

MINUTES OF THE PLANNING/COMMUNITY COMMITTEE MEETING HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON WEDNESDAY, 14 MARCH, 2007, COMMENCING AT 8.30 AM.

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

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

APOLOGIES:

RESOLVED (Baker/Harmon) that the apology from Cr Lloyd be noted.

SECTION A

1. CONFIRMATION OF MINUTES

RESOLVED (Baker/Harmon) that the Minutes of the Planning/Community Committee Meeting held on 14 February, 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.

At this juncture, the time being 8.35 am, Cr D Mudaliar arrived.

3. PUBLIC FORUM 13.5.4

At this juncture, the time being 8.36 am, the Chair welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Ms Kathleen Davies Gwydir/Border Rivers CMA

Ms Davies introduced the Regent Honeyeater Habitat Improvement Program that is being overseen by the CMA. Ms Davies is keen to engage Council in the programs that she is developing, including providing habitats on reserves. Ms Davies noted there has been a reported increase in sightings of this bird in the area.

Mr Beech McLane Proposed Subdivision DA-149/06

Mr McLane spoke in opposition to this development and seeks a one (1) month deferment in order to consider the matter in more detail. Mr McLane cited his concerns as:

- Five (5) years is too long to enable a development to be completed;
- No recreational land;
- No comment on solar usage;
- Site coverage;
- 150% increase in traffic;
- Traffic noise and fumes; and
- The applicant has not supplied all the required information.

At this juncture, the time being 8.50 am, the Public Forum Session closed and the Committee resumed the balance of the Agenda.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Mobile Phone Coverage - Yetman

It was noted a meeting is to be held on Thursday, 26 April, 2007 on site, to consider the future course of action.

Fernhill Road – Speed Zone

The Director Technical Services has requested the RTA fund this matter.

Water Supply at Stannifer

It was noted that the matter was being investigated by the Manager Design and Services.

Cherry Tree Hill Landfill

The Director Planning and Development advised that the Manager Environmental Services had met with the contractors to discuss future management of the site. The recent fire at the landfill was also noted.

SECTION C
GENERAL MANAGER'S REPORT

GM-A 1. GWYMAC – LOSS OF LANDCARE STAFF 11.15.3

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

- a) *Council not accede to the request of Gwymac for Council to employ a Landcare Officer; and*
- b) *Council representatives meet with Gwymac to discuss alternative strategies in respect of the issue raised.*

Amendment (Cameron/Harmon) that the Committee recommend to Council that Council not accede to the request of Gwymac for Council to employ a Landcare Officer.

The Amendment on being put to the meeting was LOST.

The Motion on being put to the meeting was CARRIED.

SECTION F
PLANNING AND DEVELOPMENT REPORTS

TTP-A 1. SUBDIVISION – RESTRICTION TO USER DA-35/2006

RESOLVED (Jones/Harmon) that the Committee recommend to Council that approval be given to the fixing of Council's Seal on the Section 88B Instrument relating to the subdivision as per Development Application 35/2006.

DPD-N
SP-N 2. ASHFORD RESIDENTIAL LAND AVAILABILITY STUDY S5.2.4

RESOLVED (Cameron/Baker) that the Committee recommend to Council that the Ashford Constraints & Opportunities Map, as presented, be received and noted.

SUPPLEMENTARY
SECTION F
PLANNING & DEVELOPMENT REPORT

RESOLVED (Baker/Jones) that the Supplementary Section F, Planning and Development Report, Item #4 'Proposed Development for 22 Units and Strata Subdivision and Re-subdivision of 1 Lot' be considered in conjunction with Item #3 'Proposed Development for 22 Units and Strata Subdivision and Re-subdivision of 1 Lot'.

- DP-A 3. PROPOSED DEVELOPMENT FOR 22 UNITS AND STRATA SUBDIVISION AND RE-SUBDIVISION OF 1 LOT DA-149/06

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

- a) *Development Application 149/2006 for Stages Three, Four and Five be approved subject to the following conditions:*

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. Substantial commencement of construction is required within five (5) years from the date of this consent.*

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans prepared by Precise Design and L.E.G.S numbered (...) dated (...) and accompanying supportive documentation, except as otherwise provided or modified by the conditions of this consent.

2. *Consent is granted for Stages Three, Four and Five of eighteen (18) Unit Development with associated strata Subdivision. Each Stage of the development is to include the following:*

Stage Three - *Construction of two (2) x two (2) bedroom villas and two (2) x three (3) bedroom villas with associated engineering works and landscaping. Strata subdivision of four (4) units.*

Stage Four - *Construction of a four (4) x two (2) bedroom detached villas and four (4) x three (3) bedroom duplexes with associated engineering works and landscaping. Strata subdivision of eight (8) units.*

Stage Five - *Construction of four (4) x two (2) bedroom detached villas and two (2) x three (3) bedroom duplex and associated engineering works and landscaping. Strata subdivision of six (6) units.*

3. *All building work must be carried out in accordance with the provisions of the Building Code of Australia.*
4. *A Construction Certificate is required prior to the commencement of any site or building works. This certificate can be issued either by Council as the consent authority or by an accredited certifier.*
5. *To ensure compliance with the Disability Discrimination Act 1992 four (4) units are to be modified in design. Council seeks to ensure two (2) units are made available for persons with disabilities and designed in accordance with Australian Standard AS1428, and a further two(2) units are designed in accordance with Australian Standard 4299 – Adaptable Housing.*

Prior to the commencement of Stage Three construction, plans including internal and external layout including access to letter boxes, is to be provided to Council for consent.

6. *Prior to the commencement of works on site, a Formal Agreement is to be submitted to Council, for approval, in relation to the collection of garbage from the site. The Agreement will be required to indemnify Council in relation to the collection of rubbish and the like, access to the site from Contractors and future provision of services to the site. The Agreement is to be registered against the title of the property.*
7. *The applicant is responsible for the design and provision of all street lighting for the development.*
8. *All work is to be undertaken in a workman like manner.*

Prior to Construction

9. *Prior to construction, amended plans are to be submitted with each unit development complying with a 6 metre setback in accordance with Development Control Plan No. 3 – Code for the Control of Residential Flat Buildings and Dual Occupancy Development.*
10. *To ensure the integrity of the proposal and the locality, two (2) additional unit designs are to be submitted to Council for approval. The designs are to be implemented during the staged development and allow a variety of housing choice. Any design would be required to include the current building footprint.*
11. *Prior to the commencement of work, shadow diagrams are to be submitted to Council showing any overshadowing on adjoining lands. The shadow diagrams are to incorporate any proposed hard landscaping.*
12. *Arrangements must be made with Country Energy and an approved telecommunications service provider for the extension of services to and within the site. Written evidence of such arrangements are to be submitted prior to the issue of the construction certificate.*
13. *A survey report by a registered land surveyor is required to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This is to be verified*
 - a. *By pegging of the site prior to commencement of works.**The survey report is to be provided to the Principal Certifying Authority prior to works proceeding past floor level.*
14. *To ensure the protection of the public, hoardings and fencing is to be provided on all sides of the development site to the requirements of NSW Workcover Authority.*
15. *Prior to any works commencing on the site, written advice as to the*
 - a. *Builder's details (name, address and licence number)*
 - b. *Owner builder permit**is required for Council records.*
16. *To ensure that the site is easily identifiable for deliveries and provides information on the person responsible for the site, a sign displaying the following information is to be erected:*
 - *The statement "Unauthorised access to the site is not permitted".*
 - *The names of the builder or another person responsible for the site along with an out of hours contact number.*
 - *Lot or street number.*

17. To have regard of the amenity of the area, a schedule of finishes is to be submitted to Council for approval for each unit to be constructed: The schedule of finishes is to show, with the aid of colour chart and the like, the following:

- a. External walls
- b. Roof
- c. Driveway finish
- d. Fencing
- e. Gutters
- f. Window finishes

Any outbuildings or other ancillary structures are to be finished in colours and materials sympathetic in colour and low reflective quality to blend with the surroundings.

18. Landscaping is required to ensure that the development contributes to the character of Inverell and its environmental sustainability.

- All works shown on the landscaping plan (including fencing details) shall be installed.
- All plants shown must be in an advanced stage of growth at the time of planting (minimum 50 litre container for trees and 25 litre container for shrubs). Trees must not be less than 2 metres in height.
- All plants and landscaping on the site are to be maintained at all times. Any plants that dies or are removed must be replaced with plants of the same species and of a similar stage of growth.

19. No boom gate, fencing or the like is to be erected at the end of Mulligan Street. No physical barrier shall be installed to prohibit the flow of traffic to and from the site.

20. The access location for each allotment is to be approved by Council prior to the commencement of construction.

During Construction

21. To ensure proper regard is given to the existing land form, cut and fill shall be limited to no more than 1000mm.

22. Any fill imported to the site must meet the criteria of 'Virgin Excavated Natural Material' as defined in the Environment Protection Authority's Environmental Guidelines – Assessment, Classification and Management of Liquid and Non Liquid Wastes, 1999.

23. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:

- a. Site and building works (including the delivery of materials to and from the property) shall be carried out Monday to Friday between 7am-6pm and on Saturdays between 8am-3pm. Alteration to these hours may be possible for safety reasons but only on the approval of Council.
- b. Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
- c. Building operations such as brickcutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site.

- d. *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.*
24. *To preserve the environment and to contain soil and sediment on the property, controls in accordance with Council's Erosion & Sediment Control policy are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:*
- a. *The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.*
- b. *To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.*

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

25. *Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of One (1) toilet for every twenty (20) workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than twelve (12) months, without the further approval of Council.*
26. *A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.*
27. *Upon installation of a termite management system, a durable notice is to be displayed within the meter box. This notice shall indicate:*
- *The method of protection used,*
 - *Date of installation,*
 - *Life expectancy of any chemical system used as listed on the National Register label, and*
 - *The installation of manufacturers recommendations for the scope and frequency of future inspections for termite activity.*
28. *Excavated and filled areas are to be graded and drained in a manner that will not be detrimental to adjoining properties or the environment. All disturbed areas are to be topsoiled and turfed or spraygrassed. Where batters exceed a ratio of 3 horizontal to 1 vertical, retaining walls or terracing is required.*
29. *Car parking spaces are to be provided on the site in accordance with the approved plans. These are to be maintained for use in association with the development. The car parking spaces are to be sealed, line marked and signposted, in accordance with Council's Development Control Plan 3 – The Control of Residential Flat Buildings and Dual Occupancy Development.*
30. *All contractors working in Council's road reserve shall be covered for worker's compensation insurance and public liability insurance to the amount of \$10 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be submitted to Council prior to works commencing.*

Prior to Occupation Certificate

31. *Each unit is to be supplied with ten (10) metres of clothesline. (Pursuant to Clause 9.1 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*

32. *Each unit is to be provided with a garbage standing area one (1) metre by one (1) metre with a paved surface. A sulo bin is to be provided for each unit at the applicant's expense. (Pursuant to Clause 10.1 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*
33. *All garbage bin standing areas and clothes drying areas shall be screened from view from public areas. This can be achieved by fencing, walling, lattice, and plantings or similar. (Pursuant to Clause 11.1 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*
34. *The development is to be provided with a group of mailboxes at a point on the footpath alignment. The street number is to be displayed in 150mm numerals adjacent to the mailboxes. Each mailbox is to be individually numbered in 100mm numerals. (Pursuant to Section 12 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*
35. *Each unit is to be prewired for a telephone service. (Pursuant to Clause 14.1 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*
36. *Each unit is to be individually numbered and that number displayed on the unit in 100mm numerals. (Pursuant to Clause 15.1 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*
37. *All landscaping is to be completed as per the plan submitted to Council prior to occupation of units. (Pursuant to Clause 18.1 of Development Control Plan No. 3 – code for the control of Residential Flat Buildings and Dual Occupancy.)*

Ongoing Use

38. *All graffiti is to be removed from the site as soon as practical.*
39. *The garbage collection area located at the western side of the site is to remain free from additional litter and surplus garbage. This area is to be cleaned regularly to avoid odour.*

Services

40. *Final detailed engineering construction plans and specifications are to be submitted to Council for approval prior to work commencing.*
41. *Separate water services are to be provided to each unit in the development. Cost of services will be by quotation and Development Servicing Contributions will apply.*
42. *Sewer connections are to be provided to each unit. Costs will be by quotation and Development Servicing Contributions will apply.*
43. *Interallotment drainage needs to be addressed in the final engineering design plans.*
44. *Section 94 contributions be levied in accordance with Council's Policy.*

Cr Harmon Visit by Members of the Tulare Chamber of Commerce

Cr Harmon advised Committee members that approximately one hundred (100) people will visit Inverell in August, 2007.

DTS-A Cr Harmon Sign for Emu Creek Bridge Closure 28.9.18

Cr Harmon advised the Committee that an area around the sign which permits trucks to turn around is required or the sign needs moving.

There being no further business, the meeting closed at 11.20 am.

CR B C JOHNSTON

CHAIRMAN