

MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 8 MAY, 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), Justin Pay (Manager Civil Engineering) and Chris Faley (Development Planner).

SECTION A

APOLOGIES:

Apologies were received from Cr P J Harmon.

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

1. CONFIRMATION OF MINUTES

RESOLVED (Berryman/Michael) that the Minutes of the Civil and Environmental Services Committee Meeting held on 10 April, 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 S13.5.6/12

At this juncture, the time being 9.02 am, the Chair welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Noel Daley Noel Daley spoke about the removal of vegetation and erection of a
DA - 26/2019 Colorbond fence at the RSM Clay Target Club. He was concerned that it would increase noise from the Gun Club at his residence. In particular he would prefer that a timber fence be erected.

Miriam Daley Miriam Daley is also concerned about increased noise from the Clay
DA - 26/2019 Target Club. She asked that advanced trees be planted to screen the fence and Council consider restricting the days and hours the Club can shoot.

At this juncture, the time being 9.05 am, the Public Forum Session closed and the Committee resumed the balance of the Agenda.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

SECTION B
ADVOCACY REPORTS

Nil

SECTION D
DESTINATION REPORTS

1. DA-23/2019 – DEMOLITION, CONSTRUCTION OF DUAL OCCUPANCY (ATTACHED), CONSTRUCTION OF DWELLING AND SUBDIVISION – 63 GRANVILLE STREET, INVERELL DA-23/2019

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

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.

- DP-A 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 an 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.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr D F Baker	✓	
Cr A A Michael	✓	
Cr S J Berryman	✓	

Cr M J Peters		✓
Cr J N McCosker	✓	

- PO-A 2. DA-29/2019 – SINGLE DWELLING USE – 124 TRAFALGAR LANE, GUM FLAT – VARIATION TO MINIMUM LOT SIZE DEVELOPMENT STANDARD DA-29/2019

RESOLVED (McCosker/Michael) 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.

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

- DP-A 3. DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL DA-26/2019

RESOLVED (Michael/McCosker) that additional information regarding the proposed fence be presented in a report to the May 2019 Council meeting.

SECTION E
INFORMATION REPORTS

MCE-N 1. WORKS UPDATE S28.21.1/12

RESOLVED (Michael/Berryman) 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.

SECTION F
GENERAL BUSINESS

Cr McCosker Swan Vale Road

Cr McCosker raised the poor condition of the Elsmore Road and reported that there are large rocks exposed in the pavement.

The Manager Civil Engineering responded the road was in poor condition with some course material on the surface, however grading it in the current dry conditions would only make it worse. Unfortunately sufficient water cannot be sourced in the area.

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

CR D F BAKER

CHAIRPERSON