

PRESENT

The Mayor, Councillor Rod Kendall
Councillor Yvonne Braid
Councillor Alan Brown
Councillor Greg Conkey OAM
Councillor Paul Funnell
Councillor Garry Hiscock
Councillor Julian McLaren
Councillor Andrew Negline
Councillor Kerry Pascoe
Councillor Kevin Poynter
Councillor Dallas Tout

IN ATTENDANCE

General Manager	(Mr A Eldridge)
Acting Director Commercial & Economic Development	(Mr J Bolton)
Director Corporate Services	(Mr C Richardson)
Acting Director Environment & Community Service	(Mr D Walker)
Manager Engineering	(Mr A Fenwick)
Manager Finance	(Mrs C Rodney)
Director Riverina Regional Library	(Mr R Knight)
Manager Waste & Stormwater Services	(Mr G Veneris)
Manager Strategic Planning	(Ms L Rankin)
Manager Executive Support	(Mr S Gray)
Manager Art Gallery	(Mr S Payne)
Strategic Partner – Corporate Governance & Risk	(Mrs N Johnson)
Communications & Engagement Officer	(Mr J Lang)
Corporate Governance & Risk Coordinator	(Mrs J Watkins)

PRAYER

Almighty God,

Help protect our Mayor, elected Councillors and staff.

Help Councillors to govern with justice, integrity, and respect for equality, to preserve rights and liberties, to be guided by wisdom when making decisions and settling priorities, and not least of all to preserve harmony.

Amen.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of this Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Community members present.

APOLOGIES

An apology for non-attendance was received and accepted for Director, Environment and Community Services, Ms J Summerhayes, on the Motion of Councillors A Negline and A Brown.

CARRIED

CONFIRMATION OF MINUTES

CM-1 SUPPLEMENTARY COUNCIL MEETING - 14 MARCH 2016

16/051 RESOLVED:
On the Motion of Councillors A Brown and D Tout

That the Minutes of the proceedings of the Supplementary Council Meeting held on 14 March 2016 be confirmed as a true and accurate record.

CARRIED

DECLARATIONS OF INTEREST

Councillor A Brown declared a Pecuniary Interest in M-1 – AUDIT AND RISK COMMITTEE MINUTES the reason being that he provides professional services to Council and an item contained in the minutes may be interpreted as a conflict of interest and remained in the chamber during its consideration.

Councillor A Brown declared a Significant Non-Pecuniary Interest in RP-2 – VILLAGE SEWER PROPOSALS – OURA AND SAN ISIDORE the reason being that he has a close friend that is a landowner in San Isidore and vacated the chamber during its consideration.

Councillor D Tout declared a Pecuniary Interest in RP-2 – VILLAGE SEWER PROPOSALS – OURA AND SAN ISIDORE the reason being that he is a resident of Oura and vacated the chamber during its consideration.

Councillor D Tout declared a Significant Non-Pecuniary Interest in RP-7 – KURRAJONG EARLY CHILDHOOD INTERVENTION SERVICE the reason being that his spouse is an employee of the organisation and he assists in fundraising and vacated in the chamber during its consideration.

MAYORAL MINUTE

MM-1 MAYORAL MINUTE - BOMEN ENABLING ROADS, RIFL HUB AND EXPRESSIONS OF INTEREST FOR BOMEN ENABLING ROADS

16/052 RESOLVED:
On the Motion of the Mayor, Councillor R Kendall

That Council:

- a advertise for Expressions of Interest for the construction of Bomen enabling roads at the Bomen Business Park**
- b continue to seek an immediate commitment from the NSW Government towards the Bomen Enabling Roads**

CARRIED

REPORTS FROM POLICY AND STRATEGY COMMITTEE

PS-1 POLICY AND STRATEGY COMMITTEE MEETING – 14 March 2016

The Mayor, Councillor R Kendall requested Councillors to nominate any recommendations from the minutes they wished to discuss.

16/053 RESOLVED:
On the Motion of Councillors G Conkey OAM and G Hiscock

That the Minutes of the Policy and Strategy Committee Meeting held on 14 March 2016 be confirmed and recommendations numbered PSCM-1, PSRP-1, PSRP-6, PSRP-7, PSRP-9, PSRP-10, PSRP-12, PSM-13 and PSM-1 contained therein be adopted.

CARRIED

PSRP-2 DA15/0421 - DUAL OCCUPANCY (2 X 3 BEDROOM DWELLINGS) WITH COMMUNITY TITLE SUBDIVISION - AMENDED DESCRIPTION OF DEVELOPMENT AT 34 LINDSAY STREET, TURVEY PARK, NSW 2650 LOT 5 SEC7 DP12786

16/054RESOLVED:

On the Motion of Councillors P Funnell and G Hiscock

That Council approve the development application for DA15/0421 for Dual Occupancy (2 x 3 Bedrooms Dwellings) with Community Title Subdivision – Amended Description of Development, subject to the following conditions:

At the Council meeting of 23 November 2015 it was resolved to:

- a defer the determination of DA15/0421 – MULTI-DWELLING HOUSING (3 x3 BEDROOM DWELLINGS) WITH COMMUNITY TITLE SUBDIVISION AT 34 LINDSAY STREET, TURVEY PARK, NSW 2650 Lot 5 Sec 7 DP12786 and encourage the applicant to work with Council staff to redesign the development to more fully comply with the applicable controls of the WWDCP2010**
- b advertise and notify any changes to the DA15/0421 – MULTI-DWELLING HOUSING (3 x 3 BEDROOM DWELLINGS) WITH COMMUNITY TITLE SUBDIVISION AT 34 LINDSAY STREET, TURVEY PARK, NSW 2650 Lot 5 Sec 7 DP12786**
- c receive a further report on any amendments to the application at the earliest possible Policy and Strategy Committee Meeting**

In accordance with the above resolution (c) the amended plans are being presented to the March 2016 Policy and Strategy Committee meeting.

CONDITIONS

Approved Plans and Documentation

- 1. The development must be carried out in accordance with the approved plans and specifications as follows.**

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
15042/1	Site Plan and Subdivision Plan	Sewell design	9	18.1.2016
15042/2	Floor Plan and Basix Commitments	Sewell design	9	18.1.2016
15042/3	Elevations and Section	Sewell design	9	18.1.2016

	Statement of Environmental Effects	Sewell design	2	11.1.2016
650846S_02 650555S_02	BASIX Certificates	Sewell Design		29.1.2016

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below.

NOTE: Any modifications to the proposal shall be the subject of an application under Section 96 of the Environmental Planning and Assessment Act, 1979.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Construction Certificate

- Prior to the issue of a Construction Certificate details of all structural concrete and structural steelwork shall be submitted to the Principal Certifying Authority for approval, all such details shall be certified by a practising Structural Engineer.**

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- Prior to the release of Construction Certificate a geo-technical report must be submitted to the Principal Certifying Authority that demonstrates that the foundation upon which a footing/slab is to be located is classified in accordance with Part 3.2.4 "Site Classification", of the Building Code of Australia and AS 2870 Residential Slabs and Footings.**

This report must be carried out by an experienced geo-technical engineering consultant, with associated testing being conducted by a NATA registered laboratory. The report shall identify the type of "site classification" that exists on the subject site. Any footing/slab design is to be designed having regards to the identified site classification.

REASON: It is in the public interest that all building elements are designed to be able to withstand the combination of loads and other actions to which they may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- Prior to the issue of Construction Certificate the developer must lodge a bond with Council of:-**

\$2000.00 for security deposit on the kerb and gutter and footpath

NOTE 1: Applicants will be required to reference the INDIVIDUAL

kerb and gutter bond number (BKG 0385) when lodging bond monies. Please reference the BKG number on the application form which is available from customer service and on Council's website under the planning tab > document quick links > applications / or alternatively reference BKG 0385 number when making electronic payment.

NOTE 2: All monetary conditions are reviewed annually, and may change on 1 July each year.

NOTE 3: Works in the form of driveways, kerb and gutter and footpath may require you to obtain a Section 138 Roads Act 1993 approval. Please contact Council's Road Reserve Officer on 1300 292 442 prior to undertaking such works.

NOTE 4: Council will accept a once off security deposit for the kerb and gutter and footpath for applicants who lodge multiple DA's with council. If the applicant has security deposits held by Council for kerb and gutter and footpath at the time of Construction Certificate application, then Council may waive the need for an additional bond to be paid.

OPTIONAL NOTE: The bond held on the kerb and gutter and footpath is fully refundable upon completion of all works and upon inspection by Council to ensure that any damage to Council infrastructure has been repaired. The bond will not be refunded in the event that damage done to Council's infrastructure is not repaired to the satisfaction of Council. All damage is to be repaired at the full cost of the applicant

REASON: It is in the public interest that such fees are paid in accordance with Council's Management Plan. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

5. Pursuant to s94 of the Environmental Planning and Assessment Act 1979 and City of Wagga Wagga Section 94 Contributions Plan 2006-2019, prior to the release of a Construction Certificate, a monetary contribution of \$9892 must be paid to Council towards the cost of Contributions Plan preparation and management, Civic, Community and Cultural - Future, Civic, Community and Cultural - Recoupment, Roads and Traffic Management - Future, Open Space and Recreation - Recoupment, Open Space and Recreation - Future (without land and dedication), Open Space and Recreation - Future (with land dedication) to meet the development. The amount payable under this condition must be indexed in accordance with Clause 2.12 of the City of Wagga Wagga Section 94 Contributions Plan 2006 - 2019. A copy of the City of Wagga Wagga Section 94 Contributions Plan 2006 - 2019 is available for inspection at Council Chambers, corner Baylis and Morrow Streets, Wagga Wagga.

NOTE 1: The Section 94 base figure is \$3,595
The Section 94 contribution (updated by the CPI) required to

be paid is \$4,095.14

NOTE 2: Section 94 contributions shall be indexed in accordance with CPI annually at the commencement of the financial year.

NOTE 3: The figures outlined in this consent are based on the current rate of CPI. Please be advised that CPI changes on a regular basis and you are advised to contact Council prior to payments being made, to ensure no further CPI increases/decreases have occurred since the date of this consent.

REASON: Having considered the development in accordance with Section 94 of the Environmental Planning and Assessment Act 1979, as amended, Council is satisfied that the development will require the provision of, or increase the demand for, public infrastructure, public amenities or services within the area. Section 80A(1)(h) of the Environmental Planning and Assessment Act 1979, as amended.

6. Prior to the release of Construction Certificate a compliance certificate under s306 of the Water Management Act 2000 must be obtained in respect of the development relating to water management works that may be required in connection with the development.

NOTE1: 'Water management work' is defined in s283 of the Water Management Act to mean a 'water supply work', 'drainage work', 'sewage work' or 'flood work'. These terms are defined in that Act.

NOTE 2: Riverina Water is responsible for issuing compliance certificates and imposing requirements relating to water supply works for development in the Council's area - please contact Riverina Water to ascertain compliance certificate water supply related requirements. A copy of such a compliance certificate is required prior to release of Construction Certificate.

NOTE 3: The Council is responsible for issuing compliance certificates and imposing requirements relating to sewerage, drainage and flood works for development in its area.

NOTE 4: Under s306 of the Water Management Act 2000, Riverina Water or the Council, as the case requires, may, as a precondition to the issuing of a compliance certificate, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply, sewerage, drainage or flood works.

NOTE 5: The Section 64 Sewer base figure is \$3,538
The Section 64 Sewer contribution (updated by the CPI) required to be paid is \$3,759.78

NOTE 6: The Section 64 Stormwater base figure is \$1,364.88

The Section 64 Stormwater contribution (updated by the CPI) required to be paid is \$1,658.35

NOTE 7: Section 64 contributions shall be indexed in accordance with CPI annually at the commencement of the financial year.

NOTE 8: The figures outlined in this consent are based on the current rate of CPI. Please be advised that CPI changes on a regular basis and you are advised to contact Council prior to payments being made, to ensure no further CPI increases/decreases have occurred since the date of this consent.

REASON: It is in the public interest that Council maintain the ability to provide adequate water and sewer reticulation services. Section 79C(1)(c) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

7. Prior to the issue of the Construction Certificate a revised site plan shall be submitted to the Principal Certifying Authority for approval that indicates;

- i) The stormwater/sewer connecting to the spur provided**
- ii) The finished paving levels demonstrating that the stormwater overland flow path is directed towards the street or an alternative appropriate point of discharge. If the discharge is to rear block drainage onsite detention shall be required to limit post development flows from the site to pre-developed flows for all storms up to and including the 100 year ARI event. Full plan details of any proposed On-Site Detention (OSD) system and supporting calculations shall be provided.**
- iii) A stormwater plan indicating pipe and pit levels, inverts and sizes. This plan shall also show existing and proposed surface contours within the site and along its boundaries with immediately adjacent properties, and shall define overland flow paths for storms which exceed a 1 in 10 year event.**

REASON: It is in the public interest that plumbing and drainage work is carried out in accordance with AS/NZS 3500 and the relevant provisions of the New South Wales Code of Plumbing Practice, Plumbing and Drainage. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

8. Prior to the issue of a Construction Certificate stormwater drainage shall be designed to limit post development flows from the site to 20 litres per second for the rain event up to the 1 in 10 year ARI event. If onsite detention is required full plan details of any proposed On-Site Detention (OSD) system and supporting calculations shall be provided.

REASON: To prevent the proposed development having a detrimental effect on the developments existing on the adjoining lands. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

9. No works are to take place to any services without prior written approval from the relevant authority.

NOTE: Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures.

REASON: To ensure that the servicing requirements of public utility authorities have been met, to service the development. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to Commencement of Works

10. Prior to works commencing on site, toilet facilities must 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 must be:

- a) a standard flushing toilet connected to a public sewer, or
- b) if that is not practicable, an accredited sewage management facility approved by Council, or
- c) if that is not practicable, any other sewage management facility approved by Council.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior written approval of Council.

NOTE 2: “Vicinity” in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

REASON: To provide adequate sanitary facilities during the construction phase. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

11. A CONSTRUCTION CERTIFICATE pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia PRIOR to any works commencing.

NOTE 1: No building, engineering, excavation work or food premises fitout must be carried out in relation to this development until the necessary Construction Certificate has been obtained.

NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you

made an application for a Construction Certificate at the same time as you lodged this Development Application.

NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

REASON: To ensure the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development complies with the appropriate construction standards. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

12. Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind blown. The enclosure shall be approved by Council and be retained on site at all times prior to the disposal of rubbish at a licenced Waste Management Centre.

Materials and sheds or machinery to be used in association with the construction of the building must not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

NOTE 1: No building rubbish or debris must be placed, or be permitted to be placed on any adjoining public reserve, footway, road or private land.

NOTE 2: Weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited must be retained. Documentation must include quantities and nature of the waste. This documentation must be provided to Council prior to application for an Occupation Certificate for the development.

NOTE 3: The suitable container for the storage of rubbish must be retained on site until an Occupation Certificate is issued for the development.

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 79C (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

13. Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:-

- a) Development Control Plan 2010 (Section 2.6 and Appendix 2)**
- b) Erosion and Sediment Control Guidelines for Building Sites; and**
- c) Soils and Construction Volume 1, Managing Urban Stormwater**

Prior to commencement of works, a plan illustrating these measures shall be submitted to, and approved by, Council.

NOTE: All erosion and sediment control measures must be in place prior to earthworks commencing.

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 14. A Section 68 Approval must be obtained by a Licensed Plumber and Drainer prior to any sewer or stormwater work being carried out on the site. Plans must be supplied for assessment and approval as part of the s68 application and must indicate that pipe and pit sizing meets the requirements of AS3500 and the Plumbing Code of Australia.**

Further, a final inspection must be carried out upon completion of plumbing and drainage work prior to occupation of the development.

The licensed plumber must submit to Council, at least two (2) days prior to the commencement of any plumbing and drainage works on site a "Notice of Works".

NOTE: A copy of the Notice of Works form can be found on Council's website.

REASON: It is in the public interest that plumbing work is carried out with the relevant approvals required under the Local Government Act 1993 and the Plumbing Code of Australia. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 15. Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development:**

- a) in the case of work done by a licensee under the Act:**
 - i) has been informed in writing of the licensee's name and contractor license number, and**
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR**
- b) in the case of work to be done by any other person:**
 - i) has been informed in writing of the person's name and owner-builder permit number, or**
 - ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Act,**

and, is given appropriate information and declarations under paragraphs a) and b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).

NOTE: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

REASON: To ensure the development complies with the requirements of Clause 98 of the Environmental Planning and Assessment Regulations 2000, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 16. Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:**
 - a) stating that unauthorised entry to the site is prohibited, and**
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours**
 - c) the development consent or complying development consent number, the name and contact details of the Principal Certifying Authority.**

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or**
- b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.**

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 17. At least two (2) days prior to the commencement of any works, the attached ‘Notice of Commencement of Building or Subdivision Works and Appointment of Principal Certifying Authority’, must be submitted to Council.**

REASON: Because it is in the public interest that Council receive notification in accordance with the provision of the Environmental Planning and Assessment Act 1979, as amended. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 18. Prior to works or activities commencing within the road reserve, approval under Section 138 of the Roads Act 1993 is required from Council.**

A written application for Consent to Work on a Road Reserve is required to be submitted to and approved by Council. This shall include the preparation of a certified Temporary Traffic Management Plan (TTP) for the works.

It should be noted that work in the existing road reserve can only commence after the plan has been submitted and approved and then only in accordance with the submitted TTP. Please contact Council's Activities in Road Reserves Officer on 1300 292 442.

REASON: It is in the public interest that proposed works being carried out within the road reserve, in association with the subject development, are assessed for compliance against relevant traffic management standards and the terms and conditions of the Roads Act 1993. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

During works

- 19. Vehicular access within the road reserve must be constructed to Council standards, at full cost to the developer, by a licensed Council approved contractor to a minimum of 150mm reinforced concrete.**

REASON: To ensure that the proposed access is constructed by an approved Council Contractor. Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

- 20. If the Council is appointed as the Principal Certifying Authority the following inspections must be undertaken by Council and a satisfactory Inspection Report must be issued by Council for such works prior to any further works being undertaken in respect of the subject development. Inspection Stages for construction are listed in Column 1 and must be inspected by Council at the times specified in Column 2.**

COLUMN 1	COLUMN 2
Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
Slab	When reinforcement steel has been placed in position in any concrete slab, whether or not the slab is suspended, on the ground, or on fill.
Wall frame	When the frame has been erected and prior to sheeting and or brick veneer outer wall has been constructed and tied to the frame.
Roof frame	When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.
Wet areas	When waterproofing has been applied to all wet areas, prior to tiling or finishing of surface.
Final	Required prior to occupation of the building

NOTE 1: A Final Occupation Certificate in relation to the building cannot be issued by Council until all Inspection Reports required by this condition have been issued by Council. Prior to or at the time of the application for Occupation Certificate the application for "Occupation Certificate" form attached to the Council issued Construction Certificate must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate application form will result in an inability for Council to book and subsequently undertake occupation certificate inspection.

NOTE 2: The above Inspection Reports are required whether or not the work has been inspected by a Structural Engineer, a lending authority or any other person. If the Inspection Reports are not issued Council may refuse to issue a Building Certificate under Section 149A of the Environmental Planning and Assessment Act 1979, as amended.

NOTE 3: Submission of the bracing plan and the Truss and Frame Certificate is required seven (7) working days before the frame inspection.

REASON: It is in the public interest that critical stage inspections be issued for these components of the development in accordance with Section 162A of the Environmental Planning and Assessment Regulations 2000 as amended.

21. The Builder must at all times maintain, on the job, a legible copy of the plans and specifications approved with the Construction Certificate.

REASON: It is in the public interest that a copy of the Construction Certificate plans are available, and Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

22. All excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.

Excavations must be undertaken in accordance with the terms and conditions of Section 9.4.6 of the Wagga Wagga Development Control Plan 2010.

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

23. Any alterations or additions marked by Council on the approved plans and/or the specifications must be carried into effect.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and

Assessment Act 1979, as amended.

24. The concrete slab floor shall be treated against termites in accordance with AS 3660-1 2000 Termite Management:

- a) **NON CHEMICAL** - where a non chemical treatment (physical barriers) is to be used the applicant shall submit details to Council prior to any work commencing.
- b) **CHEMICAL RETICULATION** - where a chemical method of treatment is to be used by way of reticulation, details shall be provided to Council for approval prior to installation accompanied by a signed maintenance contract with a Pest Control Operator.

Applicants and owners are to ensure that an annual inspection is undertaken to determine need for treatment.

- c) **CHEMICAL TREATMENT** - where a chemical method of treatment is to be used by way of hand spray treatment before laying the slab, details shall be provided to the Council for approval prior to installation.

Warning - Applicants and owners are warned that the expected life of the under floor barrier (Chemical Treatment) is only 10 years and the external barrier (Chemical Treatment) is only five (5) years. The actual protection will depend on factors such as termite hazards, climate and soil conditions.

Council recommends in all cases of chemical treatment including reticulation that regular annual inspection be carried out by a licensed Pest Control Operator to determine the need for re-treatment.

- d) Upon installation of the method of treatment, a Certificate shall be issued to Council by the licensed installer of the system certifying that the system installed is in accordance with AS 3660-1 and in accordance with any specific requirements of the Council.
- e) A durable notice must be permanently fixed to the building in the electricity meter box indicating:
 - i) The method of protection
 - ii) The date of installation of the system
 - iii) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label.
 - iv) The need to maintain and inspect the system on a regular basis.

REASON: It is in the public interest that where appropriate termite management treatments are used in compliance with AS 3660.1.2000 Termite Management New Building Work. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

25. The demolition must be carried out in accordance with the provisions of

Australian Standard AS2601-2001: The Demolition of Structures.
Within 14 days of completion of demolition, the following information shall be submitted to Council for assessment and approval:

- a) an asbestos clearance certificate prepared by a competent person; and
- b) a signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with any Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

NOTE 1: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

NOTE 2: Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".

NOTE 3: Competent Person (as defined under Safe Removal of asbestos 2nd Edition [NOHSC: 2002 (2005)]) means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.

NOTE 4: A licence may be required for some of the tasks described in the document entitled Safe Removal of Asbestos 2nd Edition as requiring a competent person.

REASON: It is in the public interest that the demolition be carried out in a safe manner and that the utilities be protected from damage. Section 79C(1)(a) & (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 26. The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. All reasonable steps must be taken to minimise dust generation during the demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.**

REASON: To ensure building works do not have adverse effects on the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 27. All earthworks, filling, building, driveways or other works, must be designed and constructed (including stormwater drainage if necessary) so that at no time, will any ponding of stormwater occur on adjoining land as a result of this development.**

REASON: To prevent the proposed development having a detrimental effect on the developments existing on the adjoining lands. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 28. Stormwater drainage must be constructed and maintained so as to provide a 1 in 10 year pipe system, satisfactory overland flow path and not adversely affect adjacent properties.**

REASON: To prevent the proposed development having a detrimental effect on the developments existing on the adjoining lands. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 29. Any upgrades or alterations to existing Council infrastructure required as a result of the development shall be at the full cost of the applicant.**

REASON: In order to cover the cost of any works to Public Infrastructure as a result of the development. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 30. Any existing earthenware drainage lines beneath the proposed development must be replaced with PVC to comply with the relevant provisions of AS3500.**

REASON: It is in the public interest that plumbing and drainage work is carried out in accordance with AS/NZS 3500 and the relevant provisions of the Plumbing Code of Australia.

- 31. A Compliance Certificate for the plumbing and drainage work identified in Column 1 at the times specified in Column 2 must be obtained from Council.**

COLUMN 1	COLUMN 2
Internal Sewer Drainage	When all internal plumbing work is installed and prior to concealment.
External Sewer Drainage	When all external plumbing work is installed and prior to concealment.
Stormwater Drainage	When all external stormwater drainage work is installed and prior to concealment.
Final	Prior to occupation of the building.

REASON: It is in the public interest that plumbing work is certifying as complying with AS/NZS 3500.2003 and Plumbing Code of Australia.

- 32. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).**

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Survey Certificate

33. A Subdivision Certificate, pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended must be obtained from Council, prior to its lodgement with the Lands Titles Office.

The Final Survey Plan (two (2) paper copies and an electronic copy) must be submitted to Council along with the application for Subdivision Certificate and associated checklist.

NOTE: Council will only consider issuing a Subdivision Certificate in relation to this subdivision when it is satisfied that all conditions of development consent relating to the subdivision have been complied with and the appropriate fee paid.

REASON: It is in the public interest that the plan is certified in accordance with the provisions of the Environmental Planning and Assessment Act 1979, as amended. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

34. The final Survey Plan must show an easement to drain stormwater over the existing drainage line in the South West corner.

REASON: Those works referred to (including access works) and which are sited, or must be sited, on the subject land should be protected by an easement. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

35. Prior to the issue of the Subdivision Certificate the following documents shall be submitted to Council to demonstrate that the requirements of the public utility services have been met:-

- i) Essential Energy: Notification of Arrangement OR Certificate of Acceptance**
- ii) APA Gas: Certificate of Acceptance**
- iii) Riverina Water: Certificate of Compliance**

REASON: To ensure that the servicing requirements of public utility authorities have been met, to service the development. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Occupation Certificate / Prior to Operation

36. Prior to issue of occupation certificate the redundant kerb layback in Lindsay Street shall be replaced with conventional barrier kerbing, and Council’s footway rehabilitated, in accordance with Council’s Engineering Guidelines for Subdivisions and Developments.

REASON: To minimise vehicular access to the public roadway and to increase the capacity of the roadway for conveying storm water drainage runoff. Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

37. Prior to the issue of Occupation Certificate, the paving of all vehicular movement areas must be either a minimum of 150mm thick flexible pavement and sealed or 150mm thick reinforced concrete.

REASON: To provide all weather vehicular movement and to minimise nuisances to adjoining development from noise and dust. Section 79C(1)(b) and (c) of the Environmental Planning and Assessment Act 1979, as amended.

38. All retaining walls shown on the approved plans shall be completed prior to the issue of a Final Occupation Certificate.

REASON: It is in the public interest to ensure that all required and approved works are completed prior to occupation of the development. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

39. An Occupation Certificate, must be obtained pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.

In order to obtain this, the “Final Occupation Certificate” form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

REASON: It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

40. A final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of the development, prior to the issuing of a final plumbing certificate Council must be in possession of Notice of Works, Certificate of Compliance and Works as Executed Diagrams for the works. The works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF file in accordance with Council requirements.

All plumbing and drainage work must be carried out by a licensed plumber and drainer and to the requirements of the Plumbing and Drainage Act 2011.

NOTE: Additional fees for inspections at the Plumbing Interim Occupancy / Plumbing Occupation stage may apply. This will depend on the number of inspections completed at this stage of the work/s.

REASON: To ensure compliance with the relevant provisions of the Plumbing and Drainage Act 2011 and Regulations.

41. Prior to the issue of an Occupation Certificate a Water Plumbing Certificate from Riverina Water County Council shall be submitted to

Council.

NOTE 1: The applicant is to obtain a Plumbing Permit from Riverina Water County Council before any water supply/plumbing works commence and a Compliance Certificate upon completion of the works. Contact Riverina Water County Council's Plumbing Inspector on 6922 0618. Please be prepared to quote your Construction Certificate number.

REASON: To ensure that the water servicing requirements of the development have been approved by the relevant authority. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 42. The commitments listed in any relevant BASIX Certificate for this development must be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.**

REASON: To ensure the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A (11) of the Environmental Planning and Assessment Act 1979, as amended.

General

- 43. Should asbestos material be found, it is to be handled, transported and disposed of in accordance with the legislative requirements and standards determined by NSW WorkCover. All weighbridge receipts must be provided to Wagga Wagga City Council, within 14 days of the completion of the demolition/removal.**

NOTE 1: All asbestos material needs to be double wrapped in 200µm thick plastic and disposed of at an EPA licensed facility. In this regard it should be noted that Wagga Wagga City Council's Gregadoo Waste Facility is the only EPA licensed facility within the Local Government Area to accept asbestos material. Council's Waste Management Supervisor requires 24 hours notice prior to disposal of this material

NOTE 2: Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover — Demolition Licence and a current WorkCover — Class 2 (Restricted) Asbestos Licence.

NOTE 3: Competent Person (as defined under Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)]) means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.

NOTE 4: A licence may be required for some of the tasks described in the document entitled Safe Removal of Asbestos 2nd Edition as requiring a competent person.

REASON: To minimize the risk to human and environmental health, Contaminated Land Management Act 1997 No 140 and Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 44. No part of the development, including cut, fill, or footings is to encroach the easement. Footings will need to address the angle of influence taking into account the depth of existing sewer and stormwater mains in the easement.**

REASON: To ensure the integrity of infrastructure within the easement is retained. Section 79c (1) (c) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 45. Wagga Wagga City Council's Engineering Guidelines for Subdivisions and Development shall be referred to for the design of engineering requirements. Any aspect of the design which is not covered in Council's document should reference relevant specifications selected from other sources. Any aspect of the design that is not in accordance or not covered in council's document shall be listed and submitted with the plans for separate approval.**

REASON: So that Council may ensure that the design and construction is in accordance with Council's requirements and for the information of the emergency services. Section 79c (1) (e) of the Environmental Planning and Assessment Act 1979, as amended.

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Motion

R Kendall
Y Braid
A Brown
G Conkey OAM
P Funnell
G Hiscock
J McLaren
A Negline
K Pascoe
K Poynter
D Tout

Against the Motion

CARRIED

PSRP-3 DA16/0033 ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING

16/055 RESOLVED:

On the Motion of Councillors A Brown and K Poynter

That Council approve Development Application DA16/0033 for Alterations and Additions to an Existing Dwelling located at 6 Lakehaven Drive, Lake Albert, lot 78 DP 847296 in accordance with the following conditions:

CONDITIONS

Approved Plans and Documentation

1. The development must be carried out in accordance with the approved plans and specifications as follows:

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
A01	Site Plan	C.Windsor	-	23/10/2015
A02	Floor Plan	C.Windsor	-	23/10/2015
A03	Elevations	C.Windsor	-	23/10/2015
-	Statement of Environmental Effects	Applicant - F. Moloney	-	21/01/2016
A242210	BASIX Certificate	Direct Concepts	-	22/02/2016

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below.

NOTE: Any modifications to the proposal shall be the subject of an application under Section 96 of the Environmental Planning and Assessment Act, 1979.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to Commencement of Works

2. Prior to works commencing on site, toilet facilities must 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 must be:

- a) a standard flushing toilet connected to a public sewer, or
- b) if that is not practicable, an accredited sewage management facility approved by Council, or
- c) if that is not practicable, any other sewage management facility

approved by Council.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior written approval of Council.

NOTE 2: "Vicinity" in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

REASON: To provide adequate sanitary facilities during the construction phase. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

3. A CONSTRUCTION CERTIFICATE pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia PRIOR to any works commencing.

NOTE 1: No building, engineering, excavation work or food premises fitout must be carried out in relation to this development until the necessary Construction Certificate has been obtained.

NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a Construction Certificate at the same time as you lodged this Development Application.

NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

REASON: To ensure the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development complies with the appropriate construction standards. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

4. Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind blown. The enclosure shall be approved by Council and be retained on site at all times prior to the disposal of rubbish at a licenced Waste Management Centre.

Materials and sheds or machinery to be used in association with the construction of the building must not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

- NOTE 1:** No building rubbish or debris must be placed, or be permitted to be placed on any adjoining public reserve, footway, road or private land.
- NOTE 2:** Weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited must be retained. Documentation must include quantities and nature of the waste. This documentation must be provided to Council prior to application for an Occupation Certificate for the development.
- NOTE 3:** The suitable container for the storage of rubbish must be retained on site until an Occupation Certificate is issued for the development.

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 79C (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 5. Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:-**
 - a) Development Control Plan 2010 (Section 2.8 and Appendix 2)**
 - b) Erosion and Sediment Control Guidelines for Building Sites; and**
 - c) Soils and Construction Volume 1, Managing Urban Stormwater**

Prior to commencement of works, a plan illustrating these measures shall be submitted to, and approved by, Council.

NOTE: All erosion and sediment control measures must be in place prior to earthworks commencing.

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 6. A Section 68 Approval must be obtained from Council prior to any sewer or stormwater work being carried out on the site.**

The licensed plumber must submit to Council, at least two (2) days prior to the commencement of any plumbing and drainage works on site a "Notice of Works".

NOTE: A copy of the Notice of Works form can be found on Council's website.

REASON: It is in the public interest that plumbing and drainage work is carried out with the relevant approvals required under the Local Government Act 1993 and the Plumbing Code of Australia. Section 79C(1)(e) of the Environmental

Planning and Assessment Act 1979, as amended.

- 7. **Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development:**
 - a) **in the case of work done by a licensee under the Act:**
 - i) **has been informed in writing of the licensee’s name and contractor license number, and**
 - ii) **is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR**
 - b) **in the case of work to be done by any other person:**
 - i) **has been informed in writing of the person’s name and owner-builder permit number, or**
 - ii) **has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Act,**

and, is given appropriate information and declarations under paragraphs a) and b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).

NOTE: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

REASON: To ensure the development complies with the requirements of Clause 98 of the Environmental Planning and Assessment Regulations 2000, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 8. **Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:**
 - a) **stating that unauthorised entry to the site is prohibited, and**
 - b) **showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours**
 - c) **the development consent or complying development consent number, the name and contact details of the Principal Certifying Authority.**

Any sign must be removed when the work has been completed.

- NOTE: This condition does not apply to:**
- a) building work carried out inside an existing building, or
 - b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 9. At least two (2) days prior to the commencement of any works, the attached ‘Notice of Commencement of Building or Subdivision Works and Appointment of Principal Certifying Authority’, must be submitted to Council.**

REASON: Because it is in the public interest that Council receive notification in accordance with the provision of the Environmental Planning and Assessment Act 1979, as amended. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

During works

- 10. If the Council is appointed as the Principal Certifying Authority the following inspections must be undertaken by Council and a satisfactory Inspection Report must be issued by Council for such works prior to any further works being undertaken in respect of the subject development. Inspection Stages for construction are listed in Column 1 and must be inspected by Council at the times specified in Column 2.**

COLUMN 1	COLUMN 2
Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
Slab	When reinforcement steel has been placed in position in any concrete slab, whether or not the slab is suspended, on the ground, or on fill.
Wall frame	When the frame has been erected and prior to sheeting and or brick veneer outer wall has been constructed and tied to the frame.
Roof frame	When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.
Wet areas	When waterproofing has been applied to all wet areas, prior to tiling or finishing of surface.

Final	Required prior to occupation of the building
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NOTE 1: A Final Occupation Certificate in relation to the building cannot be issued by Council until all Inspection Reports required by this condition have been issued by Council. Prior to or at the time of the application for Occupation Certificate the application for "Occupation Certificate" form attached to the Council issued Construction Certificate must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate application form will result in an inability for Council to book and subsequently undertake occupation certificate inspection.

NOTE 2: The above Inspection Reports are required whether or not the work has been inspected by a Structural Engineer, a lending authority or any other person. If the Inspection Reports are not issued Council may refuse to issue a Building Certificate under Section 149A of the Environmental Planning and Assessment Act 1979, as amended.

NOTE 3: Submission of the bracing plan and the Truss and Frame Certificate is required seven (7) working days before the frame inspection.

REASON: It is in the public interest that critical stage inspections be issued for these components of the development in accordance with Section 162A of the Environmental Planning and Assessment Regulations 2000 as amended.

11. The Builder must at all times maintain, on the job, a legible copy of the plans and specifications approved with the Construction Certificate.

REASON: It is in the public interest that a copy of the Construction Certificate plans are available, and Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

12. All excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.

Excavations must be undertaken in accordance with the terms and conditions of Section 9.4.6 of the Wagga Wagga Development Control Plan 2010.

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

13. The concrete slab floor shall be treated against termites in accordance with AS 3660-1 2000 Termite Management:

- a) **NON CHEMICAL** - where a non-chemical treatment (physical barriers) is to be used the applicant shall submit details to Council prior to any work commencing.
- b) **CHEMICAL RETICULATION** - where a chemical method of treatment is to be used by way of reticulation, details shall be provided to Council for approval prior to installation accompanied by a signed maintenance contract with a Pest Control Operator.
Applicants and owners are to ensure that an annual inspection is undertaken to determine need for treatment.
- c) **CHEMICAL TREATMENT** - where a chemical method of treatment is to be used by way of hand spray treatment before laying the slab, details shall be provided to the Council for approval prior to installation.
Warning - Applicants and owners are warned that the expected life of the under floor barrier (Chemical Treatment) is only 10 years and the external barrier (Chemical Treatment) is only five (5) years. The actual protection will depend on factors such as termite hazards, climate and soil conditions.
Council recommends in all cases of chemical treatment including reticulation that regular annual inspection be carried out by a licensed Pest Control Operator to determine the need for re-treatment.
- d) **Upon installation of the method of treatment, a Certificate shall be issued to Council by the licensed installer of the system certifying that the system installed is in accordance with AS 3660-1 and in accordance with any specific requirements of the Council.**
- e) **A durable notice must be permanently fixed to the building in the electricity meter box indicating:**
 - i) **The method of protection**
 - ii) **The date of installation of the system**
 - iii) **Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label.**
 - iv) **The need to maintain and inspect the system on a regular basis.**

REASON: It is in the public interest that where appropriate termite management treatments are used in compliance with AS 3660.1.2000 Termite Management New Building Work. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

14. The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. All reasonable steps must be taken to minimise dust generation during the

demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.

REASON: To ensure building works do not have adverse effects on the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 15. A Compliance Certificate for the plumbing and drainage work identified in Column 1 at the times specified in Column 2 must be obtained from Council.**

COLUMN 1	COLUMN 2
Internal Sewer Drainage	When all internal plumbing and drainage work is installed and prior to concealment.
External Sewer Drainage	When all external plumbing and drainage work is installed and prior to concealment.
Stormwater Drainage	When all external stormwater drainage work is installed and prior to concealment.
Final	Prior to occupation of the building or structure.

REASON: It is in the public interest that plumbing work is certifying as complying with AS/NZS 3500.2003 and Plumbing Code of Australia.

- 16. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).**

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Occupation Certificate / Prior to Operation

- 17. The applicant must obtain an Occupation Certificate, pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.**

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development

consent are complied with.

REASON: It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 18. A final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of the development, prior to the issuing of a final plumbing certificate Council must be in possession of Notice of Works, Certificate of Compliance and Works as Executed Diagrams for the works. The works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF file in accordance with Council requirements.**

All plumbing and drainage work must be carried out by a licensed plumber and drainer and to the requirements of the Plumbing and Drainage Act 2011.

NOTE: Additional fees for inspections at the Plumbing Interim Occupancy / Plumbing Occupation stage may apply. This will depend on the number of inspections completed at this stage of the work/s.

REASON: To ensure compliance with the relevant provisions of the Plumbing and Drainage Act 2011 and Regulations.

- 19. Prior to the issue of an Occupation Certificate a Water Plumbing Certificate from Riverina Water County Council shall be submitted to Council.**

NOTE 1: The applicant is to obtain a Plumbing Permit from Riverina Water County Council before any water supply/plumbing works commence and a Compliance Certificate upon completion of the works. Contact Riverina Water County Council’s Plumbing Inspector on 6922 0618. Please be prepared to quote your Construction Certificate number.

REASON: To ensure that the water servicing requirements of the development have been approved by the relevant authority. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 20. The commitments listed in any relevant BASIX Certificate for this development must be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.**

REASON: To ensure the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A (11) of the Environmental Planning and Assessment Act 1979, as amended.

General

21. The building must not be used for the purposes of a secondary dwelling or separate domicile.

REASON: Development consent is for purposes other than a secondary dwelling. Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, as amended.

22. (1) For the purposes of Section 80A (11) of the Environmental Planning and Assessment Act 1979, it is a prescribed condition of the development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person’s own expense:

- (a) protect and support the adjoining premises from possible damage from the excavation, and**
- (b) where necessary, underpin the adjoining premises 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 the development complies with the requirements imposed under Clause 98E of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A (11) of the Environmental Planning and Assessment Act 1979, as amended.

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Motion
R Kendall
Y Braid
A Brown
G Conkey OAM
P Funnell
G Hiscock
J McLaren
A Negline
K Pascoe
K Poynter
D Tout

Against the Motion

CARRIED

PSRP-4 DA16/0017 - DWELLING AND GARAGE AND RETAINING WALLS - 18 PLUNKETT DRIVE, LAKE ALBERT

16/056 RESOLVED:
On the Motion of Councillors A Brown and Y Braid

That Council approve the development application DA16/0017 for Dwelling, Garage and Retaining wall at 18 Plunkett Drive in Lake Albert, subject to the following conditions:

CONDITIONS

Approved Plans and Documentation

- The development must be carried out in accordance with the approved plans and specifications as follows.

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
A01	Floor plan	Matt Jenkins Homes	G	01/03/16
A01.1	Floor Plan	Matt Jenkins Homes	F	15/02/2016
A02	North and East Elevations	Matt Jenkins Homes	F	15/02/2016
A03	South and West Elevations	Matt Jenkins Homes	F	15/02/2016
C04	Site plan	Matt Jenkins Homes	F	15/02/2016
A05	Schedules	Matt Jenkins Homes	F	15/02/2016
A06	Sections	Matt Jenkins Homes	F	15/02/2016
A07	Basix commitments	Matt Jenkins Homes		Received 01/03/2016
696422S	BASIX certificate	Matt Jenkins Homes		11/01/2016
	Statement of Environmental Effects	Matt Jenkins Homes		11/01/2016
	Written justification (email)	Matt Jenkins Homes		15/02/2016

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development

consent specified below.

NOTE: Any modifications to the proposal shall be the subject of an application under Section 96 of the Environmental Planning and Assessment Act, 1979.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Construction Certificate

- 2. Prior to the release of the Construction Certificate two (2) copies of the details, plans and or specifications for the proposed retaining walls shall be submitted to and approved by Council.**

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 3. Prior to the issue of Construction Certificate the developer must lodge a bond with Council of:-**

\$1,000.00 for security deposit on the kerb and gutter and footpath

Plus a non-refundable administration fee of \$55.

NOTE 1: The applicant currently has an ONGOING security bond lodged with Council bond number BKG 0026. This ongoing bond will be attached to this development to act as a security deposit on the kerb and gutter and footpath. No further payment under this condition is required.

NOTE 2: All monetary conditions are reviewed annually, and may change on 1 July each year.

NOTE 3: Works in the form of driveways, kerb and gutter and footpath may require you to obtain a Section 138 Roads Act 1993 approval. Please contact Council’s Road Reserve Officer on 1300 292 442 prior to undertaking such works.

NOTE 4: Council will accept a once off security deposit for the kerb and gutter and footpath for applicants who lodge multiple DA’s with Council. If the applicant has security deposits held by Council for kerb and gutter and footpath at the time of Construction Certificate application, then Council may waive the need for an additional bond to be paid.

OPTIONAL NOTE: The bond held on the kerb and gutter and footpath is fully refundable upon completion of all works and upon inspection by Council to ensure that any damage to Council infrastructure has been repaired. The bond will not be refunded in the event that damage done to Council’s infrastructure is not repaired to the satisfaction of Council. All damage is

to be repaired at the full cost of the applicant

REASON: It is in the public interest that such fees are paid in accordance with Council’s Management Plan. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to Commencement of Works

- 4. **Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one (1) toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:**
 - a) **a standard flushing toilet connected to a public sewer, or**
 - b) **if that is not practicable, an accredited sewage management facility approved by Council, or**
 - c) **if that is not practicable, any other sewage management facility approved by Council.**

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior written approval of Council.

NOTE 2: “Vicinity” in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

REASON: To provide adequate sanitary facilities during the construction phase. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 5. **A CONSTRUCTION CERTIFICATE pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia PRIOR to any works commencing.**

NOTE 1: No building, engineering, excavation work or food premises fitout must be carried out in relation to this development until the necessary Construction Certificate has been obtained.

NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a Construction Certificate at the same time as you lodged this Development Application.

NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the

proposal so that it complies with these standards.

REASON: To ensure the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development complies with the appropriate construction standards. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

6. **Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind blown. The enclosure shall be approved by Council and be retained on site at all times prior to the disposal of rubbish at a licenced Waste Management Centre.**

Materials and sheds or machinery to be used in association with the construction of the building must not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

NOTE 1: No building rubbish or debris must be placed, or be permitted to be placed on any adjoining public reserve, footway, road or private land.

NOTE 2: Weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited must be retained. Documentation must include quantities and nature of the waste. This documentation must be provided to Council prior to application for an Occupation Certificate for the development.

NOTE 3: The suitable container for the storage of rubbish must be retained on site until an Occupation Certificate is issued for the development.

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 79C (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

7. **Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:**

- a) **Development Control Plan 2010 (Section 2.6 and Appendix 2)**
- b) **Erosion and Sediment Control Guidelines for Building Sites; and**
- c) **Soils and Construction Volume 1, Managing Urban Stormwater**

Prior to commencement of works, a plan illustrating these measures shall be submitted to, and approved by, Council.

NOTE: All erosion and sediment control measures must be in place prior to earthworks commencing.

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 79C (1)(b) of the

Environmental Planning and Assessment Act 1979, as amended.

8. A Section 68 Approval must be obtained from Council prior to any sewer or stormwater work being carried out on the site.

The licensed plumber must submit to Council, at least two (2) days prior to the commencement of any plumbing and drainage works on site a "Notice of Works".

NOTE: A copy of the Notice of Works form can be found on Council's website.

REASON: It is in the public interest that plumbing and drainage work is carried out with the relevant approvals required under the Local Government Act 1993 and the Plumbing Code of Australia. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

9. Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development:

- a) in the case of work done by a licensee under the Act:
 - i) has been informed in writing of the licensee's name and contractor license number, and
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR
- b) in the case of work to be done by any other person:
 - i) has been informed in writing of the person's name and owner-builder permit number, or
 - ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Act,

and, is given appropriate information and declarations under paragraphs a) and b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).

NOTE: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

REASON: To ensure the development complies with the requirements of Clause 98 of the Environmental Planning and Assessment Regulations 2000, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

10. Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- a) **stating that unauthorised entry to the site is prohibited, and**
- b) **showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours**
- c) **the development consent or complying development consent number, the name and contact details of the Principal Certifying Authority.**

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) **building work carried out inside an existing building, or**
- b) **building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.**

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 11. **At least two (2) days prior to the commencement of any works, the attached ‘Notice of Commencement of Building or Subdivision Works and Appointment of Principal Certifying Authority’, must be submitted to Council.**

REASON: Because it is in the public interest that Council receive notification in accordance with the provision of the Environmental Planning and Assessment Act 1979, as amended. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

During works

- 12. **Vehicular access within the road reserve must be constructed to Council standards, at full cost to the developer, by a licensed Council approved contractor.**

REASON: To ensure that the proposed access is constructed by an approved Council Contractor. Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

- 13. **If the Council is appointed as the Principal Certifying Authority the following inspections must be undertaken by Council and a satisfactory Inspection Report must be issued by Council for such works prior to any further works being undertaken in respect of the subject development. Inspection Stages for construction are listed in Column 1 and must be inspected by Council at the times specified in Column 2.**

COLUMN 1	COLUMN 2
Site Inspection	When all earthworks (cut and fill) approved under this consent are completed (excluding earthworks that are exempt development) and prior to any footings being excavated on the subject site. The applicant shall contact Council to arrange for this inspection.
Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
Slab	When reinforcement steel has been placed in position in any concrete slab, whether or not the slab is suspended, on the ground, or on fill.
Wall frame	When the frame has been erected and prior to sheeting and or brick veneer outer wall has been constructed and tied to the frame.
Roof frame	When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.
Wet areas	When waterproofing has been applied to all wet areas, prior to tiling or finishing of surface.
Drainage	When the stormwater and roof water drainage system has been completed.
Final	Required prior to occupation of the building

NOTE 1: A Final Occupation Certificate in relation to the building cannot be issued by Council until all Inspection Reports required by this condition have been issued by Council. Prior to or at the time of the application for Occupation Certificate the application for "Occupation Certificate" form attached to the Council issued Construction Certificate must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate application form will result in an inability for Council to book and subsequently undertake occupation certificate inspection.

NOTE 2: The above Inspection Reports are required whether or not the work has been inspected by a Structural Engineer, a lending authority or any other person. If the Inspection Reports are not issued Council may refuse to issue a

Building Certificate under Section 149A of the Environmental Planning and Assessment Act 1979, as amended.

NOTE 3: Submission of the bracing plan and the Truss and Frame Certificate is required seven (7) working days before the frame inspection.

REASON: It is in the public interest that critical stage inspections be issued for these components of the development in accordance with Section 162A of the Environmental Planning and Assessment Regulations 2000 as amended.

14. The Builder must at all times maintain, on the job, a legible copy of the plan and specification approved with the Construction Certificate.

REASON: It is in the public interest that a copy of the Construction Certificate plans are available, and Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

15. All excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.

Excavations must be undertaken in accordance with the terms and conditions of Section 9.4.6 of the Wagga Wagga Development Control Plan 2010.

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

16. Any alterations or additions marked by Council on the approved plans and/or the specifications must be carried into effect.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

17. The concrete slab floor shall be treated against termites in accordance with AS 3660-1 2000 Termite Management:

- a) **NON CHEMICAL - where a non chemical treatment (physical barriers) is to be used the applicant shall submit details to Council prior to any work commencing.**
- b) **CHEMICAL RETICULATION - where a chemical method of treatment is to be used by way of reticulation, details shall be provided to Council for approval prior to installation accompanied by a signed maintenance contract with a Pest Control Operator.**
Applicants and owners are to ensure that an annual inspection is undertaken to determine need for treatment.
- c) **CHEMICAL TREATMENT - where a chemical method of treatment is to be used by way of hand spray treatment before laying the**

slab, details shall be provided to the Council for approval prior to installation.

Warning - Applicants and owners are warned that the expected life of the under floor barrier (Chemical Treatment) is only 10 years and the external barrier (Chemical Treatment) is only five (5) years. The actual protection will depend on factors such as termite hazards, climate and soil conditions.

Council recommends in all cases of chemical treatment including reticulation that regular annual inspection be carried out by a licensed Pest Control Operator to determine the need for re-treatment.

- d) Upon installation of the method of treatment, a Certificate shall be issued to Council by the licensed installer of the system certifying that the system installed is in accordance with AS 3660-1 and in accordance with any specific requirements of the Council.**
- e) A durable notice must be permanently fixed to the building in the electricity meter box indicating:
 - i) The method of protection**
 - ii) The date of installation of the system**
 - iii) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label.**
 - iv) The need to maintain and inspect the system on a regular basis.****

REASON: It is in the public interest that where appropriate termite management treatments are used in compliance with AS 3660.1.2000 Termite Management New Building Work. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

- 18. The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. All reasonable steps must be taken to minimise dust generation during the demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.**

REASON: To ensure building works do not have adverse effects on the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 19. The fill material use for the proposed development shall only be “Virgin Excavated Natural Material” as described in Schedule 1 of the Protection of the Environment and Operations Act 1997.**

Prior to the material being received on site registration numbers of vehicles delivering material to the development and the address of origin for the fill shall be documented. Documentation must include quantities and nature of the fill.

A log of the above mentioned information is to be kept including the date that the materials were received. This log is to be submitted to Council upon completion of works.

REASON: To minimize the risk to human and environmental health, Contaminated Land Management Act 1997 No 140 and Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 20. A Compliance Certificate for the plumbing and drainage work identified in Column 1 at the times specified in Column 2 must be obtained from Council.**

COLUMN 1	COLUMN 2
Internal Sewer Drainage	When all internal plumbing and drainage work is installed and prior to concealment.
External Sewer Drainage	When all external plumbing and drainage work is installed and prior to concealment.
Stormwater Drainage	When all external stormwater drainage work is installed and prior to concealment.
Final	Prior to occupation of the building or structure.

REASON: It is in the public interest that plumbing work is certifying as complying with AS/NZS 3500.2003 and Plumbing Code of Australia.

- 21. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).**

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

- 22. The Cut and Fill Batters are to be treated with vegetation (ground covers) to protect them from erosion and further ground movements.**

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Occupation Certificate / Prior to Operation

- 23. Prior to issue of an occupation certificate the building number must be displayed in a position clearly visible from the street in letters having a height of not less than 75 mm (3 inches). The number must be visible against the background on which it is placed.**

REASON: It is in the public interest that the building/property be easily identifiable. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 24. All retaining walls shown on the approved plans shall be completed prior to the issue of a Final Occupation Certificate.**

REASON: It is in the public interest to ensure that all required and approved works are completed prior to occupation of the development. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 25. An Occupation Certificate must be obtained pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.**

In order to obtain this, the “Final Occupation Certificate” form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

REASON: It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 26. A final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of the development, prior to the issuing of a final plumbing certificate Council must be in possession of Notice of Works, Certificate of Compliance and Works as Executed Diagrams for the works. The works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF file in accordance with Council requirements.**

All plumbing and drainage work must be carried out by a licensed plumber and drainer and to the requirements of the Plumbing and Drainage Act 2011.

NOTE: Additional fees for inspections at the Plumbing Interim Occupancy / Plumbing Occupation stage may apply. This will depend on the number of inspections completed at this stage of the work/s.

REASON: To ensure compliance with the relevant provisions of the Plumbing and Drainage Act 2011 and Regulations.

- 27. Prior to the issue of an Occupation Certificate a Water Plumbing Certificate from Riverina Water County Council shall be submitted to Council.**

NOTE 1: The applicant is to obtain a Plumbing Permit from Riverina

Water County Council before any water supply/plumbing works commence and a Compliance Certificate upon completion of the works. Contact Riverina Water County Council’s Plumbing Inspector on 1300 292 442. Please be prepared to quote your Construction Certificate number.

REASON: To ensure that the water servicing requirements of the development have been approved by the relevant authority. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

28. The commitments listed in any relevant BASIX Certificate for this development must be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.

REASON: To ensure the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A (11) of the Environmental Planning and Assessment Act 1979, as amended.

General

29. (1) For the purposes of Section 80A (11) of the Environmental Planning and Assessment Act 1979, it is a prescribed condition of the development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person’s own expense:

- a) protect and support the adjoining premises from possible damage from the excavation, and
- b) where necessary, underpin the adjoining premises to prevent any such damage.

(2) The condition referred to in subclause one (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 the development complies with the requirements imposed under Clause 98E of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A (11) of the Environmental Planning and Assessment Act 1979, as amended.

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993.

For the Motion
R Kendall
Y Braid
A Brown
G Conkey OAM
P Funnell

Against the Motion

G Hiscock
J McLaren
A Negline
K Pascoe
K Poynter
D Tout

CARRIED

PSRP-5 PLANNING PROPOSALS FOR LAND AT INGLEWOOD ROAD GUMLY GUMLY AND 77 OLD NARRANDERA ROAD AND 17 RIVER ROAD, GOBBAGOMBALIN

A Motion was moved by Councillors G Hiscock and K Pascoe.

That Council in line with the recommendations of the Wagga Wagga Spatial Plan 2013-2043, defer consideration of land identified as potential urban land and potential intensification until a residential strategy is complete.

An AMENDMENT was moved by Councillor P Funnell and seconded by Councillor K Poynter.

That Council defer a decision until the April 2016 Ordinary Council Meeting.

The AMENDMENT on being put to the meeting was CARRIED and became the Motion.

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Amendment
Y Braid
A Brown
P Funnell
G Hiscock
J McLaren
A Negline
K Poynter

Against the Amendment
R Kendall
G Conkey OAM
K Pascoe
D Tout

16/057 RESOLVED:
On the Motion of Councillors G Hiscock and K Pascoe

That Council defer a decision until the April 2016 Ordinary Council Meeting.

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993

For the Motion

Against the Motion

- R Kendall
- Y Braid
- A Brown
- G Conkey OAM
- P Funnell
- G Hiscock
- J McLaren
- A Negline
- K Pascoe
- K Poynter
- D Tout

CARRIED

PSRP-8 PLANNING PROPOSAL 2015/1 - AMENDMENT TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010

16/058 RESOLVED:
On the Motion of Councillors K Pascoe and A Brown

That Council:

- a receive and note the report on the public exhibition of the Wagga Wagga Local Environmental Plan 2010 amendment proposal 2015/1**
- b adopt the planning proposal as exhibited**
- c use Council’s delegated authority to gazette the plan and notify the Department of Planning and Environment of the decision**

RECORD OF VOTING ON DEVELOPMENT OR PLANNING MATTERS - SECTION 375A(3) LOCAL GOVERNMENT ACT 1993.

For the Motion

Against the Motion

- R Kendall
- Y Braid
- A Brown
- G Conkey OAM
- P Funnell
- G Hiscock
- J McLaren
- A Negline
- K Pascoe
- K Poynter
- D Tout

CARRIED

PSRP-11 FINANCIAL PERFORMANCE REPORT JANUARY 2016

16/059 RESOLVED:
On the Motion of Councillors K Poynter and K Pascoe

That Council:

- a note the favourable budget variation that resulted from savings in electricity payments, allocate \$262,000 to the Fit for the Future Reserve and \$250,000 to the Sustainable Energy Reserve from those savings and approve all other budget variations as noted in the report**
- b note the Responsible Accounting Officer’s reports, in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3: Clause 203) that the financial position of Council is satisfactory having regard to the original estimates of income and expenditure and the recommendations made above**
- c note Council’s external investments as at 31 January 2016**

CARRIED

COMMITTEE MINUTES

PSM-1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE MINUTES

16/060 RESOLVED:
On the Motion of Councillors G Conkey OAM and G Hiscock

That Council:

- a receive and note the minutes of the Floodplain Risk Management Meeting held on 1 December 2015**
- b not send a Councillor or community representative of the Floodplain Risk Management Advisory Committee to the 2016 Floodplain Management Australia National Conference to be held in Shoalhaven in May 2016**

CARRIED

PROCEDURAL MOTION - ENGLOBO

16/061 RESOLVED:
On the Motion of Councillors A Negline and K Pascoe

That RP-4, RP-5 and RP-6 be adopted as recommended in the business papers.

CARRIED

REPORTS FROM STAFF

RP-1 RESPONSES TO QUESTIONS/BUSINESS WITH NOTICE

16/062 RESOLVED:
On the Motion of Councillors P Funnell and A Negline

That Council

- a receive and note the report outlining responses to Questions/Business with Notice**
- b receive a further report at the May 2016 Ordinary Council Meeting that details the reasoning behind the roundabout decisions**

CARRIED

RP-2 VILLAGE SEWER PROPOSALS - OURA AND SAN ISIDORE

Councillor D Tout declared a Pecuniary Interest and vacated the chamber, the time being 6:59pm.

Councillor A Brown declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:11pm.

A Motion was moved by Councillors P Funnell and K Pascoe.

That Council:

- a decline offers of funding through the Restart NSW Regional Water and Waste Water Backlog scheme noting the impacts any new village sewer projects have on the financial viability of the overall sewer business**
- b not proceed with the proposed village sewer schemes for Oura and San Isidore at this time noting the financial and scenario information provided within the report**
- c communicate the outcome of Council’s decision to residents of San Isidore and Oura**

An AMENDMENT was moved by Councillor P Funnell and seconded by Councillor K Pascoe

That Council:

- a proceed with the second round application for San Isidore through the Restart NSW Regional Water and Waste Water Backlog scheme
- b not proceed with the proposed village sewer schemes for Oura at this time noting the financial and scenario information provided within the report
- c communicate the outcome of Council’s decision to residents of San Isidore and Oura

A FORESHADOWED AMENDMENT was signalled to the Mayor by Councillor K Poynter.

The AMENDMENT on being put to the meeting was CARRIED and became the Motion.

An AMENDMENT was moved by Councillor K Poynter and seconded by Councillor G Hiscock.

That Council:

- a proceed with the second round application for San Isidore through the Restart NSW Regional Water and Waste Water Backlog scheme
- b not proceed with the proposed village sewer schemes for Oura at this time noting the financial and scenario information provided within the report
- c explain Council’s decision to residents of San Isidore and Oura and seek further feedback on sewerage systems in villages

The AMENDMENT on being put to the meeting was CARRIED and became the Motion.

16/063 RESOLVED:
On the Motion of Councillors K Poynter and G Hiscock

That Council:

- a proceed with the second round application for San Isidore through the Restart NSW Regional Water and Waste Water Backlog scheme**
- b not proceed with the proposed village sewer schemes for Oura at this time noting the financial and scenario information provided within the report**
- c explain Council’s decision to residents of San Isidore and Oura and seek further feedback on sewerage systems in villages**

CARRIED

Councillors D Tout and A Brown re-entered the meeting, the time being 7:45pm.

RP-3 TRADE WASTE - HEALTHSHARE LINEN SERVICES

16/064 RESOLVED:
On the Motion of Councillors K Poynter and P Funnell

That Council authorise the affixing of Council’s Common Seal to all relevant documents as required in relation to the Healthshare Linen Services Liquid Trade Waste Services Agreement and Approval.

CARRIED

RP-4 NEW POLICY - POL 029 ASBESTOS POLICY

16/065 RESOLVED:
On the Motion of Councillors A Negline and K Pascoe

That Council:

- a endorse the draft POL 029 Asbestos Policy and place on public exhibition for a period of 28 days and invite public submissions on the draft policy**
- b receive a further report following the public exhibition period:**
 - (i) addressing any submissions made in respect of the proposed policy**
 - (ii) proposing adoption of the policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

CARRIED

RP-5 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT ANNUAL CONFERENCE

16/066 RESOLVED:
On the Motion of Councillors A Negline and K Pascoe

That Council:

- a endorse submitting a motion to the National General Assembly of Local Government Annual Conference on 19 to 22 June 2016**
- b endorse the Mayor’s attendance at the conference**

CARRIED

RP-6 AUDIT AND RISK COMMITTEE CHARTER

16/067 RESOLVED:
On the Motion of Councillors A Negline and K Pascoe

That Council adopt the revised Audit and Risk Committee Charter.

CARRIED

RP-7 KURRAJONG EARLY CHILDHOOD INTERVENTION SERVICE

Councillor D Tout declared a Significant Non-Pecuniary Interest and vacated the chamber, the time being 7:48pm.

16/068 RESOLVED:
On the Motion of Councillors G Conkey OAM and P Funnell

That Council donate up to \$300.00 to the Kurrajong Early Childhood Intervention Service as detailed in the report under Section 356 of the Local Government Act 1993.

CARRIED

Councillor D Tout re-entered the meeting, the time being 7:48pm.

RP-8 PLANNING ADVISORY COMMITTEE

16/069 RESOLVED:
On the Motion of Councillors K Poynter and P Funnell

That Council:

- a dissolve the Planning Advisory Committee**
- b instigate a less formal alternative for engaging with industry stakeholders on strategic planning, development and building matters within the Wagga Wagga LGA**

CARRIED

CONFIDENTIAL REPORTS

CONF-1 RFT2016-006 RRL ADMINISTRATION CENTRE RELOCATION REFURBISHMENT PROJECT

16/073 RESOLVED:
On the Motion of Councillors K Pascoe and A Negline

That Council:

- a accept the tender of the Trustee for the Southland Trust t/as Adaptive Interiors for the Riverina Regional Library Administration Centre Relocation Refurbishment Project in the lump sum amount of \$276,790 excluding GST**
- b authorise the General Manager or his delegate to enter into a contract with the Trustee for the Southland Trust t/as Adaptive Interiors for the Riverina Regional Library Administration Centre Relocation Refurbishment Project**
- c authorise the affixing of Council’s Common Seal to all relevant documents as required**

CARRIED

REVERSION TO OPEN COUNCIL

16/074 RESOLVED:
On the Motion of Councillors K Poynter and G Conkey OAM

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8:10pm.

CARRIED

REPORT OF PROCEEDINGS OF CLOSED COUNCIL

16/075 RESOLVED:
On the Motion of Councillors K Pascoe and G Conkey OAM

That the recommendations contained in the report of the proceedings of the Closed Council be adopted.

CARRIED

QUESTIONS/BUSINESS WITH NOTICE

The following Question with Notice was raised to be addressed in the next available Business Paper:

- 1. Councillor P Funnell requested details of emergency storage/discharge protection at the treatment plants in regard to the river.

The following Question with Notice was raised to be addressed out of session:

- 1. Councillor P Funnell requested a copy of the Eunony Bridge Road acquittal.

Councillor J McLaren vacated the chamber, the time being 8:13pm.

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8:18pm.

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MAYOR