

MINUTES OF THE PLANNING/COMMUNITY COMMITTEE MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON WEDNESDAY, 13 FEBRUARY, 2008, COMMENCING AT 4.15 PM.

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

Also in attendance: Cr J L Cameron and Cr DK Barnes.

Paul Henry (General Manager), Brett McInnes (Director Planning and Development), Ken Beddie (Director Corporate Services) and Greg Moran (Director Technical Services).

APOLOGIES:

There were no apologies received.

SECTION A

1. CONFIRMATION OF MINUTES

RESOLVED (Baker/Mudaliar) that the Minutes of the Planning/Community Committee Meeting held on 14 November, 2007, 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 13.5.4

There were no Public Forum items.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION C
GENERAL MANAGER'S REPORT

EXPRO- 1. SMOKE FREE OUTDOOR AREAS 24.5.3
A

RESOLVED (Johnston/Jones) that the Committee recommend to Council that no action be taken in this matter at this time, however that Council seek Public comment by way of advertising for the matter to be reconsidered at a meeting in three (3) months time.

At this juncture, the time being 4.35pm, Cr Irvine arrived to the meeting.

EXPRO- 2. 2007 NSW YOUTH RIVER HEALTH CONFERENCE INVERELL - FEEDBACK
A FROM NORTHERN INLAND WASTE (NIRW) S11.15.2

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

- i. Install butt litter bins throughout the riverside parks, especially in the areas where tables are provided.*
- ii. Approach nearby supermarkets and encourage them to install coin return trolley systems to encourage customers to return their trolleys, and deter vandals from dumping trolleys into the river.*

- iii. *Increase community education about the environmental impacts of littering, as well as the fines associated with littering including the installation of advisory/warning signage.*
- iv. *Increase the number of rubbish bins and install these in high traffic and visible locations.*
- v. *Increase the litter patrols carried out in parks and gardens.*

EXPRO- 3. 2007 NSW YOUTH RIVER HEALTH CONFERENCE – INVERELL – FINAL
A REPORT FROM FIRESTARTER PTY LTD S11.15.2

RESOLVED (Baker/Jones) that the Committee recommend to Council that Council continue to be involved in the process evident at the NSW Youth River Health Conference for generating environmental awareness within the Inverell Shire.

EXPRO- 4. PEOPLE TO PEOPLE INTERNATIONAL – INVERELL INC – SISTER CITY
A RELATIONSHIP WITH OEHRINGEN, GERMANY 8.4.2

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

- i. *Council approach the City of Oehringen, Germany in regard to formalising a Sister City relationship with Inverell, and*
- ii. *Once the arrangement has been formalised that the People to People International Inverell Chapter be invited to follow up the process similar to the relationship which exists with Inverell's other Sister City Tulare, California.*

EXPRO- 5. ANNUAL AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION
A (ALGWA) CONFERENCE 4.3.1

RESOLVED (Baker/Mudaliar) that the Committee recommend to Council that Council provide the opportunity for up to three (3) delegates to attend the Annual ALGWA Conference.

EXPRO- 6. PROMOTION OF CANDIDACY FOR THE 2008 LOCAL GOVERNMENT
A ELECTION 13.7.4

RESOLVED (Johnston/Baker) that the Committee recommend to Council that Council promote candidacy for the 2008 Local Government and conduct seminars for potential candidates.

SECTION F
PLANNING AND DEVELOPMENT REPORTS

DPD-A 1. IMPROVING THE NSW PLANNING SYSTEM SUBMISSION S18.6.11

RESOLVED (Johnston/Baker) that the Committee recommend to Council that the subject submission, as prepared by the Director Planning & Development be endorsed.

DPD-A 2. LOCAL GOVERNMENT LEADERS FORUM – PLANNING CHANGES
S18.6.11

RESOLVED (Johnston/Harmon) that the Committee recommend to Council that Council endorse the three (3) point resolution passed at the Local Government & Shires Association Leaders Forum on the 30 January, 2008 in response to the NSW Government's proposed planning reforms.

DPD-A 3. EMPLOYMENT LAND STRATEGY & PLANNING REFORM FUNDING S18.6.49

RESOLVED (Johnston/Baker) that:

- i. the information be received and noted; and*
- ii. staff pursue all avenues to secure support funding in this matter.*

DPD-A 4. DEVELOPMENT APPLICATION NO – 205/2007, ERECT AND USE A BUILDING FOR THE PURPOSE OF A FAMILY DAY CARE CO-ORDINATION CENTRE DA205/2007

RESOLVED (Johnston/Harmon) that the Committee recommend to Council that the application be approved subject to the consent expiring within five (5) years if not physically commenced in accordance with Section 83 of the Environmental Planning & Assessment Act 1979 and the following conditions:

- 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 the erection of a building to be used as a Family Day Care Co ordination centre.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans and accompanying details prepared by John Williams 3D Design, numbered 3266 & 3266a, dated 18.12.07 and 26.01.08.

Any deviation from this will require the consent of Council.

- 2 The centres hours of operations shall conform to the approved Statement of Environmental Effects submitted with the application. Hours stipulated are as follows:*

9.00am – 5.00pm Monday to Friday.

- 3 The proposed 'playgroup' component of the use shall be restricted to a maximum two (2) hours per day (generally between 9.30 to 11.30am) a maximum of three (3) days per week. No other child care activities are to occur on site.*

- 4 The location of the proposed loading zone is not approved. The loading zone is to be located to the rear of the premises. Prior to the issue of a Construction Certificate Council is to be provided with an amended plan for its approval showing an alternative location for the loading zone.*

- 5 Prior to the issue of a Construction Certificate Council is to be provided with a plan for its approval showing the location of a dedicated area suitable for storage of waste receptacles.*

- 6 Signage and logos on the site are to be strictly limited to that identified on the approved plan. The signs are to be constructed and maintained to a high standard.*

- 7 Prior to the issue of a Construction Certificate a detailed construction plan is to be provided to Council for approval of all vehicle manoeuvring areas and the car park. The plan should identify vehicle turning circles.*

- 8 The proposed access drive and car park is to be bitumen sealed or concreted to the satisfaction of Council.*

9 *Prior to occupation all landscaping is to be completed in accordance with the stamped, approved landscaping plan.*

10 **Prior to Construction**

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed. The sign must include the following:

- *showing the name, address and telephone number of the principal certifying authority for the work, and*
- *showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and*
- *stating that unauthorised entry to the work site is prohibited.*

11 *Access and facilities are to be provided for the disabled in accordance with the requirements of the Building Code of Australia. Detailed plans shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate, plans should detail levels, ramp slopes, door widths, circulation spaces.*

Reason: to ensure that appropriate access and facilities are provided for the disabled.

12 *Separate details or a Certificate of Structural Adequacy prepared by a practising Structural Engineer, for the following work shall be lodged with Council (in the case of being the Principal Certifying Authority) and accepted for construction prior to commencing the relevant work:-*

- a) *Reinforced concrete footings and floor slab*

Note: The name, address and qualifications of the practising Structural Engineer certifying the design is to be clearly indicated on the plans and any accompanying documentation. The design shall relate to the particular site. (Pursuant to Clauses A2.2 (Class 2-9) of the Building Code of Australia.

13 *Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided;*

- a) *Must be a standard flushing toilet, and*
b) *Must be connected :*
- I. *To a public sewer, or*
 - II. *If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or*
 - III. *If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.*

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced. (Pursuant to Clause 78I of the Environmental Planning and Assessment Regulation 2000 and Australian Standard AS3500)

14 *Prior to the commencement of any building works on the site a Construction Certificate is to be obtained from Council or an Accredited Certifier. The*

application for Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards. In the case of Council being the Principal Certifying Authority, the following specific information is to be provided with the Construction Certificate application:

- a) *Certification from a qualified person that the building when completed will comply with the energy efficiency requirements of section J of the Building Code of Australia.*
- b) *Details of the water closet pans and hand wash basins to be provided in the Playgroup Room.*
- c) *Details of the proposed roof and surface water drainage including surface pit locations, pipes sizes and down pipe locations. Please note that Council will allow drainage to terminate in the stormwater gully at the premises via a sealed stormwater drain.*
- d) *Details of all proposed sediment and erosion control of the building site. Please note that the controls are to be in accordance with Inverell Shire Council's 'Erosion and Sediment Control Policy'.*
- e) *Site plan to scale detailing finished floor levels, any cut and fill including cut depths and fill heights, methods of soil erosion retention if required, land contours with appropriate levels all related to a permanent mark (e.g. top of kerbs in town, marker peg in rural).*

15 During Construction

*Conditions relating to critical stage inspections;
Council, in the case of being the Principal Certifying Authority, is to be given 24 hours notice of the following critical stage inspections where applicable;*

- a) *at the commencement of the building work, and*
- b) *after excavation for, and prior to the placement of, any footings, and*
- c) *prior to pouring any in-situ reinforced concrete building element, and*
- d) *prior to covering of the framework for any floor, wall, roof or other building element, and*
- e) *prior to covering waterproofing in any wet areas, and*
- f) *prior to covering any stormwater drainage connections, and*
- g) *after the building work has been completed and prior to any occupation certificate being issued in relation to the building.*

16 *Forty eight (48) hours notice is to be given to Council for inspection of:-*

- a) *Internal Drainage - prior to floor slab being formed.*
- b) *External Drainage - prior to trenches being filled.*

17 *All fill material is to be suitably retained within the allotment and all cut and fill is to be graded and drained to Council's satisfaction. (In accordance with Part B1 (Class 2-9) of the Building Code of Australia.)*

18 *In accordance with Clause F2.5 (Class 2-9) of the BCA, the door to a fully enclosed sanitary compartment must:-*

- a) *open outwards, or*
- b) *slide, or*
- c) *be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2m between the closet pan within and the nearest part of the doorway.*

19 *Food handling skills and procedures and the food premises are to be maintained to ensure compliance with the requirements of Food Safety*

Standards 3.1.1 (Interpretation and Application), 3.2.1 (Food Safety Programs), 3.2.2 (Food Safety Practices and General Requirements) and 3.2.3 (Food Premises and Equipment)

- 20 *To ensure the safety of persons in the building in the event of fire, the essential fire or other safety measures included in the submitted schedules are to be implemented and/or maintained. (Pursuant to Clause 80GF of the Environmental Planning and Assessment Regulation 2000, and the Building Code of Australia.)*
- 21 *Plumbing and drainage shall be carried out in accordance with the provisions of the NSW Code of Practice and Australian Standard AS 3500.*
- 22 *To comply with AS 3500.3.1, inspection openings are to be provided on the stormwater drainage line and finished at surface ground level at:*
- a) *Each point of connection*
 - b) *At intervals not exceeding 30m apart*
 - c) *A any change in direction greater than 43 degrees*
- 23 *In accordance with Part F1.1 of Volume 1 of Building Code of Australia, downpipe flow capacities are to be in accordance with AS/NZS 3500.3.2*
- 24 **Prior to Occupation**
- In the case of Council being appointed the Principal Certifying Authority the following compliance certificates are to be provided to Council prior to occupation of the building;*
- a) *Manufacturers Certification and details of roof trusses and wall framing*
 - b) *Wet area Certification, including shower compartments certifying compliance with the Building Code of Australia and AS 3740*
 - c) *Manufacturers certification that all glazed assemblies are in accordance with AS 1288 & AS 2047*
 - d) *Electrical works completion certification.*
- 25 *The building shall not be used or occupied prior to the issue of an Occupation Certificate. (Pursuant to Section 109M, of the Environmental Planning and Assessment Act 1979.)*
- 26 *In the case of Council being appointed the Principal Certifying Authority the manufacturer's details of roof trusses and wall framing are to be submitted to Council prior to inspection, alternatively, an Engineer's Certificate of adequacy is to be provided at the frame inspection. (Pursuant to Clauses A2.2 (Class 2-9 of the Building Code of Australia.)*
- 27 *To ensure compliance with Clause 4 of the Food standard 3.2.2, prior to the commencement of any food handling operations, details of the food premises are to be provided to the appropriate enforcement agency and a copy of the recorded notification submitted to Council. Notification can be completed either on the internet at www.foodnotify.nsw.gov.au free of cost or by contacting the Department of Health (application fee applicable).*
- 28 *On completion of the proposed building work, or prior to the change of use, the owner of the building is to provide Council with a fire safety certificate (in the form attached) with respect to each fire or other safety measures installed in the building. The owner of the building shall provide Council with an annual fire safety certificate with respect to each fire safety measure installed in the building, at least once in each twelve (12) months thereafter. (Pursuant to Clause 80A of the Environmental Planning and Assessment Regulation 2000, Clause I 1.1 (Class 2-9) of the Building Code of Australia.)*

29 *A copy of the fire safety certificate is to be given to the Commissioner of New South Wales Fire Brigades and a further copy is to be prominently displayed in the building. (Pursuant to Clause 80E of the Environmental Planning and Assessment Regulation 2000.)*

30 *The plumber is to provide Council, prior to backfilling external drainage, a plan of sewer drainage to a standard acceptable to Council.*

5. DEVELOPMENT APPLICATION NO. 7/2008 – ONE (1) INTO FOUR(4) ALLOTMENT SUBDIVISION DA 7/2008

RESOLVED (Baker/Harmon) that a Supplementary Report regarding Development Application 7/2008 be considered.

SECTION F
SUPPLEMENTARY PLANNING & DEVELOPMENT REPORTS

DPD-A 6. DEVELOPMENT APPLICATION NO. 7/2008 – ONE (1) INTO FOUR(4) ALLOTMENT SUBDIVISION DA 7/2008

RESOLVED (Baker/Harmon) that the Committee recommend to Council that Development Application 7/2008 be approved subject to the following conditions:

1. **Preliminary**

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 one (1) into lot (4) lot subdivision.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the approved plan prepared by Steve McCosker (Surveys), numbered A4/07/1361S-1.1, dated 2 January 2008.

Any deviation from this will require the consent of Council.

2. *No native vegetation is to be removed from any of the four (4) allotments without the prior approval of Council.*

3. **Prior to Subdivision Certificate**

A Section 94 Community Services Contribution of \$100.00 is to be paid to Council for each new allotment created.

4. *A Section 94 General Rural Roads Contribution of \$1,770.00 plus CPI is to be paid to Council for each new allotment created. This contribution will be linked to the CPI rate and will increase every financial quarter.*

5. *A Section 94 of \$6,007.50 plus CPI is to be paid to Council for each new allotment created. This is to go towards the upgrade of Orchard Place. This contribution will be linked to the CPI rate and will increase every financial quarter.*

6. *A Rural Addressing Fee of \$30.00 is to be paid to Council for each allotment.*

7. *Water is to be connected to each allotment at the applicant's expense. The connection cost will be by quotation from Council's Technical Services Department and not the standard connection fee.*

8. *A water contribution of \$9,330.00 is to be paid to Council for each allotment. This is to go towards water recoupment of past costs. This is as per Development Servicing Plan No. 1.*
9. *Orchard Place is to be half width constructed fronting the subdivision. This will require a 3.2 metre bitumen seal on 5.6 metre wide gravel pavement. This work is to have an engineering survey and design to be approved by Council. All works are to be completed to Council's satisfaction, at the applicant's expense.*
10. *The Right of Carriageway is to be provided with a 5 metre wide bitumen seal on 6 metre wide gravel pavement with a, 300mm consolidated depth. It shall be located along the centre of the reciprocal Right of carriageway. This work is to have an engineering survey and design to be approved by Council. All works are to be completed to Council's satisfaction, at the applicant's expense.*
11. *The accesses to Lots 1 and 2 are to be bitumen sealed and be located in a position approved by Council. All works are to be completed to Council's satisfaction, at the applicant's expense.*
12. *To ensure adequate utility services are provided to all lots in the subdivision, the applicant is to provide the following to Council:*
 - i. *A letter from Country Energy stating that satisfactory arrangements have been made for the provision of electricity supply to each allotment.*
 - ii. *A letter from an approved telecommunications provider stating that satisfactory arrangements have been made for the provision of telecommunications to each allotment.*
13. *A Restriction as to User under Section 88b of the Conveyancing Act is to clearly state:*
 - i. *That the sinking of bore is not permissible on any allotments in the subdivision.*
 - ii. *Any dwelling erected on a parcel of land within the subdivision is to be serviced by an aerated waste treatment system or equivalent approved by the Department of Health.*
14. *A plan of potential building envelope locations for allotments one (1) and four (4) are to be submitted to Council for approval prior to the release of a subdivision certificate.*
15. **On Completion of Development**

A plan of subdivision and four (4) copies is to be submitted to Council along with a Subdivision Certificate Application and accompanying application fee.
16. *Prior to Council endorsing the Subdivision Certificate, the use of the land as an aircraft landing area is to be formally surrendered/decommission to the satisfaction of Council. To do this the following must occur:*
 - I. *The air strip is to be ripped/deformed its entire length,*
 - II. *Unserviceable crosses are to be located at either end of the air strip*
 - III. *All air strip paraphernalia (i.e. wind socks, runway markers, lighting) is to be removed,*
 - IV. *The applicant is to notify the 'Airport Owners of Australia' that the air strip is decommissioned. An advertisement is to also be placed in the Airport Owners of Australia publication (AOPA) stating the air strip is no longer in use.*

17. *Any other condition deemed appropriate by the Director of Planning and Development.*
18. *Any other condition deemed appropriate by the Director of Technical Services in respect of road matters.*

SECTION I
INFORMATION REPORTS

1. NSW SCIENTIFIC COMMITTEE – PRELIMINARY DETERMINATION TO SUPPORT A PROPOSAL TO LIST FOREST EUCALYPT DIEBACK AS A KEY THREATENING PROCESS S11.12.4
2. NOXIOUS WEEDS ADVISORY COMMITTEE MEETING MINUTES 11.7.4
3. NSW SCIENTIFIC COMMITTEE – PRELIMINARY DETERMINATION TO SUPPORT A PROPOSAL TO REMOVE THE HERB GOODENIA MACBARRONII CAROLIN FROM THE SCHEDULES OF THE ACT S11.12.4
4. CORRESPONDENCE RECEIVED FROM SUNHAVEN HOSTEL DA 166/2007
5. PEOPLE TO PEOPLE INTERNATIONAL – INVERELL INC – FRANCE DELEGATION TO VISIT INVERELL 8.4.2
6. LAPIDARY CLUB DEVELOPMENT APPLICATION DA 188/2007
7. CLIMATE CHANGE FORUM AND EXPO S11.15.2
8. SIGNAGE WITHOUT CONSENT – COUNTRY ENERGY POLES 19.7.2
9. ABANDONED SHOPPING TROLLEY POLICY 31.10.1
10. INVERELL LAND DEMAND & SUPPLY REPORT 2006 & LOCAL ENVIRONMENTAL PLAN PREPARATION 18.6.34

RESOLVED (Baker/Jones) that the items contained in the Information Reports to the Planning/Community Committee Meeting held on Wednesday, 13 February, 2008 be received and noted.

SECTION J
GENERAL BUSINESS

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| DPD-N | Cr Baker | <u>Concessional Lots 18.13.1</u>

Cr Baker enquired as to what the minimum requirements are for the creation of a concessional lot.

The Director Planning and Development advised that the requirement is 200Ha. |
| DTS-A | Cr Harmon | <u>Bus Stop – Inverell Town Hall 28.27.2</u>

Cr Harmon noted that cars continue to park in the motorcycle park adjacent to the Town Hall. This is causing problems for the Town Bus. Cr Harmon enquired as to whether Council could investigate this matter. |
| GM-A | Cr Harmon | <u>Traffic Matters 30.9.6</u>

Cr Harmon enquired as to whether the Mayor could raise an issue at the next PACT meeting. |

DPD-A Cr Cameron Carparking Contribution 5.11.50

Cr Cameron noted the change of use of a building in Sweaney Street that has caused an increase in parking requirements. Cr Cameron enquired as to whether Council could investigate this matter and consider carrying out linemarking in the area.

There being no further business, the meeting closed at 6.30 pm.

CR P H LLOYD

CHAIRMAN