



**GUNNEDAH SHIRE COUNCIL**

The minutes of the Ordinary Meeting of  
**Gunnedah Shire Council**  
held on

**Wednesday 16 August 2017**

Consisting of Pages 1 to 19  
(Minute Nos 1.08/17 to 31.08/17)

are confirmed as a true and correct record of the meeting  
as per Minute No 1.09/17 of the  
**Ordinary Meeting held on 20 September 2017.**

**GUNNEDAH**

*R. G. Swain.*

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Deputy Mayor RG Swain  
CHAIRPERSON

## ORDINARY COUNCIL MEETING MINUTES

Meeting of Gunnedah Shire Council held on Wednesday 16 August 2017 in the  
Council Chambers, 63 Elgin Street, Gunnedah commencing at 4:31pm

1. COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	ABSENT
J Chaffey		X	
RG Swain (Chair)	X		
JR Campbell	X		
C Fuller	X		
OC Hasler	X		
R Hooke	X		
A Luke	X		
D Moses	X		
M O'Keefe	X		
<b>STAFF</b>			
General Manager (E Groth)	X		
Executive Manager Business Systems and Governance (C Formann)	X		
Acting Director Planning and Environmental Services (B O'Mullane)	X		
Acting Director Infrastructure Services (E Paas)	X		

*Leave of Absence – Mayor J Chaffey*

*Moved Councillor C FULLER*

*Seconded Councillor D MOSES*

## 2. PRAYER

The Deputy Mayor opened the meeting with the customary prayer.

## 3. BEREAVEMENTS

The Deputy Mayor read off the list of bereavements being John Dowd, Margaret Casey, Beryl Doyle, Delma Jones, Sylvia Burns, Nola Howarth, Betty Fulwood, Colin Dries, Cecil "George" Watton, Patricia Joan Towns, Douglas William Stinson, Christopher John Burgess, Elie Salem, Kim Maree Adams and Clare Pryor.

It was **RESOLVED** that Council pay their respects to the deceased and extend their condolences to the family and friends of the deceased with a minute's silence.

## 4. DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REPORT	P	SNP	LSNP	RC	REASON
R HOOKE	7.1	Notice of Motion – Letter of Support – Northwest Family Medical Services		X			Chairman – Board of Directors of Gunnedah Rural Health Centre
R HOOKE	9.4	Letter of Support – Northwest Family Medical Services		X			Chairman – Board of Directors of Gunnedah Rural Health Centre
RG SWAIN	7.1	Notice of Motion – Letter of Support – Northwest Family Medical Services		X			Director of Mackellar Care Services Ltd
RG SWAIN	9.4	Letter of Support – Northwest Family Medical Services		X			Director of Mackellar Care Services Ltd
<b>STAFF</b>	<b>ITEM</b>	<b>REPORT</b>	<b>P</b>	<b>SNP</b>	<b>LSNP</b>	<b>RC</b>	<b>REASON</b>
E GROTH	7.1	Notice of Motion – Letter of Support – Northwest Family Medical Services		X			Director of Mackellar Care Services Ltd
E GROTH	9.4	Letter of Support – Northwest Family Medical Services		X			Director of Mackellar Care Services Ltd

P – Pecuniary

SNP – Significant Non Pecuniary

LSNP – Less than Significant Non Pecuniary

RC – Remain in Chamber during consideration/discussion of item

## **5. COMMUNITY PRESENTATIONS/CONSULTATIONS**

Dr Ken Adams made a presentation in relation to the Notice of Motion and Item 9.4 concerning the Letter of Support – Northwest Family Medical Services.

Mr and Mrs Groves made a presentation in relation to the 11.1 concerning the Development Application 2017/031 – Removal of Dwelling House and Construction of a Replacement Dwelling House – Lot 2 DP801762 – 765 Orange Grove Road, Gunnedah.

## **6. PREVIOUS MINUTES**

### **6.1 CONFIRMATION OF PREVIOUS MINUTES**

*Council Resolution*

*Moved Councillor R HOOKE*

*Seconded Councillor D MOSES*

#### **1.08/17 COUNCIL RESOLUTION:**

The Minutes of the Ordinary Meeting held on Wednesday 19 July 2017 were received and it was **RESOLVED** that the minutes be adopted as a true and correct record of that meeting.

### **6.2 CONFIRMATION OF PREVIOUS MINUTES**

*Council Resolution*

*Moved Councillor J CAMPBELL*

*Seconded Councillor C FULLER*

#### **2.08/17 COUNCIL RESOLUTION:**

The Minutes of the Extraordinary Meeting held on Wednesday 26 July 2017 were received and it was **RESOLVED** that the minutes be adopted as a true and correct record of that meeting.

## **7. NOTICE OF MOTION**

### **7.1 LETTER OF SUPPORT – NORTHWEST FAMILY MEDICAL**

*Deputy Mayor RG Swain declared an interest, left the Chamber and took no part in discussion or consideration of this item.*

*Councillor R Hooke declared an interest, left the Chamber and took no part in discussion or consideration of this item.*

*The General Manager declared an interest, left the Chamber and took no part in discussion or consideration of this item.*

*Councillor OC Hasler assumed the Chair for consideration of this item.*

**AUTHOR Councillor A Luke**

*Council Resolution*

*Moved Councillor A LUKE*

*Seconded Councillor M O'KEEFE*

**3.08/17 COUNCIL RESOLUTION:**

**That Gunnedah Shire Council writes a generic letter in support of the proposal by Northwest Family Medical to lease the Rural Health Centre.**

***PROCEDURAL MOTION***

A Procedural Motion was Moved Councillor M O'KEEFE, Seconded Councillor D MOSES that Council consider Item 4 of the General Manager's Report in relation to Letter of Support – Northwest Medical Family Services.

**9.4 LETTER OF SUPPORT – NORTHWEST MEDICAL FAMILY SERVICES**

**AUTHOR General Manager**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor M O'KEEFE*

**OFFICER'S RECOMMENDATION:**

That Council considers the provision of a letter of support as requested by Northwest Medical Family Services for the proposal to assume the lease of the Gunnedah Rural Health Centre.

**4.08/17 COUNCIL RESOLUTION:**

**That the information be received and noted.**

**8. *MAYORAL MINUTE***

*Nil.*

**9. *GENERAL MANAGER'S OFFICE***

**9.1 PROJECT PROGRESS REPORT**

**AUTHOR Management Accountant**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor A LUKE*

**5.08/17 COUNCIL RESOLUTION:**

**That the report be received and noted.**

**9.2      DONATION TOWARDS PRIZES – ST MARYS COLLEGE ANNUAL AWARDS**

**AUTHOR      General Manager**

*Council Resolution*

*Moved Councillor J CAMPBELL*

*Seconded Councillor D MOSES*

**6.08/17      COUNCIL RESOLUTION:**

That Council approved two (2) x \$50 donations to St Mary's College to go towards prizes for their Year 7 to 11 presentation and Year 12 presentation.

**9.3      ENVIRONMENTAL IMPACT ASSESSMENT PROCESS IMPROVEMENT WORKSHOP**

**AUTHOR      General Manager**

*Council Resolution*

*Moved Councillor M O'KEEFE*

*Seconded Councillor A LUKE*

**7.08/17      COUNCIL RESOLUTION:**

That Council approves the attendance of Councillors RG SWAIN and OC HASLER at the Environmental Impact Assessment Process Improvement Workshop to be held in Dubbo, 17 August 2017.

**9.5      REQUEST FOR SUPPORT – ADMINISTRATOR OF GUNNEDAH RURAL HEALTH LIMITED**

**AUTHOR      General Manager**

*Council Resolution*

*Moved Councillor M O'KEEFE*

*Seconded Councillor OC HASLER*

**8.08/17      COUNCIL RESOLUTION:**

That Council considers the provision of support at such time as a request for support from the Administrator of Gunnedah Rural Health Limited is made.

**9.6      DONATION OF FLAG POLE – GUNNEDAH RSL SUB-BRANCH**

**AUTHOR      General Manager**

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor C FULLER*

**9.08/17      COUNCIL RESOLUTION:**

That Council approves the donation of one (1) of the unused flag poles, currently located at the Gunnedah Shire Depot, to the Gunnedah RSL Sub-Branch for installation at their office.

**9.7**      **MURRAY DARLING ASSOCIATION – 73RD NATIONAL CONFERENCE AND ANNUAL GENERAL MEETING**

**AUTHOR**      **General Manager**

*Council Resolution*  
*Moved Councillor M O'KEEFE*  
*Seconded Councillor OC HASLER*

**10.08/17**      **COUNCIL RESOLUTION:**

That Council nominates Councillors J CHAFFEY and OC HASLER to attend the 73rd National Conference and Annual General Meeting in Renmark, South Australia over the period 11 to 13 October 2017.

**9.8**      **LOCAL GOVERNMENT NSW ANNUAL CONFERENCE – 4-6 DECEMBER 2017**

**AUTHOR**      **General Manager**

*Council Resolution*  
*Moved Councillor OC HASLER*  
*Seconded Councillor C FULLER*

**11.08/17**      **COUNCIL RESOLUTION:**

That Council:

1.      Approves the attendance of Councillors J CHAFFEY, RG SWAIN, D MOSES and R HOOKE at the 2017 Local Government NSW Annual Conference; and
2.      Considers any proposed motions for submission to the General Manager by Tuesday 12 September for collation and reporting to Council for determination at its September Ordinary Meeting.

**9.9**      **INVESTMENTS**

**AUTHOR**      **General Manager**

*Council Resolution*  
*Moved Councillor D MOSES*  
*Seconded Councillor A LUKE*

**12.08/17**      **COUNCIL RESOLUTION:**

That the principal investment of \$65.2 million for all funds to date be received and noted.

**10.      *BUSINESS SYSTEMS AND GOVERNANCE***

**10.1**      **DONATION – VETERAN AND VINTAGE CHEVROLET ASSOCIATION**

**AUTHOR**      **Executive Manager, Business Systems and Governance**

*Council Resolution*  
*Moved Councillor OC HASLER*  
*Seconded Councillor C FULLER*

**13.08/17 COUNCIL RESOLUTIONS:**

1. That Council endorse a donation of up to \$1,800 from the Facility Hiring Support Fund to offset the cost of venue hire and staff costs for the Veteran and Vintage Chevrolet Association 50th Anniversary Event.
2. That the donation be drawn from the Facility Hiring Support Fund.
3. That Veteran and Vintage Chevrolet Association acknowledges Council's support in relation to the conduct of the event.

**10.2 GOCO BROKERAGE PROCUREMENT**

**AUTHOR** Executive Manager, Business Systems and Governance

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor A LUKE*

**14.08/17 COUNCIL RESOLUTIONS:**

1. That pursuant to Section 55(3)(i) of the Local Government Act 1993, Council determines not to seek tenders for services brokered by GoCo due to extenuating circumstances being the change in programs to user directed purchasing.
2. That brokered services for GoCo be exempt from provisions in Council's Procurement and Tendering Policy requiring three quotes for user directed purchases.

**10.3 DELIVERY PROGRAM 2013/14 – 2016/17 UPDATE**

**AUTHOR** Executive Manager, Business Systems and Governance

*Council Resolution*

*Moved Councillor R HOOKE*

*Seconded Councillor D MOSES*

**15.08/17 COUNCIL RESOLUTION:**

That the Delivery Program 2013/14-2016/17 final progress report be received and noted.

**10.4 ASSET DISPOSAL POLICY**

**AUTHOR** Executive Manager, Business Systems and Governance

*Council Resolution*

*Moved Councillor M O'KEEFE*

*Seconded Councillor C FULLER*

**16.08/17 COUNCIL RESOLUTION:**

That Council adopt the draft Asset Disposal Policy.

**10.5**      **OUTSTANDING RESOLUTION REGISTER**

**AUTHOR**      Executive Manager, Business Systems and Governance

*Council Resolution*

*Moved Councillor R HOOKE*

*Seconded Councillor J CAMPBELL*

**17.08/17**   **COUNCIL RESOLUTION:**

**That the information be received and noted.**

***SUSPENSION OF STANDING ORDERS***

A Motion was Moved Councillor OC HASLER, Seconded Councillor M O'KEEFE that Council consider the Late Report of the Executive Manager Business Systems and Governance in relation to the Infrastructure NSW Regional Growth – Environment and Tourism Grant Program as urgent business.

**10.6**      **INFRASTRUCTURE NSW REGIONAL GROWTH – ENVIRONMENT AND TOURISM GRANT PROGRAM**

**AUTHOR**      Executive Manager, Business Systems and Governance

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor A LUKE*

**18.08/17**   **COUNCIL RESOLUTIONS:**

1.      That Council allocate a budget of \$80,000 from the Destination Management Plan Restricted Asset for the purpose of developing a feasibility study, business case and application for the Infrastructure NSW Regional Growth – Environment and Tourism Grant Program;
2.      That the application seek funding from the NSW Government to establish a world class Koala Park and Education Centre in Gunnedah, the Koala Capital of the World, providing both economic and environmental outcomes for the Shire.
3.      That a further report be presented to a future Council meeting to consider the Feasibility Study.

**11.      *PLANNING AND ENVIRONMENTAL SERVICES***

**11.1**      **DEVELOPMENT APPLICATION 2017/031 – REMOVAL OF DWELLING HOUSE AND CONSTRUCTION OF A REPLACEMENT DWELLING HOUSE – LOT 2 DP801762 – 765 ORANGE GROVE ROAD, GUNNEDAH**

**AUTHOR**      Town Planner

*Council Resolution*

*Moved Councillor R HOOKE*

*Seconded Councillor C FULLER*

OFFICER'S RECOMMENDATIONS:

That the Development Application No 2017/031, for the removal of dwelling house and construction of a replacement dwelling house, at 765 Orange Grove Road, Gunnedah, Lot 2 DP801762, be approved subject to the following conditions:

A. That development consent be granted subject to the following conditions:

A1. The proposed development shall be carried out generally in accordance with the details set out in the following:

- Development Application form lodged 12 April 2017
- Statement of Environmental Effects, prepared by N & K Groves, dated 23/03/2017; and
- Submitted plans:
  - Prepared by D & C Projects, dated 17/05/2017, ref: 15019, Sheet 1 of 6 (Cover Sheet), Sheet 2 of 6 (Site Plan), Sheet 3 of 6 (Floor Plan), Sheet 4 of 6 (Elevations), 5 of 6 (Elevations), Sheet 6 of 6 (Sections);
- BASIX Certificate number: 726495S
- Project Specifications, prepared by D & C Projects Pty Ltd;
- Flood Survey Report, prepared by Stewart Surveys Pty Ltd, Dated 19 April 2016, Reference 4674;

except as otherwise provided by the conditions of consent.

*Reason: To ensure compliance with application and plans.*

B. Prescribed Conditions

Note: The following conditions are prescribed conditions and may or may not relate directly to this development.

B1. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(cf clauses 78 and 78A of EP&A Regulation 1994)

(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
- (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

(1A) For the purposes of section 80A (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia.

(2) This clause does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
- (b) to the erection of a temporary building, other than a temporary structure to which subclause (1A) applies.

- (3) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:
  - (a) development consent, in the case of a temporary structure that is an entertainment venue, or
  - (b) construction certificate, in every other case.

Note. There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.

*Reason: To ensure compliance with the statutory requirements.*

B2. Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) 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:
  - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) 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
  - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

*Reason: To ensure compliance with the statutory requirements.*

B3. Notification of Home Building Act 1989 requirements

- (1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the Home Building Act 1989.
- (2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
  - (i) the name and licence number of the principal contractor, and
  - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
  - (i) the name of the owner-builder, and
  - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- (3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.
- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

*Reason: To ensure compliance with the statutory requirements.*

**B4. Fulfilment of BASIX Commitments**

- (1) This clause applies to the following development
  - (a) BASIX affected development
  - (b) any BASIX optional development in relation to which a person has made a development application that has been accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A of Schedule q for it to be so accompanied).
- (2) For the purposes of Section 80A(11) of the Act, the fulfilment of the commitments listed in each relevant BASIX certificate for development to which this clause applies is a prescribed condition of any development consent for the development.

*Reason: To ensure compliance with the statutory requirements.*

**C. Prior to Commencement of Building Works**

- C1. Prior to the commencement of any building works the developer is to apply to an Accredited Private Certifier or Council for a Construction Certificate for the erection of the building. NO BUILDING WORKS SHALL COMMENCE WITHOUT FIRST OBTAINING A CONSTRUCTION CERTIFICATE.

*Reason: To meet statutory requirements.*

- C2. Prior to the commencement of building works a copy of Home Owner's Warranty Insurance shall be submitted to Council.

*Reason: To ensure Home Owner's Warranty is provided.*

- C3. Prior to work commencing appropriate measures are to be implemented in relation to erosion and sediment control. Such measures are to be maintained during the construction of the development in accordance with Council's Gunnedah Development Control Plan 2012.

*Reason: To ensure erosion and sediment control on the development site.*

D. Prior to the issue of a Construction Certificate

- D1. Prior to issue of a Construction Certificate, construction plans, specifications and documentation as required by conditions of this consent and being consistent with this development consent and the Building Code of Australia, are to be submitted to the Principal Certifying Authority.

*Reason: To ensure compliance.*

- D2. Prior to the issuing of a Construction Certificate by the Council or an Accredited Certifier, the Long Service Levy is to be paid.

*Reason: To comply with statutory requirements.*

- D3. Prior to the issuing of a Construction Certificate, the Developer shall pay to Council a levy as applicable at the time of payment, relative to the total project value, in accordance with the Council's Section 94A Contributions Plan 2013 under Section 94A of the Environmental Planning and Assessment Act 1979. The current levy payable is calculated at 1% of the development cost.

Note: The Gunnedah Shire Council's Section 94A Contributions Plan 2013 can be viewed on Council's web site at: <http://www.gunnedah.nsw.gov.au>

*Reason: To make provision for public amenities and services within the community.*

E. General

- E1. No general household waste is to be disposed of onsite. Waste is to be disposed of to Council's land fill directly or via licensed contractor.

*Reason: To ensure waste is disposed of off-site in an appropriate manner.*

*Water Supply - Rural*

- E2. The dwelling shall be provided with rainwater tanks having a capacity of 45,000 litres of water before occupation is sought. Such tanks shall have a total of 10,000 litres of water reserved for firefighting purposes, with a lower outlet for firefighting purposes fitted with a 65mm storz fitting and ball or gate valve shall be located in such a position that access for firefighting units shall be as direct as possible.

*Reason: To ensure adequate supply of water for domestic and firefighting purposes.*

*Access - Rural*

- E3. Vehicular access shall be from Orange Grove Road and will require the construction a 4.5 metre wide gravel driveway and associated drainage structures across the verge and table drain, shall be constructed from the road should to the property boundary in accordance with Council's rural access crossing standards and specifications (RTA specification for a Typical Rural Property Access for a single unit truck). The location of the driveway is to be determined by the developer in consultation with Council.

- a) Before commencement of this work, construction levels are to be obtained from Council's Infrastructure Services. A security bond, being half of the estimated cost of the construction work is to be lodged with Council, before work on the access is commenced.
- b) Upon the satisfactory completion of the access by the developer, the security bond will be released.

*Reason: To ensure access is provided and meets appropriate engineering standards.*

- E4. A Rural Addressing number and post shall be applied for through Council and erected for the new vehicular access.

*Reason: To ensure compliance and to ensure the correct property identification.*

*Internal Access*

- E5. The developer is to provide all weather two wheel drive access from property boundary off Orange Grove Road via the vehicular access to the dwelling house. The access is to be constructed of a minimum formation of 150mm compacted ridge gravel.

*Reason: To ensure all weather access.*

- E6. The developer is to ensure that the new vehicle access and internal driveway achieves the safe wading criteria as specified in Figure L1 of the Flood Planning Manual.

*Reason: To ensure compliance with the Gunnedah Development Control Plan 2012*

- E7. Potential fuel for bush fires at the site of actual building and its immediate surrounds for a distance of at least 20 metres from any part of the building shall be reduced to a level which is sufficient to protect the building from bushfire, and such fuel reduction shall be maintained for the life of the development (grass to be no higher than 100mm).

*Reason: To ensure compliance and fire safety of Building.*

- E8. The developer shall provide Council with certification from a registered Surveyor that the finished floor height has been constructed at least 500mm above the 1% AEP flood level, as identified in the report prepared by Stewart Surveys Pty Ltd, Dated 19 April 2016, Reference 4674, at the following mandatory inspection stage:

- (a) Bearers and joist inspection.

*Reason: To meet statutory requirements.*

- E9. The property boundary fence is to be relocated clear of the road reserve.

*Reason: To ensure property boundary fencing is located clear of the road reserve.*

- E10. No general household waste is to be disposed of onsite. Waste is to be disposed of to Council's land fill directly or via licensed contractor.

*Reason: To ensure waste is disposed of off-site in an appropriate manner.*

F. During Construction Works

- F1. Inspections by the Principal Certifying Authority – Mandatory Critical Stage Inspections

48 hours prior to the covering of the following works, the Principal Certifying Authority appointed pursuant to Section 81(2)(b) of the Environmental Planning and Assessment Act 1979 shall be notified that works are ready for inspection. (Note: Inspections in bold type are mandatory critical stage inspections under the Act and **MUST** be carried out by the Principal Certifying Authority. If these inspections are not carried out by the Principal Certifying Authority an Occupation Certificate cannot be issued).

- (a) Piers (if any) prior to pouring of concrete
- (b) Footing trenches with reinforcement prior to pouring of concrete
- (c) Retaining walls and reinforcement (if any) prior to pouring of concrete
- (d) Concrete slab formwork with reinforcement prior to pouring of concrete
- (e) Structural framework including roof members. When completed prior to the fixing of any internal sheeting
- (f) Wet area, damp proofing and flashing before lining

- (g) Swimming pool safety fence prior to filling the pool with water
- (h) Foundation material before installation of the swimming pool or laying of any bedding material
- (i) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves
- (j) Bearers and joist inspection, including tie down requirements and ant capping. When completed and prior to the laying of the floor.
- (k) Insitu concrete formwork (excluding paving) with reinforcement prior to pouring of concrete.
- (l) Final inspection prior to use of the building.

The above listed works may not be covered until approval is obtained from the Principal Certifying Authority or his/her duly appointed delegate.

*Reason: To ensure compliance before, during and after construction.*

- F2. A stamped copy of the development consent, the approved plans and specifications are to be kept at the construction site at all times during the construction period.

*Reason: To ensure compliance with approved application and plans.*

- F3. Smoke alarms complying with AS3786 as listed in the SSL Register of accredited products which are hard wired to the mains electricity supply and provided with a standby power supply (battery) must be installed between each area containing bedrooms and the remainder of the dwelling on or near the ceiling pursuant to Clause E.1.7 of the BCA.

*Reason: To ensure compliance.*

- F4. All wet areas within the building shall be waterproofed in accordance with the requirements of AS 3740-2004. The person responsible for the installation of the water-proofing system used within the building shall provide certification to Council prior to occupation that the system used has been installed in accordance with the requirements of AS 3740-2004.

*Reason: To ensure protection against water damage to structure.*

- F5. A continuous balustrade must be provided, in accordance with the BCA, along the side of any stair, landing, balcony, verandah, floor or roof to which public access is provided if:
- (i) it is not bounded by a wall; and
  - (ii) the level is more than 1m above the ground/floor level below.

*Reason: To ensure compliance.*

- F6. Excavations and backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

*Reason: To ensure compliance.*

- F7. Retaining walls and drainage

If the soil conditions require it:

- (a) Retaining walls associated with the erection or demolition of a building or other approved methods preventing movement of the soil must be provided, and
- (b) adequate provision must be made for drainage.

Should a retaining wall be proposed to be constructed above a height of 600mm the applicant shall have the structure designed by a practicing Structural Engineer and a copy of the design plans are to be provided to council before work commences on the site. The retaining wall is to be completed in accordance with the design provided prior to any occupation or use of the building.

*Reason: To ensure site stability.*

F8. Toilet facilities

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 toilet for every 20 persons or part of 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 the 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. In this clause:

*accredited sewage management facility* means a sewage management facility to which Division 4A of Part 3 of the *Local Government (Approvals) Regulation 1993* applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

*approved by the Council* means the subject of an approval in force under Division 1 of Part 3 of the *Local Government (Approvals) Regulation 1993*.

*public sewer* has the same meaning as it has in the *Local Government (Approvals) Regulation 1993*.

*sewage management facility* has the same meaning as it has in the *Local Government (Approvals) Regulation 1993*.

*Reason: To ensure environmental health standards are met.*

F9. Work on the development shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-

Monday to Friday - 7.00am to 5.00pm;

Saturday - 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

Note: The builder shall be responsible to instruct and control sub-contractors regarding the hours of work.

Council will exercise its powers under the Protection of the Environment Operations Act, 1997, in the event that the building operations cause noise to emanate from the property on Sundays or Public Holidays or otherwise than between the hours detailed above.

*Reason: To ensure amenity of the neighbourhood is maintained.*

G. Prior to the issue of an Occupation Certificate

G1. Occupation of the building is not to occur until all work has been completed, the conditions of consent satisfied and an Occupation Certificate issued by the Principal Certifying Authority.

*Reason: To meet statutory requirements.*

G2. Prior to the issuing of an Occupation Certificate, the developer shall submit to Council a copy of the current contract with the manufacturer, his agent or approved contractor, for the quarterly servicing and maintenance of the aerated effluent management system.

*Reason: To ensure compliance with Health Department accreditation conditions.*

### **PROCEDURAL MOTION**

A Procedural Motion was Moved Councillor M O'KEEFE, Seconded Councillor D MOSES:

That consideration of this item be deferred pending a further report to Council providing legal advice.

*Council Resolution*

*Moved Councillor M O'KEEFE*

*Seconded Councillor D MOSES*

#### **19.08/17 COUNCIL RESOLUTION:**

**That consideration of this item be deferred pending a further report to Council providing legal advice.**

#### **11.2 WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY POLICY**

**Author      Community and Social Planner**

*Council Resolution*

*Moved Councillor A LUKE*

*Seconded Councillor M O'KEEFE*

#### **20.08/17 COUNCIL RESOLUTIONS:**

**That the Welcome to Country and Acknowledgement of Country Policy be adopted.**

#### **11.3 CRIME PREVENTION WORKING GROUP NOMINATION**

**AUTHOR      Community and Social Planner**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor D MOSES*

**21.08/17 COUNCIL RESOLUTIONS:**

1. That an additional Community Representative position be created on the Crime Prevention Working Group
2. That Ms Rhonda Smith is appointed to the position.

**12. INFRASTRUCTURE SERVICES**

**12.1 2017 LGNSW WATER MANAGEMENT CONFERENCE**

**AUTHOR     Manager Water Services**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor A LUKE*

**22.08/17 COUNCIL RESOLUTION:**

That Council resolve for Councillors J CHAFFEY and J CAMPBELL to attend the 2017 LGNSW Water Management Conference to be held in Dubbo from 4-6 September 2017.

**12.2 WATER CONSERVATION AND DEMAND MANAGEMENT PLAN (FINAL DRAFT)**

**AUTHOR     Manager Water Services**

*Council Resolution*

*Moved Councillor J CAMPBELL*

*Seconded Councillor C FULLER*

**23.08/17 COUNCIL RESOLUTION:**

That Council adopt the Water Conservation and Demand Management Plan 2017.

**12.3 APEX RESERVOIR CLASSIFICATION OF LAND**

**AUTHOR     Survey and Design Officer**

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor M O'KEEFE*

**24.08/17 COUNCIL RESOLUTION:**

That Council, in accordance with Section 31 of the Local Government Act 1993, resolve to classify Lot 1 DP1219902 being 42 Apex Road, Gunnedah as operational land.

**12.4 REQUEST TO WAIVE FEES 2016/17 – RIDING FOR THE DISABLED ASSOCIATION**

**AUTHOR     Manager Public Facilities**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor R HOOKE*

**25.08/17 COUNCIL RESOLUTION:**

That Council pay on behalf of the Riding for the Disabled Association the amount of \$511.00 for the Crown License Fee to occupy the Showground, out of the Council Facility Hiring Support Fund.

**13. *AUDIT COMMITTEE***

**13.1 AUDIT COMMITTEE MEETING REPORT**

**AUTHOR** Executive Manager Business Systems and Governance

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor J CAMPBELL*

**26.08/17 COUNCIL RESOLUTION:**

That the Council note that the items of the Audit Committee Meeting Report for the meeting held on Wednesday 19 July 2017 be received and noted.

**14. *PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE***

**14.1 PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE MEETING REPORT**

**AUTHOR** Executive Manager Business Systems and Governance

*Council Resolution*

*Moved Councillor D MOSES*

*Seconded Councillor A LUKE*

**27.08/17 COUNCIL RESOLUTION:**

That the Council note that the items of the Planning Environment and Development Committee Meeting Report for the meeting held on Wednesday 2 August 2017 were dealt within the delegated powers of the Committee.

**15. *QUESTIONS ON NOTICE***

Councillor OC Hasler:

- 15.1 Could the General Manager please provide Councillors with a report as to which projects are being considered for submission to the Resources for Regions program given that applications are due on Friday 18 August 2017.

The General Manager advised that Council is lodging one application in relation to the pool upgrade.

## **CLOSED COUNCIL**

*Council Resolution*

*Moved Councillor M O'KEEFE*

*Seconded Councillor OC HASLER*

**28.08/17 A Motion was Moved into Closed Council for consideration of the following matters and that members of the press and public be excluded from the meeting, the reason being that the matters to be discussed concerned personnel and contractual matters, as detailed below:**

- a) General Manager's Report to Closed Council;**
- b) Acting Director Infrastructure Services Report to Closed Council.**

## **16. GENERAL MANAGER'S OFFICE**

### **16.1 INVESTMENT LEAD - ABATTOIR**

**AUTHOR General Manager**

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor M O'KEEFE*

### **29.08/17 COUNCIL RESOLUTIONS:**

**That Council:**

- 1. Endorse the actions of the General Manager in approving under delegation the costs for the travel, accommodation and incidental expenses of the Mayor and Director Planning and Environmental Services in accepting the invitation to pursue the investment lead on an abattoir for Gunnedah; and**
- 2. Allocate an amount of up to \$7,000 preferably from the economic development budget to cover those costs; with a further report to come to Council should the expenses be greater than that amount.**

*This item is classified CONFIDENTIAL under Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

- (d) Commercial information of a confidential nature that would, if disclosed:*
  - (i) prejudice the commercial position of the person who supplied it, or*
  - (ii) confer a commercial advantage on a competitor of the Council, or*
  - (iii) reveal a trade secret.*

*This matter is classified confidential because of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage, or reveal a trade secret.*

**16. INFRASTRUCTURE SERVICES**

**16.1 TENDER T1617-03 – CONSTRUCTION OF GUNNEDAH MEMORIAL POOL COMPLEX UPGRADE**

**AUTHOR** Special Projects Manager

*Council Resolution*

*Moved Councillor R HOOKE*

*Seconded Councillor M O'KEEFE*

**30.08/17 COUNCIL RESOLUTIONS:**

1. That Council accept the Amended Revised Tender of Hines Constructions Pty Ltd of Bathurst as detailed in the report in the sum of \$11,374,013.00 for construction of the Gunnedah Memorial Pool Complex Upgrade.
2. That the Mayor and General Manager be authorised to execute the Construction Contract on behalf of Council.
3. That an additional capital allocation of \$3,347,013.00 be made to the Gunnedah Memorial Pool Complex Upgrade Construction budget on Council's 2017/18 Operational Plan.
4. That Council endorse staff action in respect of lodgement of a Resources for Regions Expression of Interest seeking funding for completion of Stage 1 of the Gunnedah Memorial Pool Complex Upgrade.

*This item is classified CONFIDENTIAL under Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

(d) Commercial information of a confidential nature that would, if disclosed:

- (iv) prejudice the commercial position of the person who supplied it, or
- (v) confer a commercial advantage on a competitor of the Council, or
- (vi) reveal a trade secret.

*This matter is classified confidential because of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage, or reveal a trade secret.*

**RESOLUTION OUT OF CLOSED COUNCIL**

*Council Resolution*

*Moved Councillor OC HASLER*

*Seconded Councillor M O'KEEFE*

**31.08/17 COUNCIL RESOLUTION:**

**On the resumption of the Ordinary business of the meeting, the Chairperson reported that the previous resolution was adopted in Closed Council.**

*There being no further business, the meeting closed at 6:45pm.*

**Deputy Mayor RG Swain  
CHAIRPERSON**

*Councillor RG Swain  
DEPUTY MAYOR*

*Eric Groth  
GENERAL MANAGER*