

**MINUTES OF INVERELL SHIRE COUNCIL
CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 14 AUGUST 2019 AT 9.00 AM**

PRESENT: Cr Di Baker (Chairperson), Cr Paul Harmon (Mayor), Cr Mal Peters, Cr Stewart Berryman, and Cr Neil McCosker.

IN ATTENDANCE:

COUNCILLORS: Cr Paul King, Cr Jacki Watts, Cr Anthony Michael (Deputy Mayor), Cr Kate Dight.

STAFF: Paul Henry (General Manager), Brett McInnes (Director Civil & Environmental Services), Scott Norman (Director Corporate & Economic Services), Justin Pay (Manager Civil Engineering), Michael Bryant (Manager Environmental Engineering) and Anthony Alliston (Manager Development Services).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Mal Peters

That the Minutes of the Civil and Environmental Services Committee Meeting held on 10 July, 2019, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

Cr Di Baker declared a pecuniary interest in Item 7.1 Procurement of Bitumen and Aggregate Services - 2019/2020 - Bitumen Resealing Program. Cr Baker stated that her interest arises as she is a shareholder in Boral.

Cr Di Baker declared a non-pecuniary interest in Item 6.3 DA-74/2019 - Demolition of the Existing NSW Police Building & Structures, Site Preparation Works, Construction and Use of New Police Building; and Ancillary Works Including Signage - 109 Otho Street, Inverell DA which has been referred to the Joint Regional Planning Panel (JRPP). Cr Baker stated that her interest arises as she is a member of the JRPP.

Mr McInnes declared a non-pecuniary interest in Item 6.3 DA-74/2019 - Demolition of the Existing NSW Police Building & Structures, Site Preparation Works, Construction and Use of New Police Building; and Ancillary Works Including Signage - 109 Otho Street, Inverell DA which has been referred to the Joint Regional Planning Panel (JRPP). Mr McInnes advised that his interest arises as he is a member of the JRPP.

4 PUBLIC FORUM

Nil

5 DESTINATION REPORTS**5.1 DA-65/2019 - TWO (2) INTO FOUR (4) LOT SUBDIVISION - 24 CHURCH STREET, GILGAI****COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Stewart Berryman

The Committee recommend to Council that:

Development Application 65/2019 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 a two (2) into four (4) lot subdivision;

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

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

DURING SUBDIVISION WORKS

3. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the carrying out of subdivision works:*

- *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
- *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
- *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
- *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
- *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
- *Sediment and erosion control measures are to be implemented onsite and*

maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and

- *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.*

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

4. *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.*
5. *Prior to issue of a Subdivision Certificate, the existing carport is to be removed and the proposed cantilevered carport constructed on proposed Lot 101. The new cantilevered carport is to be same dimensions and in the same location as the removed carport.*
6. *Prior to the issue of a Subdivision Certificate, electricity and telecommunications services are to be provided to all lots. The proponent is required to submit to Council, certificates from:*
 - *An approved electricity service provider indicating that satisfactory arrangements have been made for the provision of electricity to each lot in the subdivision.*
 - *An approved telecommunications service provider indicating that satisfactory arrangements have been made for the provision of telecommunications to each lot in the subdivision.*

Note: Subject to the requirements of the electricity service provider, the power supply for proposed Lot 101 will need to be relocated.

7. *Prior to issue of a Subdivision Certificate, inter-allotment drainage is to be provided along the common boundaries of the four (4) proposed lots.*

Prior to construction of this inter-allotment drainage, plans of the inter-allotment drainage, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show piped and surface drainage paths, including kerbs as necessary beneath fences, to direct drainage to Church Street.

8. *Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for sewer supply to proposed Lots 102, 103 and 104. This will require payment to Council of:*
 - *A Contribution under Council's Development Servicing Plan No. 1 for 1 equivalent tenement, for proposed Lots 102, 103 and 104; and*
 - *A sewer junction fee in accordance with Council's fees and charges for proposed Lot 103.*

Note: Existing sewer junctions will serve proposed Lots 101, 102 and 104.

9. *Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for water supply to proposed Lots 101, 103 and 104. This will require payment to Council of:*
 - *A Contribution per lot under Council's Development Servicing Plan No. 1 for 1 equivalent tenement, for proposed Lots 101, 103 and 104; and*
 - *A water connection fee in accordance with Council's fees and charges for Lots*

101, 103 and 104.

Note: The existing water service is to be retained for proposed Lot 102.

10. *Prior to the issue of a Subdivision Certificate, a Community Services Contribution per lot must be paid to Council pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 for Lots 102 and 103.*
11. *Prior to issue of a Subdivision Certificate, a concrete access crossing is to be constructed from the kerb in Church Street to the boundary of Lots 101 and 104. The location of the access is to be in accordance with the approved plan. Prior to the commencement of this work the applicant is required to:*
 - *Apply to Council for approval under Section 138 of the Roads Act 1993 to install a paved vehicular access across the footpath (a copy of the application form is enclosed); and*
 - *Contact Council for footpath levels so that the driveway can be constructed to provide vehicle access onto the site.*

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

All work is to be completed to the standard approved by Council, at the applicant's expense.

12. *Prior to issue of a Subdivision Certificate, the access handles for Lots 101 and 104 are to be:*
 - *Concreted 3 metres wide; and*
 - *Incorporate a landscaping strip 500mm wide, being located:*
 - *On the northern side of the concrete access for proposed Lot 101; and*
 - *On the southern side of the concrete access for proposed Lot 104.*

A minimum 50% of the landscaping is to comprise plant species with a full growth height of at least 1.5 metres.

Prior to construction of the access handles, plans nominating the concrete and landscaping details are to be submitted and approved by Council.

All landscaping is to be maintained in a reasonable manner, in perpetuity.

13. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*

S375A Record of Voting	Councillors For:	Councillors Against:
Harmon	√	
Watts	√	
Berryman	√	
Peters		√
McCosker		√

CARRIED

5.2 GRAVEL RESHEET PROGRAM 2019/20**COMMITTEE RESOLUTION**

Moved: Cr Stewart Berryman

Seconded: Cr Paul Harmon

The Committee recommend to Council that:

- i. The 2019/20 Gravel Resheeting Program as presented be adopted; and*
- ii. The adopted program be placed on Council's website for the information of the community.*

CARRIED

5.3 BITUMEN RESURFACING PROGRAM 2019/20**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Stewart Berryman

The Committee recommend to Council that:

- i. The 2019/20 Bitumen Resurfacing Program as presented be adopted; and*
- ii. The adopted program be placed on Council's website for the information of the community.*

CARRIED

5.4 TINGHA WATER STANDPIPE OPERATION**COMMITTEE RESOLUTION**

Moved: Cr Stewart Berryman

Seconded: Cr Neil McCosker

The Committee recommend to Council that the Tingha standpipe operation be changed from the current Avdata Australia revenue collection system to a coin operated collection system, and the standpipe usage charge be applied at Council's Standpipe Sales charge, currently \$2.00/KL.

CARRIED

5.5 INVERELL SEWAGE TREATMENT PLANT EFFLUENT OPTIONS**COMMITTEE RESOLUTION**

Moved: Cr Stewart Berryman

Seconded: Cr Paul Harmon

The Committee recommend to Council that:

- 1. Council not request further investigations be undertaken into the feasibility of redirecting treated effluent from Inverell Sewage Treatment Plant to Lake Inverell Dam to supplement river flow.*
- 2. That investigations be undertaken into the feasibility of redirecting treated effluent from Inverell Sewage Treatment Plant to other areas including the Inverell Golf Course, Inverell Show Ground, Riverdale Turf Farm, Inverell Race Course or alternately agricultural pursuits in close proximity to the treatment plant.*

CARRIED

5.6 PROCUREMENT OF BITUMEN AND AGGREGATE SERVICES - 2019/2020 - BITUMEN RESEALING PROGRAM**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Stewart Berryman

That the matter be referred to Closed Council for consideration as the matters and information are:

- d(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

On balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

CARRIED

6 INFORMATION REPORTS**6.1 PROJECT CONTROL GROUP MEETING MINUTES 22 JULY 2019 - YETMAN ROAD ULUPNA RECONSTRUCTION PROJECT STAGE 2****6.2 PROJECT CONTROL GROUP MEETING MINUTES 22 JULY 2019 - MR 187 YETMAN ROAD CUCUMBER CREEK TO WALLANGRA RECONSTRUCTION**

At 9:45 am, Cr Di Baker and Mr McInnes left the meeting having previously declared a non-pecuniary interest in Item 6.3 DA-74/2019 - Demolition of the Existing NSW Police Building & Structures, Site Preparation Works, Construction and Use of New Police Building; and Ancillary Works Including signage - 109 Otho Street, Inverell.

Cr Harmon assumed the Chair.

6.3 DA-74/2019 - DEMOLITION OF THE EXISTING NSW POLICE BUILDING & STRUCTURES, SITE PREPARATION WORKS, CONSTRUCTION AND USE OF NEW POLICE BUILDING; AND ANCILLARY WORKS INCLUDING SIGNAGE - 109 OTHO STREET, INVERELL

At 9:50 am Cr Di Baker and Mr McInnes re-joined the meeting.

Cr Baker resumed the Chair.

6.4 WORKS UPDATE

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Stewart Berryman

That the information reports be received and noted.

CARRIED

7 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

At 9:51 am, Cr Di Baker left the meeting having previously declared a pecuniary interest in Item 7.1 procurement of Bitumen and Aggregate Services – 2019/2020.

Cr Harmon assumed the Chair.

At 9.52am, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore the Committee proceeded to consider the motion to close the meeting to the press and public.

COMMITTEE RESOLUTION

Moved: Cr Stewart Berryman

Seconded: Cr Mal Peters

That the Committee proceeds into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Neil McCosker

Seconded: Cr Mal Peters

That Council proceeds out of Closed Committee into Open Committee.

CARRIED

Upon resuming Open Committee at 9.56am, the Chairperson verbally reported that the Committee had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend to Council the following:

7.1 PROCUREMENT OF BITUMEN AND AGGREGATE SERVICES - 2019/2020 - BITUMEN RESEALING PROGRAM

That the Committee recommended to Council that Council accept the quotation from Colas under a full service contract for the 2019/2020 Resealing Program.

CARRIED

ADOPTION OF RECOMMENDATIONS**COMMITTEE RESOLUTION**

Moved: Cr Mal Peters

Seconded: Cr Stewart Berryman

That the recommendations of Closed Committee be adopted.

At 9.57am Cr Baker re-joined the meeting.

The Meeting closed at 9.57am

The minutes of this meeting were confirmed at the Civil and Environmental Services Committee held on 11 September 2019.

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CHAIRPERSON