

**MINUTES OF INVERELL SHIRE COUNCIL  
CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING  
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 11 SEPTEMBER 2019 AT 9.00 AM**

**PRESENT:** Cr Paul Harmon (Mayor), Cr Di Baker, Cr Neil McCosker, Cr Anthony Michael (Deputy Mayor) and Cr Kate Dight.

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

**1 APOLOGIES**

**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Anthony Michael

*That the apologies received from Crs Peters and Berryman, who both requested leave of absence for personal reasons, be accepted and leave granted.*

**CARRIED**

**2 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Anthony Michael

*That the Minutes of the Civil and Environmental Services Committee Meeting held on 14 August, 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**

Nil

**4 PUBLIC FORUM**

Mr Troy Brabant addressed Council in regard to Item 5.2 DA-73/2019. He is an adjoining neighbour and has concerns over the application for the change of use of the shed to a dwelling. He has dog kennels and a shed next to the proposed dwelling and is concerned that the close proximity will lead to future noise complaints. If approval is granted he would prefer a colourbond fence between the buildings rather than the proposed privacy screen and that the proposed shade sail is not required.

Mrs Christine Lamb addressed Council in regard to Item 5.2 DA-73/2019. Mrs Lamb was living in the shed prior to being required to vacate as it was an unlawful use of the building. She has found the process upsetting and disruptive and would like the issue resolved as quickly as possible.

## 5 DESTINATION REPORTS

### 5.1 DRAFT INVERELL SHIRE COMMUNITY PARTICIPATION PLAN S18.6.66

#### COMMITTEE RESOLUTION

Moved: Cr Anthony Michael

Seconded: Cr Paul Harmon

*That the Committee recommend to Council that the draft Inverell Shire Community Participation Plan be endorsed and be placed on public exhibition for a minimum of 28 days.*

**CARRIED**

### 5.2 DA-73/2019 - USE OF UNAUTHORISED ALTERATIONS AND ADDITIONS TO SHED, CHANGE OF USE OF THE SHED TO A DWELLING (RESULTING IN A DUAL OCCUPANCY (DETACHED)) AND MINOR ALTERATIONS AND ADDITIONS TO THE DWELLING - 301 FERNHILL ROAD, INVERELL DA-73/2019

#### COMMITTEE RESOLUTION

Moved: Cr Neil McCosker

Seconded: Cr Paul Harmon

*That the Committee recommend to Council that Development Application 73/2019 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:*

- *Use of un-authorised alterations and additions to shed; and*
- *Change of use of the shed to a dwelling, resulting in a dual occupancy (detached); and*
- *Alterations and additions to the dwelling, including installation of privacy screen.*

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

2. *The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).*
3. *The landscaping and privacy screens must be maintained in a reasonable manner, in perpetuity.*
4. *The proposed shade sail must not extend above the gutter line of the proposed dwelling.*

#### PRIOR TO CONSTRUCTION

5. *Prior to the commencement of any building works on the site (shade sail, privacy screen, internal works, etc.) a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment*

Act 1979. The application for a Construction Certificate, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.

6. Prior to issue of an Occupation Certificate, a Building Information Certificate pursuant to Division 6.7 of the Environmental Planning and Assessment Act 1979 must be obtained for the proposed dwelling, to confirm that the completed unauthorised works are to an acceptable standard.

PRIOR TO OCCUPATION OF THE SHED AS A DWELLING

7. Prior to occupation of the shed as a dwelling, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.

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

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

8. Prior to issue of an Occupation Certificate, the kitchen and bathroom in the proposed dwelling must be connected to an on-site sewage management system approved under Section 68 of the Local Government Act 1993.

Note: Separate application will need to be made to obtain approval under Section 68 of the Local Government Act 1993.

- 9.. Prior to issue of an Occupation Certificate, all landscaping is to be completed in accordance with the approved plans.
10. Prior to issue of an Occupation Certificate, the premise (310 Fernhill Road) will need the main electrical switch replaced with a load limiting circuit breaker sized to the original premise load approval.

Note: Any additional load over this limit will need to be approved via an Application for Connection through Essential Energy's web portal before connection of that additional load.

11. Prior to issue of an Occupation Certificate, the applicant must obtain a Certificate of Compliance of Electrical Work (CCEW) from a licenced electrical contractor ensuring compliance with the Australian Standard AS/NZS 3000 2018 for the proposed dwelling.
12. Prior to the issue of an Occupation Certificate, the following contributions must be paid to Council pursuant to Section 7.11 (previously Section 94) of the Environmental Planning and Assessment Act 1979:

- General Rural Roads; and
- Community Services.

13. Prior to issue of an Occupation Certificate, a hard wired smoke alarm is to be installed within the proposed dwelling.
14. Prior to issue of an Occupation Certificate, laundry facilities are to be installed within the proposed dwelling in accordance with the Building Code of Australia.
15. Prior to issue of an Occupation Certificate, all stormwater shall be drained in accordance with Australian Standard 3500.3 Plumbing and drainage.
16. Any other condition deemed appropriate by the Director Civil and Environmental Services.
17. That the Director Civil and Environmental Services be authorised to enter into

*negotiations with the proponent and adjoining landowner in regards to appropriate privacy screening.*

S375A Record of Voting	Councillors For:	Councillors Against:
Harmon	√	
Baker	√	
Dight	√	
McCosker	√	
Michael		√

**CARRIED**

### 5.3 CAMPBELL STREET PEDESTRIAN REFUGE S30.9.4

#### COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

*That the Committee recommend to Council that the engineering design plans for a pedestrian refuge in Campbell Street be endorsed so they can be submitted to RMS for approval and possible funding.*

**CARRIED**

### 5.4 PETITION - MAYBOLE AND KELLYS ROADS S28.10.SR261

#### COMMITTEE RESOLUTION

Moved: Cr Neil McCosker

Seconded: Cr Paul Harmon

*That the Committee recommend to Council that:*

- 1. The petition be received and noted;*
- 2. The identified funding allocation of \$418,535 be utilised to complete approximately 8km of gravel resheeting in the Maybole area at the earliest available opportunity;*
- 3. The remaining 6km of gravel resheeting required in the Maybole area be prioritised in future years works programs; and*
- 4. The lead authors of the petition be formally notified of Council's resolution and the limitations associated the with current availability of gravel in the area.*

**CARRIED**

**5.5 ADDITIONAL FUNDING - MR135 GUYRA ROAD "SLURRY GULLY" PROJECT S15.8.22****COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Neil McCosker

*That the Committee recommend to Council that an additional \$425,100 be allocated to the MR135 Guyra Road "Slurry Gully" reconstruction project, from the following sources:*

*REPAIR Program (additional allocation) \$102,600*

*Supplementary Block Grant \$160,000*

*BLOCK Grant \$162,500*

**CARRIED**

**6 INFORMATION REPORTS****6.1 WORKS UPDATE S28.21.1/12****COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

*That the information report be received and noted.*

**CARRIED**

**7 GOVERNANCE REPORTS****7.1 GOVERNANCE - PERFORMANCE REPORTING ON ROAD MAINTENANCE COUNCIL CONTRACTS S1.2.3/13****COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Anthony Michael

*That the information be received and noted.*

**CARRIED**

**The Meeting closed at 10.01am.**

**The minutes of this meeting were confirmed at the Civil and Environmental Services Committee held on 9 October 2019.**

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**CHAIRPERSON**