



GunnedahShire

GUNNEDAH SHIRE COUNCIL

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

Wednesday 18 May 2022

Consisting of Pages 1 to 32

(Minute Nos 1.05/22 to 25.05/22)

are confirmed as a true and correct record of the meeting
as per Minute No 1.06/22 of the
Ordinary Meeting held on 15 June 2022.

GUNNEDAH

Deputy Mayor Rob Hooke
CHAIRPERSON

ORDINARY COUNCIL MEETING MINUTES
of Gunnedah Shire Council held on Wednesday 18 May 2022 in the
Council Chambers, 63 Elgin Street, Gunnedah commencing at 4:30pm

1. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Kamilaroi people as the traditional custodians of the Land on which we gather today. I would also like to pay respect to Elders both past and present and extend that respect to other Aboriginal Australians present.

2. PRAYER

The Deputy Mayor opened the meeting with the customary prayer.

3. BEREAVEMENTS

The Deputy Mayor read off the list of bereavements being Brian George Gregson, Christopher Thomas Scott, Thelma Joan Eyeington, Anthony George Bennett, William George Coddington, Lionel John Winsor and Mazie Longton.

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. PRESENT/APOLOGIES

COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	ABSENT
J Chaffey		X	
C Fuller	X		
R Hoddle	X		
R Hooke (Chair)	X		
A Luke	X		
J McArthur	X		
K McGrath	X		
D Moses	X		
M O'Keefe	X		
STAFF			
General Manager (E Groth)	X		
Acting Director Corporate and Community Services (A McLean)	X		
Director Planning and Environmental Services (A Johns)	X		
Director Infrastructure Services (J Bartlett)	X		

Council Resolution

Moved Councillor D MOSES

Seconded Councillor J MCARTHUR

5. PREVIOUS MINUTES

5.1 CONFIRMATION OF PREVIOUS MINUTES –ORDINARY MEETING

MOTION Moved Councillor R HODDLE
Seconded Councillor A LUKE

1.05/22 COUNCIL RESOLUTION:

The Minutes of the Ordinary Meeting held on Wednesday 20 April 2022 were received and it was **RESOLVED** that the minutes be adopted as a true and correct record of that meeting.

6. DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REPORT	P	SNP	LSNP	RC	REASON
D MOSES	11.3	Application to Modify Development Consent No 2019/031.003 – Amend Approved Development Plans – Lot 1 DP1229687 and Lot 7 Sec 33 DP758492 – 205-211 Bloomfield Street, Gunnedah	X				I work for them.
STAFF	ITEM	REPORT	P	SNP	LSNP	RC	REASON
NIL							

P – Pecuniary

SNP – Significant Non Pecuniary

LSNP – Less than Significant Non Pecuniary

RC – Remain in Chamber during consideration/discussion of item

7. COMMUNITY PRESENTATIONS

Nil.

8. MAYORAL MINUTE

Nil.

9. GENERAL MANAGER'S OFFICE

9.1 MARCH QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2022

AUTHOR Management Accountant

MOTION Moved Councillor A LUKE
Seconded Councillor D MOSES

2.05/22 COUNCIL RESOLUTIONS:

1. That the third quarterly budget review summary for the 2021/22 financial year be received and noted;
2. That the adjustments to budget allocations including transfers to and from restricted assets as listed in the attachments to the report be adopted.

9.2 PROJECT PROGRESS REPORT AS AT 31 MARCH 2022

AUTHOR Manager Finance/Management Accountant

MOTION Moved Councillor R HODDLE
Seconded Councillor J MCARTHUR

3.05/22 COUNCIL RESOLUTION:

That the Third Quarter Project Progress Report for 2021/22 be received and noted.

9.3 **INVESTMENTS**

AUTHOR **Coordinator – Accounting and Treasury**

Motion *Moved Councillor D MOSES*
 Second Councillor C FULLER

4.05/22 **COUNCIL RESOLUTIONS:**

1. That the principal investments of \$81.7 million for all funds to date be received and noted.
2. That the Certificate of the Responsible Accounting Officer be noted and report adopted.

10. **CORPORATE AND COMMUNITY SERVICES**

10.1 **2017-2027 REVIEWED COMMUNITY STRATEGIC PLAN, 2022-2026 DELIVERY PROGRAM, 2022/23 OPERATIONAL PLAN AND 2023-2032 LONG TERM FINANCIAL PLAN**

AUTHOR **Acting Director Corporate and Community Services**

MOTION *Moved Councillor A LUKE*
 Seconded Councillor R HODDLE

5.05/22 **COUNCIL RESOLUTIONS:**

1. That the draft 2017-2027 Reviewed Community Strategic Plan, “Together we achieve great things” be placed on public exhibition for a period of 28 days pursuant to Section 402 of the *Local Government Act 1993* (“the Act”).
2. That the draft 2022-2026 Delivery Program be placed on public exhibition for a period of 28 days pursuant to Section 404(1) of the Act.
3. That the draft 2022/23 Operational Plan be placed on public exhibition for a period of 28 days pursuant to Section 405 of the Act.
4. That the draft 2023-2032 Long Term Financial Plan be placed on public exhibition for a period of 28 days pursuant to Section 403 of the Act.
5. That Council resolves to convene for an extraordinary meeting on 29 June 2022 in order for the above documents to be adopted.

10.2 **BUDGET REALLOCATION – VILLAGE ENTRANCE SIGNS (TOURISM)**

AUTHOR **Acting Director Corporate and Community Services**

MOTION *Moved Councillor C FULLER*
 Seconded Councillor J MCARTHUR

6.05/22 **COUNCIL RESOLUTIONS:**

That Council:

1. Endorse the rollover of \$28,000 for the Village Entrance Signs project from the 2021/22 Tourism capital works budget to the 2022/23 Tourism capital works budget.
2. Revote and reallocate the unspent funds allocated for promotional videos (\$20,000) within the 2021/22 Tourism Operational budget to the 2022/23 Tourism capital works budget, Village Entrance signs project.

10.3 **OUTSTANDING RESOLUTION REGISTER**

AUTHOR **Acting Director Corporate and Community Services**

Motion *Moved Councillor A LUKE*
Seconded Councillor D MOSES

7.05/22 **COUNCIL RESOLUTION:**

That the information be received and noted.

11. **PLANNING AND ENVIRONMENTAL SERVICES**

11.1 **APPLICATION TO MODIFY DEVELOPMENT CONSENT NO. 2021/065.002 – REMOVAL OF CONDITION E3 – LOT 5 DP111327 – 41 WEAN ROAD**

AUTHOR **Town Planner**

MOTION *Moved Councillor J MCARTHUR*
Seconded Councillor D MOSES

8.05/22 **COUNCIL RESOLUTION:**

That the Modification of Development Consent No. 2021/065.002, for the removal of condition E3, at Lot 5 DP111327, 41 Wean Road, Gunnedah, be approved subject to deletion of condition E3; as underlined below:

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 27.07.2021
- Statement of Environmental Effects, prepared by Stewart Surveys Pty Ltd, dated 31.05.2021; and
- Submitted plans:
 - Prepared by Stewart Surveys Pty Ltd, dated 25 May 2021, Ref: 5529, Plan 1 (Site Plan)
 - Prepared by ar design, dated 24 May 2021, Ref: 1015, Drawing 1 (Site Plan), Drawing 2 (Floor Plan), Drawing 3 (Elevations & Sections).
- Supporting Documentation:
 - Koala Habitat Assessment Report, prepared by Stewart Surveys Pty Ltd, dated 25 May 2021, Ref: 5529
 - Floor Level Report, prepared by Stewart Surveys Pty Ltd, dated 28 May 2021, Ref: 5529

except as otherwise provided by the conditions of consent.

Reason: To ensure compliance with application and plans.

A2. To confirm and clarify the terms of this development determination, consent is not granted for the occupation of the structure for any residential, industrial or commercial activity. The structure is permitted only permitted to be used for the parking, maintenance or repair of aircraft.

Reason: To clarify that the use of the building.

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 4.17(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 4.17(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 164B, 187 or 188, subject to the terms of any condition or requirement referred to in clause 164B(4), 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 venue.

Reason: To ensure compliance with the statutory requirements.

B2. Erection of signs

- (1) For the purposes of section 4.17(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 certifier 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 6.28 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 certifiers 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.

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 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.

- C3.** Prior to the commencement of building works, the name, address and contact details of the Principal Building contractor shall be provided to Council.

Reason: To ensure compliance.

- C4.** The contractors engaged on the development of the hangar must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to the Council prior to commencement of work and upon request, during the progress of the work.

Reason: To ensure compliance with Council's requirements.

D. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- D1.** 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.

- D2.** 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.

On-Site Sewerage Management

- D3.** Prior to the issuing of a Construction Certificate, the Developer shall obtain from Council approval under Section 68 of the Local Government Act 1993 to:

- (a) Install, construct a waste treatment device or a human waste storage facility or a drain connected to any such device or facility
- (b) Operate a system of sewage management

Note: All works are to be carried out by an appropriately licensed contractor in accordance with NSW Code of Practice for Plumbing and Drainage-2006.

Reason: To ensure environmental health standards are met.

E. GENERAL

- E1.** Any Onsite Sewerage Management System being installed on the development allotment must be suitably designed to be subject to inundation by flood waters. The use of a primary treated septic system is not permitted and should not include tank and trench style system configuration.

Reason: To ensure onsite sewerage management system is compatible with potential flooding.

- E2.** All materials located below the 1 in 100 year flood level used in the construction of the dwelling and shed are to utilise flood compatible materials.

Reason: To ensure appropriate materials are used where subject to flood inundation.

- E3.** Deleted.

F. DURING CONSTRUCTION

- F1.** 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 7am to 5.00pm;

No work to be carried out on a Sunday to 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.

- F2. 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.

- F3.** All roof-water is to discharge through the proposed 5,000L rainwater collection tank. The overflow is to be directed to a rubble drain 5m long, 600mm deep and 600mm wide. The drain shall be positioned across the slope of the land and so as to not direct water under the builds or into adjoining property so as to cause a nuisance.

Reason: To ensure efficient dispersal of storm water.

- F4.** Any construction waste is to be removed from site and disposed to the Gunnedah Waste Management Facility or another suitably licensed waste facility.

Reason: To ensure waste is not left onsite.

- F5.** General Waste, excluding effluent discharged to an approved Onsite Sewerage Management System, are not permitted to be disposed of onsite or be retained onsite. All waste is to be collected and removed from site by the occupier of the approved structure or by a licensed waste contractor.

Reason: To ensure appropriate management of ongoing waste.

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.

ORDINARY COUNCIL MEETING MINUTES
18 May 2022

COUNCILLOR	COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING AN INTEREST
J Chaffey			X	
C Fuller	X			
R Hoddle	X			
R Hooke	X			
A Luke	X			
J McArthur	X			
K McGrath	X			
D Moses	X			
M O'Keefe	X			

11.2 **DEVELOPMENT APPLICATION NO. 2022/027 – CONSTRUCTION OF OUTBUILDING (SHED) – LOT 11 DP878054 – 170 GEORGE STREET**

AUTHOR **Town Planner**

MOTION *Moved Councillor C FULLER*
 Seconded Councillor D MOSES

9.05/22 **COUNCIL RESOLUTIONS:**

That the Development Application No. 2022/027, for the construction of an outbuilding, at Lot 11 DP878054, 170 George Street, Gunnedah, be approved subject to the following conditions of consent:

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 08/04/2022
 - Statement of Environmental Effects, prepared by Ian & Rhonda Gail Bates, dated 08/04/2022; and
 - Submitted plans:
 - Prepared by Stewart Surveys, dated 07 April 2022, Ref: 5698, Plan 1 (Site Plan).
 - Prepared by FairDinkum Sheds, dated 04/03/2022, Ref: OXFD45910, Plan 1 (Elevations Plan), Plan 2 (Section), Plan 3 (Floor Plan).

except as otherwise provided by the conditions of consent.

Reason: To ensure compliance with application and plans.

- A2.** The maximum height of the detached is to be 3.51m, measured from the natural ground level.

Reason: To confirm heights approved on development plans and supporting documentation. .

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 4.17(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 4.17(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 164B, 187 or 188, subject to the terms of any condition or requirement referred to in clause 164B(4), 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 venue.

Reason: To ensure compliance with the statutory requirements.

B2. Erection of signs

- (1) For the purposes of section 4.17(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 certifier 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 6.28 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 certifiers 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 4.17(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 certifier 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 certifier 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 6.28 of the Act, to comply with the technical provisions of the State's building laws.

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 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.

- C3.** Prior to the commencement of building works a "Peg Survey Report" confirming the location of the detached outbuilding relative to the easement to drain water, is to be submitted to Council. The detached outbuilding is to be clear of the easement located in Lot 11 DP 878054.

Reason: To ensure the development is located adequate from Council's Infrastructure.

D. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- D1.** Prior to the issuing of a Construction Certificate, the Developer shall obtain from Council approval under Section 68 of the Local Government Act, 1993 to:

- (c) Carry out stormwater drainage works

Note: All works are to be carried out by an appropriately licensed contractor in accordance with NSW Code of Practice for Plumbing and Drainage-2006.

Reason: To ensure environmental health standards are met.

E. GENERAL

- E1.** No permanent structures are to be placed on any easement.

Reason: To ensure legal requirements.

- E2.** Any damage caused to kerb, guttering and/or footpath during building operations, shall be rectified by the developer in accordance with Council's Driveway crossing standards and specifications.

Reason: To ensure the integrity of Council's road infrastructure is maintained in an acceptable standard.

F. DURING CONSTRUCTION

- F1.** 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.

- F2.** The storage of all building materials shall be confined within the boundaries of the allotment.

Reason: To ensure site safety.

- F3. 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.

- F4.** 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 7am to 5.00pm;

No work to be carried out on a Sunday to 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.

F5. 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.

F6. Support for neighbouring buildings

If an excavation associated with the construction of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- (a) must preserve and protect the building from damage, and
- (b) if necessary, must underpin and support the building in an approved manner, and
- (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. In this clause, ***allotment of land*** includes a public road and any other public place.

Reason: To ensure site stability.

F7. Protection of public places

If the work involved in the construction of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

Reason: To ensure site safety.

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.

ORDINARY COUNCIL MEETING MINUTES
18 May 2022

COUNCILLOR	COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING AN INTEREST
J Chaffey			X	
C Fuller	X			
R Hoddle	X			
R Hooke	X			
A Luke	X			
J McArthur	X			
K McGrath	X			
D Moses	X			
M O'Keefe	X			

11.3 APPLICATION MODIFY DEVELOPMENT CONSENT NO. 2019/031.003 – AMEND APPROVED DEVELOPMENT PLANS (EXTENSION OF RETAINING WALL, UPDATED SETBACK AND STYLE OF FENCE AND MINOR BUILDING CHANGES) – LOT 1 DP1229687 AND LOT 7 SEC 33 DP758492 – 205-211 BLOOMFIELD STREET

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

AUTHOR Town Planner

MOTION *Moved Councillor A LUKE*
Seconded Councillor C FULLER

10.05/22 COUNCIL RESOLUTIONS:

That the Modification of Development Consent No. 2019/031.002 to amend the approved development plans to enable the extension of the retaining wall, amend setback and style of site fence and minor building alterations, at Lot 1 DP1229687 and Lot 7 Sec 33 DP758492, 205-211 Bloomfield Street, Gunnedah, be approved subject to deletion of condition A1a and the insertion of condition A1b, as underlined below:

A. THAT DEVELOPMENT CONSENT BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

A1. Deleted

A1a. Deleted.

A1b. The proposed development shall be carried out strictly in accordance with the details set out in the following:

- Development Application form lodged 12/04/19;
- Statement of Environmental Effects, prepared by Stewart Surveys Pty Ltd, dated 10 April 2019, ref: 5161;
- Further Information, provided Stewart Surveys Pty Ltd, dated 15 May 2019, Ref: 5161;
- Submitted plans:
 - Prepared by Alto Architects Pty Ltd, dated 14/03/2022, Ref: 181202BLO, Drawing No. TP-100, Issue B (Site Plan – Ex/Dem), Drawing No. TP-101, Issue B (Site Plan - Proposed), Drawing No. TP-202, Issue B (Roof Level), Drawing No. TP-400, Issue B (Building North & South Elevation), Drawing No. TP-401, Issue B (Building East & West Elevation);
 - Prepared by Alto Architects Pty Ltd, dated 10/05/2022, Drawing No. TP-201, Issue D (Ground Level);
 - Prepared by Stewart Surveys Pty Ltd, dated 19 June 2020, Ref: 5161, Drawing No. 1, Rev C (Site Servicing Strategy);
- Supporting Documentation:
 - Site Servicing Strategy Report, prepared by Stewart Surveys Pty Ltd, dated 10 April 2019, Ref: 5161;

except as otherwise provided by the conditions of consent.

Reason: To ensure compliance with application and plans.

- A2.** To confirm and clarify the terms of this approval, consent is granted for a childcare centre with a maximum of 128 children.

Reason: To ensure compliance with development controls.

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 4.17 (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 6.28 of the Act, to comply with the technical provisions of the State's building laws.

Reason: To ensure compliance with the statutory requirements.

B4. Condition relating to shoring and adequacy of adjoining property

- (1) For the purposes of section 4.17 (11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) protect and support the building, structure or work from possible damage from the excavation, and
 - (b) where necessary, underpin the building, structure or work to prevent any such damage.

- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

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 dwelling. **NO BUILDING WORKS SHALL COMMENCE WITHOUT FIRST OBTAINING A CONSTRUCTION CERTIFICATE.**

Reason: To meet statutory requirements.

- C2.** 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.

Building Works

- C3.** Prior to building works for the centre-based childcare facility, Council's sewer main is to be reconstructed in accordance with the submitted Servicing Strategy, prepared by Stewart Surveys Pty Ltd, dated 10 April 2019, Ref: 5161, and the amended services plan, prepared by Stewart Surveys Pty Ltd, dated 14 June 2019, Ref: 5161, Drawing No. 1, Issue B.

Reason: To ensure no construction works occur over Council's Infrastructure.

D. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- D1.** 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.

- D2.** Prior to the commencement of building works, the name, address and contact details of the Principal Building contractor shall be provided to Council

Reason: To ensure compliance.

- 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 calculated levy payable is \$4,000, revised construction cost may incur a varied levy fee.

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.

- D4.** In accordance with Clause 94 of the Environmental Planning and Assessment Regulation 2000 plans are to be submitted with the Construction Certificate demonstrating how the building will fully conform to fire and spread of fire requirements of the Building Code of Australia.

Reason: To ensure fire safety.

- D5.** Prior to the issuing of a Construction Certificate, the Developer shall obtain from Council approval under Section 68 of the Local Government Act, 1993 to:
- (d) Carry out water supply works
 - (e) Carry out sewerage works
 - (f) Carry out stormwater drainage works

Note: All works are to be carried out by an appropriately licensed contractor in accordance with NSW Code of Practice for Plumbing and Drainage-2006.

Reason: To ensure environmental health standards are met.

Infrastructure Works

- D6.** Engineering drawings and specifications for the construction and installation of all works relative to the proposed subdivision shall be submitted to Council for approval prior to infrastructure works commencing. The design of all works is to be related to the adjoining infrastructure. All drawings and specifications are to be in accordance with Council's Engineering Guidelines for Subdivision and Development, 2013.

Reason: To ensure compliance with application and plans.

E. GENERAL

- E1.** Roof water caught and drainage from the sealed car parking area is to be discharged directly to the street gutter sealed stormwater pipes or to existing internal stormwater infrastructure servicing the site so long as the internal stormwater system is connected to Council's reticulated stormwater system.

Reason: To ensure stormwater is appropriately disposed of.

Outdoor Lighting

- E2.** Outdoor lighting is to comply with AS/NZS 11583.1 *Pedestrian Area (Category P) Lighting* and AS4282 *Control of Obtrusive Effects of Outdoor Light*.

Reason: To ensure compliance.

Traffic and Parking

- E3.** All internal driveways, parking areas, loading bays and vehicular turning areas are to be constructed with a base course of adequate depth to suit design traffic, being hard sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers or other alternative product which has been approved by Council. Parking areas must comply with AS 2890 – *Parking Facilities* and Council's Engineering Guidelines for Subdivisions and Developments, 2013.

Reason: To ensure compliance with relevant Australian Standards and to facilitate the use of vehicular access and parking facilities.

- E4.** Onsite car parking accommodation shall be provided for a minimum of twenty six (26) vehicles, to ensure the provision of adequate on-site parking facilities commensurate with the demand likely to be generated by the proposed development. Such being set out generally in accordance with the details indicated on the submitted plans, except as otherwise provided by the conditions of this consent.

Reason: To ensure adequate on site car parking is provided.

- E5.** Exit only signage is to be provided in a prominent position at the new Bloomfield Street vehicle access, being clearly visible from the street. A designated left turn only sign is to be placed in a prominent position within the property boundary at the driveway exit onto Bloomfield Street. A left turn only directional arrow shall be painted on the car park pavement within the property boundary.

Reason: To ensure adequate information is provided to Council.

- E6.** The developer is to provide a privacy screen, consistent with the existing privacy screen, along the south property boundary between the development site and Lot C DP 342233, 50B Carroll Street, to a height not exceeding 2.5 metres.

Reason: To minimise impacts on the amenity of the adjoining residential property.

Infrastructure Works

- E7.** All works undertaken by contractors (ie. other than Council) shall be inspected by Council to ensure that the works are undertaken in accordance with Council's Engineering Guidelines for Subdivision and Development, 2013. The inspection fee for each section of the work carried out by contractors shall be paid to Council prior to the issue of a Construction Certificate.

Reason: To ensure compliance with Council's requirements.

- E8.** The contractors engaged on the development of the subdivision must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to the Council prior to commencement of work and upon request, during the progress of the work.

Reason: To ensure compliance with Council's requirements.

Easements

- E9.** A three (3) metre wide easement in Council's favour shall be created over all water, stormwater and sewer mains located within lot boundaries.

Reason: To ensure compliance with Council's requirements.

F. DURING CONSTRUCTION WORKS

- F1.** The dwelling and outbuildings shall only be demolished or removed from site in accordance with the requirements of AS2601-2001 "The Demolition of Structures" and the requirements of the Workcover Authority of New South Wales including but not limited to:
- (a) Protection of site works and the general public.
 - (b) Erection of hoardings where appropriate.
 - (c) Asbestos and lead based paints handling and disposal where applicable.

The disposal of demolition materials is to be to an approved licensed waste disposal depot so determined by the NSW Environment Protection Authority.

Reason: To ensure compliance and safety of workers.

- F2.** Prior to the commencement of demolition works or the relocation of the existing dwelling, all water and sewerage connections to Council's infrastructure are to be capped off by a licensed plumber so as to prevent any contamination of Council's reticulation systems.

Reason: To ensure the integrity of Council's sewerage and water systems.

- F3.** All work on the demolition is to be carried out strictly in accordance with current Workcover requirements and only between the hours of 7.00am and 5.00pm on weekdays and 8.00am and 4.00pm on Saturdays. No demolition work shall occur on Sundays or Public Holidays.

Reason: To ensure compliance and protect amenity of area.

- F4.** The developer shall ensure all practicable measures are taken to minimise the release of dust into the atmosphere from the onsite and from vehicles transporting material off-site.

Reason: To ensure compliance and safety of workers and general public.

- F5.** The deliberate burning of the building and/or demolition material shall not be permitted.

Reason: To ensure compliance and safety of workers and general public.

- F6.** 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 they must be properly guarded and protected to prevent them from being dangerous to life or property.

Reason: To ensure compliance and safety of workers and general public.

G. PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

G1. 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) **Concrete slab formwork with reinforcement prior to pouring of concrete**
- (d) **Structural framework including roof members. When completed prior to the fixing of any internal sheeting**
- (e) **Wet area, damp proofing and flashing before lining**
- (f) **Bearers and joist inspection, including tie down requirements and ant capping. When completed and prior to the laying of the floor.**
- (g) **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.

- G2.** 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.

- G3.** No permanent structures are to be placed on any easement.

Reason: To ensure legal requirements.

- G4.** The storage of all building materials shall be confined within the boundaries of the allotment.

Reason: To ensure site safety.

- G5.** Any damage caused to kerb, guttering and/or footpath during building operations, shall be rectified by the developer in accordance with Council's Driveway crossing standards and specifications.

Reason: To ensure the integrity of Council's road infrastructure is maintained in an acceptable standard.

- G6.** Before erection of any permanent structure such as fences, concrete car drives, garages etc. adjacent to street boundaries, correct street levels must be ascertained from the Council's Infrastructure Services Department.

Reason: To ensure compliance efficient construction.

- G7.** Any redundant driveway layback and footpath crossing located along either of the road frontages is to be removed. Kerb and guttering and level footpath is to be constructed where the layback is removed to match existing footpath crossover and gutter levels.

Reason: To ensure safety and amenity of council footpath and road reserve.

- G8.** The removal of the single silky-oak tree in front of Lot 7 Sec 33 DP 75849, from the footpath of Bloomfield Street is to be removed at the developers cost by a suitably licensed contractor.

Reason: *To ensure safety and amenity of council footpath and road reserve.*

G9. 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.*

- G10.** 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.*

- G11.** The developer shall install to Bloomfield Street a full width concrete kerb layback and concrete driveway crossing across the footpath to give access to the development site in accordance with the approved site plan, Prepared by Alto Architects Pty Ltd, dated 22/08/2019, Ref: 181202BLO, Drawing No. SD-101, Issue B. All works are to be undertaken and inspected in accordance with Council's Engineering Guidelines for Subdivision and Development, 2013. A copy of the concrete crossover specification sheet can be downloaded or viewed on Council's website at: <http://www.gunnedah.nsw.gov.au>

Note: Council promotes a nominal cross-fall across the footpath from the kerb top to the boundary line of 2%. Internal driveway grades shall be in accordance with AS 2890 – 2004. Council's Infrastructure Services can be contacted on 02 6740 2130.

Reason: To ensure access is maintained and to implement Council's policy

G12. Deleted

G13. Deleted

G14. Prior to the back filling all mains, a visual inspection is to be undertaken by Council.

Reason: To ensure compliance.

G15. All back fill over sewer mains shall be a 3-5 mm granular grit.

Reason: To ensure compliance.

G16. Vacuum or air testing is required to all mains as per Sewer Code of Australia WSA 02-2002 clause 22.4.2

Reason: To ensure compliance.

G17. A mirror inspection to gauge deflections of the sewer main is to be undertaken by Council after 14 days of the installation date on each section from manhole to manhole with full moon witnessed.

Reason: To ensure compliance.

H. PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

H1. Deleted

H2. Deleted

I. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

I1. 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.

I2. Prior to the issue of an Occupation Certificate the subdivision certificate for the consolidation of Lots 7 Sec 33 DP 758492 and Lot 1 DP 1229687 into one lot, is to be registered with the land and property information and notice of the registration provided to Council.

Reason: To ensure no structures are positioned over lot boundaries.

I3. Prior to issue of an Occupation Certificate all statutory fire safety measures listed in the fire safety schedule (attached to the Construction Certificate) are to be installed in accordance with the standards detailed and the owner of the property shall provide a fire safety certificate for each statutory fire safety measure to the Principal Certifying Authority.

Reason: To ensure compliance and fire safety of building.

I4. A Compliance Certificate for each stage under Division 2 of Part 3 of the Water Supply Authorities Act 1987 must be obtained from the Council (as the local water supply authority).

Note: Council requires the following contributions to be paid prior to issuing a compliance certificate to allow continued funding of water and sewer facilities.

- \$7,868 for Water headworks
- \$20,437.50 for Sewer headworks

The contributions for the works shall be paid prior to the issue of an Occupation Certificate.

The contributions are determined in accordance with the Development Servicing Plan for Gunnedah Shire Council Water Supply and Development Servicing Plan for Gunnedah Shire Council Sewerage commencing on 01 July 2012, a copy of which may be inspected at the office of the Council. The above contributions have been adopted under the Council's 2019/2020 Operational Plan. Revised rates adopted by Council in the subsequent Operational Plans will apply to lots released in later financial years.

Reason: To ensure compliance with Council's Development Services Plans.

J. CONTINUED OPERATIONS

- J1.** The owner of the building shall submit to Council at least once in each period of twelve (12) months following the building's completion, an Annual Fire Safety Statement with respect to each essential fire safety measure associated with the building.

Reason: To ensure compliance and fire safety of the building.

- J2.** The development operating hours are limited to the operation of the premises between the following hours:
- Monday – Friday: 7.00am until 6.00pm
 - Saturday – Sundays: Closed

Reason: To ensure compliance with application and plans.

- J3.** All landscaping shall be maintained at all times in accordance with the approved landscape plan.

Reason: To ensure maintenance of landscaping.

- J4.** The sealing to all vehicular parking, manoeuvring and loading areas is to be maintained at all times.

Reason: To ensure maintenance of car parking areas.

COUNCILLOR	COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING AN INTEREST
J Chaffey			X	
C Fuller	X			
R Hoddle	X			
R Hooke	X			
A Luke	X			
J McArthur	X			
K McGrath	X			
D Moses				X
M O'Keefe	X			

Councillor D Moses returned to the Chamber.

11.4 ALLOCATION OF FUNDS FROM GENERAL FUND TO DEVELOPMENT AND PLANNING PROFESSIONAL SERVICES FOR LAND AND ENVIRONMENT COURT CLASS 1 LEGAL ACTION

AUTHOR Senior Development Officer

MOTION Moved Councillor J MCARTHUR
Seconded Councillor D MOSES

11.05/22 COUNCIL RESOLUTIONS:

- 1.** That Council endorse the allocation of \$82,846.04 from General Fund Unrestricted Cash to Planning and Development – Expense, Professional Services, Ledger 04010.0360.0405;
- 2.** That Council endorse the rollover of any unexpended funds from the ledger 04010.0360.0405 – Expenses, Professional Services to the 2022/23 financial year budget.

11.5 PLANNING PROPOSAL TO AMEND THE GUNNEDAH LOCAL ENVIRONMENTAL PLAN 2012 – PLANNING PROPOSAL TO REZONE PRIVATELY OWNED C3 ENVIRONMENTAL MANAGEMENT ZONED LAND TO RU1 PRIMARY PRODUCTION

AUTHOR Senior Development Officer (Strategic)

MOTION *Moved Councillor M O'KEEFE*
Seconded Councillor J MCARTHUR

12.05/22 COUNCIL RESOLUTIONS:

That Council gives authority to the General Manager as the local plan-making authority to exercise the functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979 to amend the Gunnedah Local Environmental Plan 2012 (GLEP2012) to:

(a) Amend the following Land Zoning Map(s) to rezone the 'subject land' from C3 Environmental Management to RU1 Primary Production:

- (i) LZN_001;
- (ii) LZN_002;
- (iii) LZN_003;
- (iv) LZN_003A;
- (v) LZN_004;
- (vi) LZN_005;
- (vii) LZN_005A; and
- (viii) LZN_006.

The 'subject land':

Lot	DP	Address	Locality
43	7230	415 Tudgey Road	KELVIN
1	32278	4135 Rangari Road	RANGARI
60	40741	1355 Orange Grove Road	ORANGE GROVE
3	114885	3103 Kelvin Road	RANGARI
6	115551	869 Goran Lake Road	SPRING RIDGE
1	129846	446 Pillerine Lane	RANGARI
1	131921	90 Patterson Road	KELVIN
1	178083	3596 Rangari Road	RANGARI
1	190411	3481 Rangari Road	RANGARI
2	233387	4198 Kelvin Road	RANGARI
1	235444	4384 Kelvin Road	RANGARI
2	235444	4286 Kelvin Road	RANGARI
5	254903	3481 Rangari Road	RANGARI
5	255612	1891 Wandobah Road	GUNNEDAH
2	255612	1771 Wandobah Road	GUNNEDAH
3	255612	1775 Wandobah Road	GUNNEDAH
4	255612	1817 Wandobah Road	GUNNEDAH
B	359450	134-174 High Street	TAMBAR SPRINGS
B	360280	1534 Prairies Road	KELVIN
1	360982	4384 Kelvin Road	RANGARI
3	376572	1585 Wandobah Road	GUNNEDAH
4	376572	1460 Voca Road	CURLEWIS
2	376630	3481 Rangari Road	RANGARI
A	381657	120 Carara Road	CURLEWIS
1	388007	66 Avondale Lane	CURLEWIS
B	389059	3640 Rangari Road	RANGARI
C	389059	3596 Rangari Road	RANGARI
B	389060	3784 Rangari Road	RANGARI
A	389060	3918 Rangari Road	RANGARI
C	389060	3596 Rangari Road	RANGARI
1	390814	446 Pillerine Lane	RANGARI
A	402869	341 Gardiner Road	MILROY
A	405391	136 Jaeger Road	WEAN

ORDINARY COUNCIL MEETING MINUTES
18 May 2022

	B	405391	280 Surrey Lane	BLUE VALE
	A	406653	279 Gardiner Road	MILROY
	A	420872	3504 Kelvin Road	RANGARI
	1	437075	Kelvin Road	RANGARI
	A	438667	4384 Kelvin Road	RANGARI
	1	533052	3918 Rangari Road	RANGARI
	2	533052	3784 Rangari Road	RANGARI
	1	575226	11447 Black Stump Way	MULLALEY
	1	576699	1047 Beeson Road	GUNNEDAH
	31	591761	1783 Babbinboon Road	PIALLAWAY
	2	608594	1121 Barnbrook Road	BREEZA
	11	611349	299 Johnson Road	RANGARI
	12	611349	4201 Kelvin Road	RANGARI
	21	611916	985 Milroy Road	MILROY
	106	652574	341 Gardiner Road	MILROY
	1	654167	642 Barwicks Road	KELVIN
	4	661804	479 Tranquille Road	KELVIN
	72	705059	149 Ryan Road	CARROLL
	2	708570	479 Beeson Road	GUNNEDAH
	2	713805	1871 Wandobah Road	GUNNEDAH
	3	713805	2045 Wandobah Road	GUNNEDAH
	4	713805	2113 Wandobah Road	GUNNEDAH
	5	713805	2113 Wandobah Road	GUNNEDAH
	1	713805	1849 Wandobah Road	GUNNEDAH
	3	748015	8681 Oxley Highway	GUNNEDAH
	2	748015	8679 Oxley Highway	GUNNEDAH
	1	751005	715 Kilphysic Road	CARROLL
	10	751005	1781 Babbinboon Road	PIALLAWAY
	35	751005	1781 Babbinboon Road	PIALLAWAY
	14	751005	1781 Babbinboon Road	PIALLAWAY
	34	751005	1781 Babbinboon Road	PIALLAWAY
	60	751005	1781 Babbinboon Road	PIALLAWAY
	18	751005	1581 Babbinboon Road	PIALLAWAY
	9	751005	1581 Babbinboon Road	PIALLAWAY
	61	751005	1783 Babbinboon Road	PIALLAWAY
	15	751005	1581 Babbinboon Road	PIALLAWAY
	26	751005	1581 Babbinboon Road	PIALLAWAY
	62	751005	1581 Babbinboon Road	PIALLAWAY
	65	751005	1830 Babbinboon Road	PIALLAWAY
	20	751005	1648 Clifton Road	PIALLAWAY
	38	751005	1648 Clifton Road	PIALLAWAY
	31	751005	1924 Clifton Road	CARROLL
	49	751005	149 Ryan Road	CARROLL
	51	751005	149 Ryan Road	CARROLL
	21	751005	1924 Clifton Road	CARROLL
	63	751005	715 Kilphysic Road	CARROLL
	123	751012	166 Norris Road	PIALLAWAY
	108	751012	1096 Round Hill Road	PIALLAWAY
	118	751012	1096 Round Hill Road	PIALLAWAY
	136	751012	166 Norris Road	PIALLAWAY
	119	751012	1096 Round Hill Road	PIALLAWAY
	120	751012	592 Round Hill Road	PIALLAWAY
	137	751012	655 Oakey Creek Road	PIALLAWAY
	102	751013	1924 Clifton Road	CARROLL
	226	751022	592 Round Hill Road	PIALLAWAY
	225	751022	1240 Cana Road	BREEZA
	233	751022	1384 Cana Road	BREEZA
	67	752193	1534 Prairies Road	KELVIN
	128	752193	1534 Prairies Road	KELVIN
	16	752193	1204 Prairies Road	KELVIN
	42	752193	90 Patterson Road	KELVIN
	68	752193	1534 Prairies Road	KELVIN

ORDINARY COUNCIL MEETING MINUTES

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59	754928	691 Tudgey Road	KELVIN
55	754928	1057 Orange Grove Road	ORANGE GROVE
15	754938	479 Tranquille Road	KELVIN
158	754938	523 Tranquille Road	KELVIN
157	754938	523 Tranquille Road	KELVIN
109	754938	1534 Prairies Road	KELVIN
112	754938	1005 Bulga Road	KELVIN
108	754938	1005 Bulga Road	KELVIN
149	754938	1005 Bulga Road	KELVIN
194	754938	875 Orange Grove Road	ORANGE GROVE
14	754942	3918 Rangari Road	RANGARI
101	754946	4557 Kelvin Road	RANGARI
73	754946	4384 Kelvin Road	RANGARI
78	754946	3596 Rangari Road	RANGARI
76	754946	299 Johnson Road	RANGARI
104	754946	4384 Kelvin Road	RANGARI
93	754946	297 Johnson Road	RANGARI
108	754946	3640 Rangari Road	RANGARI
109	754946	3640 Rangari Road	RANGARI
106	754946	277 Johnson Road	RANGARI
75	754946	277 Johnson Road	RANGARI
98	754946	4384 Kelvin Road	RANGARI
105	754946	4557 Kelvin Road	RANGARI
107	754946	277 Johnson Road	RANGARI
36	754950	135 Jaeger Road	WEAN
109	754950	452 Bridges Road	RANGARI
100	754950	645 Barwicks Road	KELVIN
101	754950	643 Barwicks Road	KELVIN
34	754950	452 Bridges Road	RANGARI
35	754950	767 Barwicks Road	KELVIN
269	754954	336 Bulga Road	KELVIN
102	754955	534 Bridges Road	RANGARI
103	754955	534 Bridges Road	RANGARI
99	754955	534 Bridges Road	RANGARI
65	754955	534 Bridges Road	RANGARI
89	754955	450 Bridges Road	KELVIN
96	754955	3518 Kelvin Road	RANGARI
95	754955	3504 Kelvin Road	RANGARI
32	754955	2958 Wean Road	WEAN
67	754955	2958 Wean Road	WEAN
91	754955	3013 Kelvin Road	RANGARI
192	754956	784 Prairies Road	GUNNEDAH
193	754956	1534 Prairies Road	KELVIN
166	754956	1534 Prairies Road	KELVIN
122	754956	988 Prairies Road	KELVIN
116	755331	561 Standrings Road	SOMERTON
26	755473	9831 Black Stump Way	MULLALEY
33	755473	9831 Black Stump Way	MULLALEY
24	755473	9831 Black Stump Way	MULLALEY
106	755473	9831 Black Stump Way	MULLALEY
103	755473	9831 Black Stump Way	MULLALEY
29	755473	9831 Black Stump Way	MULLALEY
100	755473	9831 Black Stump Way	MULLALEY
25	755473	9831 Black Stump Way	MULLALEY
101	755473	9831 Black Stump Way	MULLALEY
155	755477	479 Court Lane	BREEZA
16	755480	869 Goran Lake Road	SPRING RIDGE
58	755481	1460 Voca Road	CURLEWIS
65	755481	559 Voca Road	CURLEWIS
66	755481	559 Voca Road	CURLEWIS
201	755490	223 Holswich Road	CURLEWIS
239	755490	293 Fulwoods Road	CURLEWIS

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243	755490	465 Fulwoods Road	CURLEWIS
204	755490	120 Gibbons Road	CURLEWIS
240	755490	465 Fulwoods Road	CURLEWIS
202	755490	129 Holswich Road	CURLEWIS
203	755490	293 Fulwoods Road	CURLEWIS
49	755493	326 Digby Lane	CURLEWIS
34	755493	859 Voca Road	CURLEWIS
16	755493	570 Voca Road	CURLEWIS
56	755493	570 Voca Road	CURLEWIS
39	755493	229 Digby Lane	CURLEWIS
43	755493	559 Voca Road	CURLEWIS
46	755493	66 Avondale Lane	CURLEWIS
27	755493	66 Avondale Lane	CURLEWIS
38	755493	66 Avondale Lane	CURLEWIS
3	755497	92 Barlow Road	GUNNEDAH
142	755500	585 Pine Cliff Road	MILROY
53	755500	1622 Voca Road	CURLEWIS
143	755500	475 Pine Cliff Road	MILROY
44	755500	475 Pine Cliff Road	MILROY
75	755502	850 Binalong Road	BOGGABRI
121	755503	438 Black Jack Road	GUNNEDAH
182	755503	438 Black Jack Road	GUNNEDAH
160	755503	8806 Oxley Highway	GUNNEDAH
139	755507	254 Simson Road	PREMER
182	755508	125 Pownall Road	MULLALEY
31	755511	9961 Oxley Highway	MILROY
8	755514	96 Springhurst Road	CURLEWIS
9	755515	9831 Black Stump Way	MULLALEY
68	755521	Brunskills Road	TAMBAR SPRINGS
80	755522	1301 Premer Road	TAMBAR SPRINGS
127	755522	118-134 Tamba Street	TAMBAR SPRINGS
60	755526	189 Wyuna Road	TAMBAR SPRINGS
46	755526	Wyuna Road	TAMBAR SPRINGS
59	755526	Wyuna Road	TAMBAR SPRINGS
23	755526	2 High Street	TAMBAR SPRINGS
24	755526	9327 Black Stump Way	TAMBAR SPRINGS
1	755531	Wyuna Road	TAMBAR SPRINGS
53	755531	8431 Black Stump Way	TAMBAR SPRINGS
46	755531	70-78 High Street	TAMBAR SPRINGS
48	755531	90-98 High Street	TAMBAR SPRINGS
47	755531	70-78 High Street	TAMBAR SPRINGS
45	755531	60-68 High Street	TAMBAR SPRINGS
50	755531	2 High Street	TAMBAR SPRINGS
55	755531	46-58 High Street	TAMBAR SPRINGS
56	755531	30 High Street	TAMBAR SPRINGS
57	755531	34-40 High Street	TAMBAR SPRINGS
38	755531	8431 Black Stump Way	TAMBAR SPRINGS
65	755532	Beeson Road	MILROY
75	755532	1168 Milroy Road	MILROY
62	755532	648 Beeson Road	MILROY
94	755532	648 Beeson Road	MILROY
64	755532	10321 Oxley Highway	MILROY
88	755532	2201 Wandobah Road	CURLEWIS
2	776803	1633 Wandobah Road	GUNNEDAH
1	776803	1635 Wandobah Road	GUNNEDAH
33	777349	1783 Babbinboon Road	PIALLAWAY
2	787201	344 Digby Lane	CURLEWIS
1	787201	368 Digby Lane	CURLEWIS
1	792555	151 Stevenson Road	GUNNEDAH
1	799327	9473 Black Stump Way	MULLALEY
2	808883	1130 Beeson Road	MILROY
1	808883	1066 Beeson Road	MULLALEY

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101	812189	222 Norris Road	PIALLAWAY
2	825588	4363 Kelvin Road	RANGARI
1	829596	69 King Jack Lane	GUNNEDAH
241	829890	711 Beeson Road	GUNNEDAH
240	829890	617 Beeson Road	GUNNEDAH
1	834097	556 Goscombe Road	MULLALEY
1	837809	8521 Oxley Highway	GUNNEDAH
3	838304	198 Boori Road	CURLEWIS
1	838304	161 Fulwoods Road	CURLEWIS
2	838304	41 Fulwoods Road	CURLEWIS
4	846516	85 King Jack Lane	GUNNEDAH
1	868844	3208 Wean Road	WEAN
1	871548	681 Kilphysic Road	CARROLL
12	880573	413 Tudgey Road	KELVIN
2	880853	194 Stevenson Road	GUNNEDAH
21	1003636	1311 Wandobah Road	GUNNEDAH
2	1026862	1437 Wandobah Road	GUNNEDAH
541	1028326	393 Court Lane	BREEZA
31	1078275	2234 Wandobah Road	MILROY
11	1080724	2 High Street	TAMBAR SPRINGS
10	1080724	2 High Street	TAMBAR SPRINGS
66	1084870	279 Gardiner Road	MILROY
2	1089276	235 Bridges Road	RANGARI
12	1092911	Black Stump Way	MULLALEY
1	1094764	10321 Oxley Highway	MILROY
1	1097532	886 Wandobah Road	GUNNEDAH
1	1103940	523 Tranquille Road	KELVIN
53	1128024	89 King Jack Lane	GUNNEDAH
52	1128024	87 King Jack Lane	GUNNEDAH
1	1130616	4384 Kelvin Road	RANGARI
2	1138389	166 Norris Road	PIALLAWAY
1	1138400	299 Johnson Road	RANGARI
1	1145620	784 Prairies Road	GUNNEDAH
1	1146441	1351 Wandobah Road	GUNNEDAH
2	1146441	1349 Wandobah Road	GUNNEDAH
2	1159457	6295 Kamilaroi Highway	BREEZA
31	1165474	1001 Barnbrook Road	WERRIS CREEK
1	1167192	3481 Rangari Road	RANGARI
3	1170338	715 Kilphysic Road	CARROLL
1	1170485	Wyuna Road	TAMBAR SPRINGS
1	1172362	Johnson Road	RANGARI
2	1172362	277 Johnson Road	RANGARI
1	1173869	767 Barwicks Road	KELVIN
3	1174342	479 Tranquille Road	KELVIN
3	1191178	1581 Babbiboone Road	PIALLAWAY
1	1192913	1240 Cana Road	BREEZA
4	1204650	4363 Kelvin Road	RANGARI
2	1207288	970 Binalong Road	BOGGABRI
2	1208347	4557 Kelvin Road	RANGARI
15	1209302	6295 Kamilaroi Highway	BREEZA
16	1209302	6295 Kamilaroi Highway	BREEZA
21	1216060	334 Pownall Road	MULLALEY
22	1216060	334 Pownall Road	MULLALEY
2	1222307	Waterhouse Way	MILROY
1	1222307	342 Beeson Road	MILROY
4	1236152	Babbiboone Road	PIALLAWAY
21	1236157	1924 Clifton Road	CARROLL
2	1236158	149 Ryan Road	CARROLL
2	1241472	523 Tranquille Road	KELVIN
2	1241785	1614 Kelvin Road	KELVIN
1	1245388	3103 Kelvin Road	RANGARI
2	1245388	3569 Kelvin Road	RANGARI

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2	1249799	Rangari Road	RANGARI
1	1251854	383 Bushs Lane	GUNNEDAH
2	1251854	412 Barlow Road	GUNNEDAH
1	1257466	Black Stump Way	TAMBAR SPRINGS
4	1257866	Wean Road	WEAN
1	1267676	100 High Street	TAMBAR SPRINGS
21	1269420	707 Kilphysic Road	CARROLL
20	1269420	707 Kilphysic Road	CARROLL
22	1269420	1581 Babbinboon Road	PIALLAWAY

- (b) Include Terrestrial Biodiversity overlay map(s) on the 'subject land' provided in Attachment 3 which EXCLUDES cleared agricultural land used for residential or farm infrastructure purposes, intensive animal production, the grazing of modified pastures, mining and utility infrastructure; and

- (c) Include the following Terrestrial Biodiversity clause that will apply to land shown on the terrestrial biodiversity overlay map:

Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by—
 - (a) protecting native fauna and flora, and
 - (b) protecting the ecological processes necessary for their continued existence, and
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as "Biodiversity" on the **Terrestrial Biodiversity Map**.
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—
 - (a) whether the development is likely to have—
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

12. INFRASTRUCTURE SERVICES

12.1 APEX WATER SUPPLY ZONE PROJECT AND DEFERRAL OF THE HERBERT STREET AND O'KEEFE PLACE MAIN REPLACEMENTS TO THE 2022/23 OPERATIONAL PLAN

AUTHOR Acting Manager Water Services

MOTION Moved Councillor A LUKE
Seconded Councillor R HODDLE

13.05/22 COUNCIL RESOLUTIONS:

1. Council defer water main replacements for Bando Street and O'Keefe Place, and undertake these replacements as part of the 2022/23 replacement program.

2. Council allocate the 2021/22 budgets from Bando Street Main replacement being \$56,000 and O'Keefe Place being \$37,500 to the Apex Road Zone Development Project.

12.2 DRAFT GUNNEDAH WATER SUPPLY STRATEGY – PUBLIC EXHIBITION

AUTHOR Acting Manager Water Services

MOTION Moved Councillor C FULLER
Seconded Councillor D MOSES

14.05/22 COUNCIL RESOLUTIONS:

That Council adopt the Gunnedah Water Supply Strategy.

12.3 GUNNEDAH AND VILLAGE BORE FIELD CONDITION ASSESSMENTS

AUTHOR Acting Manager Water Services

Motion Moved Councillor R HODDLE
Seconded Councillor J MCARTHUR

15.05/22 COUNCIL RESOLUTIONS:

1. That Council allocate \$65,000 to the Pump Station maintenance budget from the town water supply restricted asset for the completion of the bore field condition assessment.
2. That Council allocate \$95,000 to the Pump Station maintenance budget from the town water supply restricted asset for repairs to bores 3, 6 & 8 identified in the condition assessment reports.

12.4 WATER SERVICES CAPITAL WORKS CARRY OVER SEWER PROJECTS

AUTHOR Acting Manager Water Services

MOTION Moved Councillor D MOSES
Seconded Councillor R HODDLE

16.05/22 COUNCIL RESOLUTIONS:

That Council approve the transfer of the below Water Services Capital Works Projects to the 2022/23 Operational Plan:

1. Gunnedah Sewerage Treatment Plant Stage 2 Detailed Design;
2. Wandobah Road, McAndrew Street to Lincoln Street Sewer Main Extension.

12.5 WATER SERVICES CAPITAL WORKS CARRY OVER WATER PROJECTS

AUTHOR Acting Manager Water Services

MOTION Moved Councillor A LUKE
Seconded Councillor C FULLER

17.05/22 COUNCIL RESOLUTIONS:

That Council approve the transfer of the below Water Services Capital Works projects to the 2022/23 Operational Plan:

1. Gunnedah Water Main Replacement – Wandobah Road, Kilcoy to George Street;
2. Gunnedah Water Main Replacement – Kilcoy Street, View Street to Wandobah Road;
3. Gunnedah Water Main Replacement – King Street, Kilcoy Street to George Street;

4. **Gunnedah Water Main Replacement – High Street, Kilcoy Street to George Street; and**
5. **Gunnedah Water Main Replacement – Herbert Street, Bando Street to South Bend.**

12.6 TRANSFER OF DEPOT FUEL BOWSER UPGRADES AND DEPOT HOLDING PONDS FROM 2021/22 TO 2022/23

AUTHOR **Manager Plant and Depot Services**

MOTION *Moved Councillor A LUKE*
 Seconded Councillor D MOSES

18.05/22 COUNCIL RESOLUTION:

Council endorse the transfer of Depot Fuel Bowser Upgrades (\$500,000) and Depot Handling Ponds (\$500,000), from the 2021/22 financial year to the 2022/23 financial year.

12.7 CAPITAL ROLLOVER – CONE AND GABLE REPLACEMENT

AUTHOR **Manager Public Facilities**

MOTION *Moved Councillor C FULLER*
 Seconded Councillor R HODDLE

19.05/22 COUNCIL RESOLUTION:

That Council endorse to transfer the 2021/22 capital works allocation for Cone and Gable Replacement at the Gunnedah Airport, being \$5,957, to the 2022/23 financial year.

12.8 CLIFTON ROAD UPGRADE PROGRESS STATUS

AUTHOR **Manager Works**

MOTION *Moved Councillor J MCARTHUR*
 Seconded Councillor C FULLER

20.05/22 COUNCIL RESOLUTION:

That Council accept the officer's recommendation to adjust the Clifton Road upgrade project budget by \$807,090 at the Quarterly Budget review with savings from the reseal program, kerb and gutter program, rural re-sheeting program and savings from the urban and rural roads maintenance programs

12.9 ASSET MANAGEMENT POLICY

AUTHOR **Director Infrastructure Services**

MOTION *Moved Councillor R HODDLE*
 Seconded Councillor D MOSES

21.05/22 COUNCIL RESOLUTION:

That Council places the Policy on public exhibition for a period of 28 days, and adopt if no submissions received.

13. REPORTS OF COMMITTEES

13.1 PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE MEETING REPORT

AUTHOR **Acting Director Corporate and Community Services**

MOTION *Moved Councillor A LUKE*
 Seconded Councillor D MOSES

22.05/22 **COUNCIL RESOLUTION:**

That Council note that all items of the Planning Environment and Development Committee Meeting held on 4 May 2022 were dealt with by the Committee within its delegated powers.

14. DELEGATES REPORTS

Nil.

15. NOTICES OF MOTION/QUESTIONS ON NOTICE

Nil.

CLOSED COUNCIL

*MOTION Moved Councillor M O'KEEFE
 Seconded Councillor A LUKE*

23.05/22 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) Director Planning and Environmental Services Report to Closed Council.

16. PLANNING AND ENVIRONMENTAL SERVICES

16.1 TENDER PO0381 – NORTHERN INLAND REGIONAL WASTE TENDER FOR USED TYRES COLLECTION AND PROCESSING

AUTHOR Manager Waste

*MOTION Moved Councillor C FULLER
 Seconded Councillor D MOSES*

24.05/22 **COUNCIL RESOLUTIONS:**

1. That Council appoints Commonwealth Steel Company Pty Ltd trading as Molycorp360 as a single source tender for the period of 01 June 2022 to 31 May 2024 for Tender P00381 – Used Tyres Collection and Processing.
2. That a provision be allow for a 12 months extension based on satisfactory supplier performance, which may take this contract through to 31 May 2025, which can occur on two (2) successive occasions.
3. That the General Manager be authorised to execute the contract documents on behalf of Council.

RESOLUTION OUT OF CLOSED COUNCIL

MOTION *Moved Councillor C FULLER*
 Seconded Councillor A LUKE

25.05/22 COUNCIL RESOLUTION:

On the resumption of the Ordinary business of the meeting, the Chairperson reported that the previous resolutions were adopted in Closed Council.

There being no further business, the meeting concluded at 5:24pm.

Councillor R Hooke
DEPUTY MAYOR