

MINUTES OF THE PLANNING/COMMUNITY COMMITTEE MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON WEDNESDAY, 8 MARCH 2006 COMMENCING AT 8.30 AM.

PRESENT: Cr P H Lloyd (Chairman), Crs B C Johnston, D F Baker, P J Harmon, D B Mudaliar and J L Cameron (alternate).

Also in attendance: Cr H Castledine

Paul Henry (General Manager), David Pryor (Director Planning and Development), Ken Beddie (Director Corporate Services), Greg Moran (Director Technical Services) and Joerg Schmidt-Liermann (Management Executive Officer).

APOLOGIES:

*RESOLVED (Harmon/Baker) that the apology from Cr D C Jones be received and noted.*

SECTION A

1. DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

The following interests were declared:

- Cr Cameron declared a non-pecuniary interest in subject # 2, Planning and Development Reports, DA-37/2006, the nature of the interest relating to the involvement of his son-in-law.

2. CONFIRMATION OF MINUTES

*RESOLVED (Baker/Harmon) that the Minutes of the Planning/Community Committee Meeting held on 8 February 2006, as circulated to members, be confirmed as a true and correct record of that meeting.*

3. BUSINESS ARISING FROM PREVIOUS MINUTES

Kwiambal National Park

Cr Mudaliar inquired about the timing of the visit to the Park, with the National Parks & Wildlife Service. Council's General Manager advised that Mr David Dutallis of the Department was yet to confirm a date and time.

GM-A Austral Band Hall 5.10.91

The General Manager advised that a number of discussions had been held, with a report on the subject to be presented to a future meeting.

Aircraft Landing Area

Cr Cameron raised concerns over the possible use of the Inverell North airstrip, in particular, expressing concerns over possible safety issues.

The Director Planning & Development, David Pryor, noted that Council's involvement in this matter related only to the question of development consent, indicating that the use of the airstrip represented a continuing use.

SECTION F  
PLANNING AND DEVELOPMENT REPORTS

- MED-A 1. GM & RS MILLER-HARDY, REQUEST TO OCCUPY A CARAVAN, LOT 1 SEC 2 DP 759043 CAMPBELL STREET WANDERA 24.12.1 & 7.2.6

*RESOLVED (Johnston/Cameron) that the Committee recommend to Council that GM & RS Miller-Hardy be advised that they have until 30 April 2006 to have the amenities building completed and connected to an approved on-site sewerage system, a 22,500 litre rainwater installed and the concrete slab for the dwelling finished. Failure to have this work completed by the due date will result in Council proceeding and serving the Order to cease to occupy the caravan as it is in contravention to the development consent approved by Council.*

2. B E BIENKE LOT 119 DP 876662, 120 RUNNYMEDE DRIVE – CONVERT SHED TO DWELLING DA-37/06  
3. L A BELBECK, FERNHILL ROAD, INVERELL DA-21/06  
4. ROAD NAMING 28.13.2

Items # 2, # 3 & # 4 are listing reports, seeking the Committee's consideration of the supplementary reports. These items are dealt with later in the meeting.

5. INVERELL LANDFILL MAINTENANCE – PROPOSAL FOR LANDFILL COMPACTOR 31.8.1

*RESOLVED (Mudaliar/Harmon) that the report be referred to the Committee-of-the-Whole for discussion as:*

- a) *discussion of the matter in an open meeting could prejudice the commercial position of the person who supplied it as it relates to commercial information of a confidential nature. (Section 10A(2)(d)(i) of the Local Government Act, 1993); and*  
b) *on balance, the public interest in preserving the confidentiality of commercial information supplied outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.*

SECTION J  
GENERAL BUSINESS

Director Inverell High School  
Planning &  
Development Council's Director Planning & Development noted the approach from Inverell High School seeking a reduction in the Town Hall hire fees.

Director Staggs Lane – Subdivision Application  
Planning &  
Development Council's Director Planning & Development reported to the Committee details of a proposed subdivision application. It was noted that the proponents of the application had previously been advised that further subdivisions were unlikely to receive favourable consideration, with block sizes falling below the recommended minimum size under Council's Local Environmental Study (LES).

Director Subdivision Application by Devlin – Fernhill Road DA 34/06 & 18.6.34  
Planning &  
Development Council's Director Planning & Development appraised committee members of the details of the subdivision application lodged with Council, involving allotment sizes below the minimum proposed under the Local Environmental Study (LES).

The committee members then entered into a general discussion of various planning issues confirming the need for consistency in the decision-making and application of planning criteria.

Council's Director Planning & Development indicated that in relation to the finalisation of Council's Local Environmental Plan (LEP) it may be appropriate to gauge the response of the Regional Office on Council's approach to land use planning.

DPD-A                      *RESOLVED (Cameron/Harmon) that the matter be deferred pending a further report from the Director Planning and Development.*

Director                      Equestrian Council  
Planning &  
Development                Council's Director Planning and Development confirmed that additional plans had been prepared by the Equestrian Council and subsequently forwarded to interested parties.

SUPPLEMENTARY  
SECTION F  
PLANNING & DEVELOPMENT REPORTS

*RESOLVED (Johnston/Mudaliar) that the Committee consider the Supplementary Reports.*

ADJOURNMENT

At this juncture, the time being 9:50 am, the Committee adjourned.

RESUMPTION

At this juncture, the time being 10:05 am, the Committee reconvened.

TTP-A                      6.            SUBDIVISION – RESTRICTION TO USER                      DA-237/2005

*RESOLVED (Baker/Harmon) that the Committee recommend to Council that the Seal of the Council be affixed to the Section 88B Instrument relating to the subdivision as per Development Application 237/05.*

SP-A                        7.            NAMING OF ROAD                      DA-168/2005 & 28.13.2

*RESOLVED (Johnston/Harmon) that the Committee recommend to Council that Council take the appropriate steps to formally name the road as per the subdivision approved under DA-168/2005 'Cockran Close', and that if no objections are received, Council authorise the Director Planning and Development, David Pryor, to adopt this name and submit it for publication to the Government Gazette.*

SP-A                        8.            SIDE WALK CAFÉ APPLICATIONS                      28.27.4

*RESOLVED (Johnston/Baker) that the Committee recommend to Council that approval be given for the premises situated at 19 Otho Street, Inverell and 103 Byron Street, Inverell, to operate sidewalk cafes subject to the payment of the annual fee and compliance with Council's Side Walk Café Guidelines.*

9. BE BIENKE LOT 119 DP 876662 120 RUNNYMEDE DRIVE -  
CONVERT SHED TO DWELLING DA 37/06

Conflict of Interests – Code of Conduct (Section 6)

At this juncture, the time being 10:12 pm, Cr Cameron declared a non-pecuniary conflict of interest in respect of this item, the nature of the interest relating to the involvement of his son-in-law.

MED-A *RESOLVED (Mudaliar/Johnston) that the Committee recommend to Council that DA-37/2006, Lot 119 DP 876662, 120 Runnymede Drive to convert an existing shed to a dwelling be refused on the grounds that the development will detract from the amenity of the neighbourhood.*

- SP-A 10. L A BELBECK, FERNHILL ROAD, INVERELL DA 21/06

*RESOLVED (Johnston/Harmon) that the Committee recommend to Council that the application be refused.*

SECTION J  
GENERAL BUSINESS CONT'D

Cr Baker Crown Road – Gowrie Vet Clinic

Cr Baker inquired if the Road was a private road.

The Director Technical Services confirmed that the road was not a Council maintained road.

Cr Cameron Runnymede Development

Cr Cameron inquired if the Director Planning & Development and his Department were comfortable with the nature of development in Runnymede.

The Director Planning & Development advised that he was not comfortable with a number of matters, including the degree of erosion in table drains, inappropriate sub-base material and other aspects relating to the developer's management of the project.

The Director Technical Services echoed the Director Planning & Development's concerns over the erosion issues and confirmed that the road sub-base material and base material used were insufficient. The developer will be advised that as the road will become a public road, it will need to be ripped up and works undertaken to bring the road up to an acceptable standard, before Council will be willing to accept responsibility for the road.

DTS-A Inverell North Airstrip 6.8.5

*RESOLVED (Cameron/Baker) that the Committee recommend to Council that Council approach Civil Aviation Safety Authority (CASA) over safety concerns for the use of the private airstrip.*

Cr Mudaliar Kmart Development

Cr Mudaliar queried if other sites had been considered, with the Committee discussing various aspects of the proposal.

- DTS-N Cr Johnston Aboriginal Medical Service S18.6.11
- Cr Johnston queried the need for development applications.
- The Director Planning & Development advised that the use of the premises represented an existing use.
- Cr Johnston expressed concern over the lack of parking space, noting the need for additional car parking areas.
- Director Corporate Services Library Services
- The Director Corporate Services noted that discussions have been held with Northaven to provide 'end-processing' services in respect of new Library resources. This will provide benefits to Council and Northaven.
- Director Corporate Services Library Redevelopment
- The Director Corporate Services noted that a number of changes have been made to the proposed development with amendments being made to the existing plans. Tenders will be called once these required changes are finalised.
- Cr Lloyd Strategic Planning Weekend
- Cr Lloyd urged Councillors to attend the workshop on the weekend of 18 and 19 March 2006.
- DPD-A Cr Baker Identification of Council Employees 22.7.7
- Cr Baker asked if Council could ensure that Ordinance Officers carry appropriate identification.

SECTION K  
CONFIDENTIAL REPORTS IN CLOSED COUNCIL  
(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)

At 11:07 am, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Committee Meeting should not be considered in Closed Council. There was no response from the public.

COMMITTEE "IN CAMERA"  
CLOSED COUNCIL REPORTS

*RESOLVED (Harmon/Baker) that the Committee proceed into Committee "In Camera", to discuss the matters referred to it, for the reasons stated in the motions of referral.*

Upon resuming Open Committee, at 11:10 am, Mr David Pryor verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

- MED-A 1. INVERELL LANDFILL MAINTENANCE – PROPOSAL FOR LANDFILL COMPACTOR 31.8.1

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

- a) *Council agree in principle to incorporate the use of a Landfill Compactor in the existing Landfill Maintenance Contract;*
- b) *any service level agreement to expire on 30 November 2008; and*

c) *the service level agreement be fixed to CPI and commence at \$54,615 pa.*

ADOPTION OF RECOMMENDATION

*RESOLVED (Mudaliar/Baker) that the recommendation from the Committee "In Camera" be adopted.*

There being no further business, the meeting closed at 11:12 am.

P H LLOYD

CHAIRMAN