

MINUTES OF THE PLANNING/COMMUNITY COMMITTEE MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON WEDNESDAY, 12 OCTOBER 2005 COMMENCING AT 8.30 AM.

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

Also in attendance: Cr J L Cameron and Cr 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:

There were no apologies received.

ELECTION OF CHAIRMAN

At this juncture, the General Manager advised committee members that the role of the Chairperson of all Committees rested with the Mayor.

The Mayor advised committee members that he wished to relinquish his right to Chair the Committee.

The General Manager called for nominations for Chairperson of the Committee.

There being only one nomination, Cr Lloyd was declared duly elected as Chairman of the Planning and Community Committee and assumed the Chair.

SECTION A
MINUTES

1. CONFIRMATION OF MINUTES

RESOLVED (Mudaliar/Baker) that the Minutes of the Planning/Community Committee Meeting held on 14 September 2005, as circulated to members, be confirmed as a true and correct record of that meeting.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nullamanna Feedlot

The Director Planning and Development reported that examination of the Development Application was progressing with submissions still being sought on the proposed development. It was noted that there were a number of issues relating to the water license that required further clarification.

DA 162/2005

The Director Planning and Development noted that Council was waiting on an amended proposal in this matter.

Land Sale – Rifle Range Road

It was noted that negotiations were continuing in relation to this matter.

SECTION F
PLANNING AND DEVELOPMENT REPORT

1. DRAFT LOCAL ENVIRONMENTAL PLAN TEMPLATE 18.6.34

RESOLVED (Jones/Johnston) that the information be noted.

SP-A 2. SUBDIVISION – RESTRICTION TO USER DA-166/2005

RESOLVED (Johnston/Baker) that the Committee recommend to Council that Council authorise that the Council Seal be used on the Section 88B Instrument relating to the subdivision as per Development Application 166/2005.

MED-A 3. GM & RS MILLER-HARDY, ERECT A DWELLING, LOT 1 SEC 2 DP 759043
CAMPBELL STREET, WANDERA DA-195/2005

RESOLVED (Johnston/Harmon) that the Committee recommend to Council that Council approve Development Application 195/2005 to erect a dwelling subject to:

- (i) Prior to the issue of an Occupation Certificate, fulfillment of the commitments listed in the BASIX certificate relevant to the dwelling are to be met.*
- (ii) An asset protection zone of 20m is to be maintained around the dwelling in accordance with the Planning for Bushfire Protection Guidelines.*
- (iii) A minimum of 22,500 litres of water is to be provided to the dwelling and such tank is to be provided with a fitting approved by the Rural Fire Service for the purpose of bushfire protection.*
- (iv) The dwelling is to be located so as to maintain the minimum clearance distances from power lines as specified by Country Energy and a survey by a registered surveyor is to be provided to Council upon the forming of the concrete slab and prior to the pouring of the concrete showing the horizontal clearance from power lines on the property.*
- (v) Erosion and sedimentation measures are to be undertaken in accordance with Council's erosion and sedimentation control policy and such details are provided to Council prior to the Construction Certificate being released.*
- (vi) The unnamed lane to the east of the property is to be upgraded from Chard Street to the property entrance. Such construction is to be of a standard as specified by Council's Engineering and Technical Services. This work is to be completed at the applicant's expense.*
- (vii) An application for approval to install the on-site sewage system, being a composting toilet and reed bed grey water system, is to be submitted and approved by Council prior to the release of the Construction Certificate.*
- (viii) Approval to occupy any temporary accommodation is subject to further Council approval upon application at such time as the building is substantially commenced and the appropriate facilities including drinking water are provided.*
- (ix) Any other condition as deemed necessary by the Director Planning and Development.*

- SP-A 4. DUAL OCCUPANCY & SUBDIVISION – RESTRICTION TO USER
DA-132/1995

RESOLVED (Baker/Jones) that the Committee recommend to Council that the Council Seal be used on the Section 88B Instrument relating to the subdivision of Lot 20 DP 976586 as per Development Application 132/1995.

5. DEVELOPMENT APPLICATIONS FOR SUBDIVISION – E J & S F DAWSON &
D R D & C C STRAHLEY DA-1/2003 & DA-21/2005

RESOLVED (Baker/Harmon) that the Committee consider the supplementary report.

6. FLOODING & DEVELOPMENT CONTROLS – COURT DECISION
18.6.18

RESOLVED (Harmon/Mudaliar) that the information be noted.

SECTION I
INFORMATION REPORT

1. BORDER RIVERS GWYDIR CATCHMENT MANAGEMENT AUTHORITY
11.15.1

RESOLVED (Harmon/Mudaliar) that the item contained in the Information Report to the Planning/Community Committee Meeting held on Wednesday, 12 October 2005 be received and noted.

SECTION J
GENERAL BUSINESS

Director Commencement of Amendments – Recent Planning Reforms

Planning &
Development

The Director Planning and Development commented on the commencement of amendments under recent planning reforms, effective as of the 30 September 2005. It was noted that a question remains over the gazettal of orders relating to the preparation of LEP's.

DPD-A Director Dedication of Laneways 28.9.22

Planning &
Development

RESOLVED (Baker/Harmon) that the Committee recommend to Council that Council agree to the dedication of existing laneways currently held under Crown Title in Inverell.

Adjournment

At this juncture, the time being 10:04 am, the meeting was adjourned.

Resumption

The Meeting resumed at 10:22 am.

SUPPLEMENTARY
SECTION F
PLANNING & DEVELOPMENT REPORT

- SP-A 7. APPLICATION SUBMITTED BY EJ & SF DAWSON & DRD & CC STRAHLEY
FOR JOINT SUBDIVISION DA-1/2003 & DA-21/2005

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

(i) *Approval be given under Development Application 1/03 for Stages Two, Three and Four subject to:*

a) *A Section 88B Instrument to be prepared for the development. This is to address the following:*

- *The house and yard areas of the subdivision lots are not to be located within 50 metres of granite rock outcrops with Howell Scrubland.*
- *The house and yard areas of the subdivision lots are not to be located within 50 metres of Stony Knob with Box-Gum Woodland.*
- *Prohibiting the disturbance or removal of bushrock.*
- *All dead and fallen timber on the ground is to be left.*
- *Prohibiting the clearing of native trees (other than the minimum number necessary for the clearing of fire breaks and asset protection zones, construction of new access roads, fence lines, amenities such as power and telephone, and house, yard and associated new structures) over 20cm DBH without Council approval.*
- *Prohibiting clearing (as defined in the Native Vegetation Clearing Act 1997) of native ground cover on 40% of each new 1 ha lot, apart from beneficial management practices which will enhance natural regeneration, (eg slash (to reduce fire hazard if necessary) in spring/early summer before flowering,) will result in minimal impact on the threatened species, populations and ecological community found on this land.*
- *This instrument is to detail all the interallotment drainage arrangements. The wording instrument is to be approved by Council prior to the release of the linen plan of subdivision.*
- *The wording of the Instrument is to be approved by Council prior to endorsement.*

b) *Future dwellings on any of the lots are to be situated in a location that does not impede existing natural drainage lines. Future dwellings are not to increase erosion or scouring on the land.*

c) *Referral of the proposal to the Department of Environment and Heritage before the commencement of any work.*

d) *Any other condition as considered necessary by the Director Planning and Development.*

(ii) *Approval be given under Development Application 121/05 subject to:*

a) *A Section 88B Instrument to be prepared for the development. This is to address the following:*

- *The house and yard areas of the subdivision lots are not to be located within 50 metres of granite rock outcrops with Howell Scrubland.*
- *The house and yard areas of the subdivision lots are not to be located within 50 metres of Stony Knob with Box-Gum Woodland.*
- *Prohibiting the disturbance or removal of bushrock.*
- *All dead and fallen timber on the ground is to be left.*
- *Prohibiting the clearing of native trees (other than the minimum number necessary for the clearing of fire breaks and asset protection zones, construction of new access roads, fence lines, amenities such as power and telephone, and house, yard and associated new structures) over 20cm DBH without Council approval.*
- *Prohibiting clearing (as defined in the Native Vegetation Clearing Act 1997) of native ground cover on 40% of each new 1 ha lot, apart from beneficial management practices which will enhance natural regeneration, (eg slash (to reduce fire hazard if necessary) in spring/early summer before flowering,) will*

- result in minimal impact on the threatened species, populations and ecological community found on this land.*
- *This instrument is to detail all the interallotment drainage arrangements. The wording instrument is to be approved by Council prior to the release of the linen plan of subdivision.*
 - *The shared maintenance of all Right of Carriageways and all party obligations are to be clearly defined, including the access rights for the land known as Lot 1 DP 791965.*
 - *The wording of the Instrument is to be approved by Council prior to endorsement.*
- b) *Future dwellings on any of the lots are to be situated in a location that does not impede existing natural drainage lines. Future dwellings are not to increase erosion or scouring on the land.*
- c) *The physical access along the Right of Carriage Way from Bundarra Road into the subdivision is to be constructed fully within the easement.*
- d) *The internal access road servicing lots 1, 2, 3 & 4 is to be upgraded. This is to include the intersection with Bundarra Road. The upgrading is to include the road being 5 metres minimum formation width, with a minimum 3 metres wide bitumen seal. The granite is to be compacted to a depth of 300mm. It is to have a minimum of compaction tests to be carried out by Inverell Shire Council prior to sealing. The gravel work for the bitumen seal is to have a plasticity index of no more than 8. Guide posts are to clearly mark the location of any waterway structures and intersections, and erosion control works are to be provided where required. Sarlon bags or fences are to be placed in table drains and disturbed areas at minimum 20m intervals. This is to be completed at the applicant's cost.*
- e) *The existing slab over the creek is to be upgraded to a culvert capable of carrying run off from a 1 in 5 year event.*
- f) *The conditions requested by the NSW Rural Fire Service be placed on the applicant.*
- g) *Referral of the proposal to the Department of Environment and Heritage before the commencement of any work.*
- h) *Any other condition as considered necessary by the Director Planning and Development.*
- (iii) *The land contained within the subdivision as approved under Development Application 1/03 (Stages two and three) and Development Application 121/05 be nominated as environmentally sensitive land for the purposes of exempt and complying development under SEPP 60.*
- (iv) *That appropriate signage be displayed at the entry point to the subdivision, indicating that the access road is a 'private road' that is not maintained by Council.*

SECTION J
GENERAL BUSINESS (Cont'd.)

DTS-A Cr Jones Private Roads 28.9.18

RESOLVED (Jones/Baker) that the Committee recommend to Council that Council install signage on any private road established during the last 3-4 years, confirming the status of the road as a 'Private Road'.

DTS-A Cr Harmon Temporary Structure – Cnr Ring and Brae Street, Inverell
28.10.IN176

Cr Harmon asked if staff could investigate this matter.

DTS-A Cr Baker Copeton Northern Foreshores Reserve 21.8.12

Cr Baker inquired as to the status of development at the Reserve.

Council's Director Planning and Development confirmed that a number of funding applications had been lodged seeking the establishment of additional infrastructure, including amenities building and road works relating to the boat ramp.

Cr Johnston New Zealand Solar Conference

Cr Johnston noted information forwarded to Council by Mr Max Woods.

Cr Lloyd Brigalow Nandewar Community Advisory Committee

Cr Lloyd noted that nominations for Committee membership closed on 12 October 2005.

Cr Cameron Water Pressure

Cr Cameron enquired as to possible problems relating to water pressure in the Runnymede Estate.

GM-A General Manager Arts North West Inc. Membership 26.5.4

The General Manager appraised committee members of the need to nominate a Council delegate to Arts North West Board.

The committee resolved to endorse the nomination of Council's current delegate, Mr Chris Newbigin.

Cr Johnston Telstra Festival

Cr Johnston noted that sponsorship funds had been received.

Cr Johnston New Magistrate

Cr Johnston reported on the appointment of the new Magistrate who had recently addressed the New England Local Government meeting, making a very favourable impression.

There being no further business, the meeting closed at 11:50 am.

P H LLOYD

CHAIRMAN