved firearms range is issued with an Approval by the Commissioner of Police, which contains conditions specific to that range. These conditions relate to the firearms and events the range is authorised to conduct and include safety measures and restrictions applicable to the range.

Despite this, the public safety concerns have been discussed below:

- DA-26/2019 was referred to the NSW Firearms Registry. A copy of this response is attached as **Appendix 3** (D88 – D89) to this report. No issues have been raised by the NSW Firearms Registry.
- The RSM Clay Target Club operates in accordance with *Australian Clay Target Association Inc. Shooting Rules*. These rules, amongst other matters, specify:
 - *All guns must be immediately opened upon removal from a gun rack or car to determine that they are indeed empty; and*
 - *All guns carried on or about the shooting ground must be held in a position of safety, with the breech open and unloaded at all times.*

These rules ensure that firearms are only loaded immediately prior to firing at a target (directed away from the road). Accidental discharge is considered to be highly unlikely and does not require consideration when determining fencing requirements along the Gwydir Highway.

- At present, with no fence or landscaping along Gwydir Highway the visibility of the RSM Clay Target Club has increased. This visibility is interrupted by the existing buildings, existing trees that remain and by speed of travelling vehicles. It is considered that the proposed fence and landscaping will provide a further visual interruption of the target range. Overall, driver safety is not considered to be adversely affected.

Matter – Request for Expanded Exhibition

The request for expanded exhibition appears to be primarily driven by the perception that the former vegetation along the front boundary provided significant noise attenuation for the RSM Clay Target Club and with the removal of the vegetation there may be increased noise impacts on

surrounding properties. As discussed, there have been no significant changes to noise from the RSM Clay Target Club, which operates within recommended guidelines.

Accordingly, community wide public exhibition was not required for DA-26/2019, which was notified to adjoining/adjacent landowners in accordance with the requirements of the *Inverell Development Control Plan 2013*.

Matter – Request for Environmental Impact Statement to be prepared

The Statement of Environmental Effects submitted with DA-26/2019 was prepared using Council's Template Statement of Environmental Effects for Minor Development. It is considered that the colorbond fence is a minor development and the use of Council's standard template is acceptable in this instance.

Impacts associated with the colorbond fence and potential impacts (e.g. noise) from the removal of the vegetation have been addressed in this report. An Environmental Impact Statement is not required for DA-26/2019.

Public Interest

The application is not considered prejudicial to the public interest.

CONCLUSION

DA-26/2019 relates to the construction of a colorbond fence and landscaping along the front of the RSM Clay Target Club, where no fence or landscaping currently exists.

The objections received to DA-26/2019 primarily relate to the removal of the vegetation and the perceived impacts this has caused on the surrounding area.

The vegetation removal did not require planning or environmental approval. Furthermore, there is no planning or environmental obligation to reinstate either a solid barrier or landscaping along the Gwydir Highway. It would be acceptable from a planning and environmental perspective for the site to remain with a simple post and wire fence. Therefore, compared to the current situation, the proposed colorbond fence and landscaping is considered to be an acceptable planning outcome.

The proposed development complies with the *Inverell Local Environmental Plan 2012*, *Inverell Development Control Plan 2013* and other relevant planning legislation. Based on Council's planning functions under the *Environmental Planning and Assessment Act 1979*, there are insufficient grounds to refuse the development or require a higher standard of fencing.

It is recommended that DA-26/2019 be approved subject to suitable conditions of consent relating to the landscaping treatment between the new fence and the highway.

As indicated at the beginning of this report, Council has an additional role in this matter as the owner of the subject land. As the owner of the subject land, Council may choose to apply a standard higher than the minimum planning standard. Whilst the development approval process is not the appropriate mechanism, Council could otherwise investigate in conjunction with the RSM Clay Target Club:

- Noise monitoring and provision of a noise attenuation barrier, as a voluntary improvement of the site;
- Enshrining the current days and hours of club shoots as baseline operational restrictions, given no restrictions currently exist;

- Reducing the number of traps used for shoots. It appears that due to declining participants, Trap 4 (closest to 'Roslyn') is no longer used; and
- Grant funding opportunities for environmental and safety improvements to the firearms range.

RECOMMENDATION:

That Development Application 26/2019 be approved subject to the following conditions of consent:

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

Consent is granted for a colorbond fence within Lot 3 DP 1101540 at the front of the RSM Clay Target Club.

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

2. *The fence must be setback a minimum 1 metre from the front and eastern boundary of Lot 3 DP 1101540, with landscaping to be provided between the colorbond fence and the boundaries. This landscaping must take the form a hedge (or similar dense planting) with a minimum mature growth height of 4 metres.*

Prior to installation of the fence, a landscaping plan must be submitted to and approved by Council nominating plant species, planting size, size at maturity and location.

3. *Within 6 months of completion of the fence, all landscaping must be completed in accordance with the approved landscaping plan.*
4. *All landscaping is to be maintained in perpetuity in a reasonable manner, with replacement plantings undertaken in the event of any loss of plants.*
5. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*

APPENDIX 3

Christopher J. Faley

From: Maxwell Doogood <doog1max@police.nsw.gov.au> on behalf of #FRRANGES <FRRANGES@police.nsw.gov.au>
Sent: Wednesday, 3 April 2019 3:58 PM
To: Christopher J. Faley
Subject: Re: Attention Range Inspector - Development Application (DA-26/2019) for New Colorbond Fence - RSM Clay Target Club - 6375 Gwydir Highway, Inverell [DLM=For-Official-Use-Only]

G day Chris

We have no problems with the fence, as it is part of the range outer perimeter and is required to restricts access to a live firing range.
the Club is fine to go ahead with the construction of the fence. Could you please advise the club to send a copy of the DA for our files.
Should you have any questions please call me on 6670 9867.

Regards

Max



NSW Police Force

Ranges Unit

NSW Police Force Firearms Registry
Locked Bag 1, Murwillumbah NSW 2484
1800 411 844 | frranges@police.nsw.gov.au | fax: 02 6670 8558

From: "Christopher J. Faley" <Christopher.Faley@inverell.nsw.gov.au>
To: "frranges@police.nsw.gov.au" <frranges@police.nsw.gov.au>
Date: 03/04/2019 15:05
Subject: Attention Range Inspector - Development Application (DA-26/2019) for New Colorbond Fence - RSM Clay Target Club - 6375 Gwydir Highway, Inverell

Hi

Inverell Shire Council is currently considering a Development Application (DA-26/2019) for a new colorbond fence along the front boundary of the RSM Clay Target Club at 6375 Gwydir Highway, Inverell.

Attached is a site plan showing the proposed fence and it should be noted that the vegetation along the front boundary shown in the image has already been removed.

It would be appreciated if the Firearms Registry could provide advice on the proposed fence or whether any Firearms approvals are required for alteration to the range/s?

It would be appreciated if advice or comment could be provided by 17 April 2019.

If you wish to discuss, please contact me on 67288251.

Regards

Chris Faley
Development Planner | Civil and Environmental Services



Inverell PO Box 138 Inverell NSW 2360
Shire Council Tel 02 6728 8251 | Fax 02 6728 8277 | chris.faley@inverell.nsw.gov.au



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[attachment "image001.jpg" deleted by Maxwell Doogood/2006832/Staff/NSW/Police] [attachment "Plan of Proposed Fence.pdf" deleted by Maxwell Doogood/2006832/Staff/NSW/Police]

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TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 08/05/2019

ITEM NO:	1.	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 - Ulupna**

This project involved the widening and rehabilitation of a 1.78km section of Yetman Road 48.32km to 50.10km north of Inverell at the property Ulupna. Stage one of this project has seen a 860 metre section from chainage 49.24km to 50.10km completed in 2018. Stage two is a 920 metre section from chainage 48.32km to 49.24km. Currently \$420K has been allocated to complete stage 2 of this project and is funded from the unexpended funds from the Yetman Road project at Wallangra and Council's non-recurrent roads program.

Works commenced late March 2019 on stage 2 with site establishment and earthworks completed during April 2019. Pavement construction and prime coat bitumen seal were completed prior to Easter. This project has reached the stage of practical completion, the final bitumen seal will be applied in conjunction with the reseal program later in 2019.

Lake Inverell Off Road Recreation Circuit

Construction is well underway on the \$1.4M Off-Road Recreation Circuit on Lake Inverell Drive. This project is jointly funded by Council and the State Government's Stronger Country Communities Fund. The project involves construction of 1590m of asphalt sealed pavement for the purpose of off road recreation, particularly cycling. The project includes considerable earthworks, drainage, pavement construction as well as ancillary works such as overflow car parking and footpath works.

Drainage and earthworks are now completed, as well as construction of the sub-base pavement layer. Works are underway to construct the base layer of the pavement and the project remains ahead of schedule. The first stage of construction is set for completion in May, at this time a prime coat bitumen seal will be applied to the pavement. Asphalt will be laid in the warmer months later in 2019.



Aerial view of construction of the Off Road Recreational Circuit – Lake Inverell Drive

Pedestrian Access and Mobility Program (PAMP) – Footpath Construction

Council's concrete construction crew have recently been working on a project within the PAMP program. Works were completed in April 2019 to extend the footpath along Evans Street, adjacent to the Legacy units. Previous projects under this program over the current financial year have been completed under budget. As such, funds are available to complete further work this financial year. Works will commence shortly to extend the concrete footpath along Brown Street (adjacent to Ross Hill School) then along Wade Street and Oswald Street, towards Inverell High School. This project was selected as the next priority from Council's existing PAMP program.

Engineering staff have commenced the process for the standard 5 year review of Council's PAMP and Bike plans. Council will be presented with a future report as the review progresses.



New footpath at the corner of Evans and Lawrence Streets (adjacent to Legacy units)

Maintenance Grading

The following maintenance grading works were undertaken during April 2019.

Road Number	Road Name	Length Graded (km)
SR 18	Milkomi Road	11.96 km
SR 19	Yetman West Road	15.19 km
SR 32	Coalmine Road	5.29 km
SR 33	Limestone Road	14.62 km
SR 63	Beaumont Road	2.40 km
SR 59	Graman Road	12.00 km
SR 9	North Star Road	4.50 km
SR 348	Princes Lane	1.50 km
SR 235	Orchard Place	1.77 km
SR 210	Staggs Lane	0.46 km
SR 215	Schwenkes Lane	1.87 km

SR 282	Bonvale Road	1.21 km
	TOTAL	72.77 km

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. 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 April 2019.

Gravel Re-sheeting

The following gravel re-sheeting works were undertaken during April 2019.

Road Number	Road Name	Length Resheeted (km)
SR 25	Baltimore Loop Road	13.9
	TOTAL	13.9

Given the current climatic conditions there is significant stress on the gravel resheeting program with the lack of available water. Until significant rain falls, the program has been reduced until a sufficient water source can be obtained. Council staff will continue to monitor water availability and complete sections of the program as water becomes available.

Heavy Patching

No heavy patching works were undertaken in April 2019.

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, 8 May, 2019 be received and noted.