

**PRESENT**

The Mayor, Councillor Rod Kendall  
Councillor Yvonne Braid  
Councillor Alan Brown  
Councillor Greg Conkey OAM  
Councillor Paul Funnell  
Councillor Garry Hiscock  
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)
Director Environmental & Community Services	(Mrs J Summerhayes)
Manager Corporate Strategy, Communications & Governance	(Mrs C Priest)
Manager Finance	(Mrs C Rodney)
Manager Engineering	(Mr A Fenwick)
Manager Development Services	(Mr C Farmer)
Manager Executive Support	(Mr S Gray)
Manager Project Operations	(Mrs C Angel)
Project Management Supervisor	(Mr D Christiansen)
Communications Officer Public/Media	(Mr J Lang)
Governance Officer	(Miss B King)

**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 Councillor J McLaren on the Motion of Councillors A Brown and K Pascoe.

**CARRIED**

**CONFIRMATION OF MINUTES**

**CM-1      ORDINARY COUNCIL MEETING - 29 MARCH 2016**

**16/080      RESOLVED:**  
On the Motion of Councillors K Pascoe and A Brown

**That the Minutes of the proceedings of the Ordinary Council Meeting held on 29 March 2016 be confirmed as a true and accurate record.**

**CARRIED**

**DECLARATIONS OF INTEREST**

Councillor A Brown declared a Pecuniary Interest, the reason being that he provides professional training services to Council and remained in the chamber during its consideration.

Councillor K Poynter declared a Pecuniary Interest in RP-2 INTEGRATED PLANNING AND REPORTING - DRAFT COMBINED DELIVERY PROGRAM AND OPERATIONAL PLAN 2016/17 AND LONG TERM FINANCIAL PLAN 2016/26 the reason being that he had an interest in the debate around Activities on Footpaths Policy and vacated the chamber during this debate.

Mr J Bolton declared a Pecuniary Interest in PSRP-7 AMENDMENT TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 - 9-17 STURT STREET, WAGGA WAGGA and PSRP-8 PLANNING PROPOSAL TO REZONE AND AMEND THE HEIGHT OF BUILDING AND FLOOR SPACE RATIO FOR 9 - 17 STURT STREET, WAGGA WAGGA the reason being that his relatives are part owners of the property and vacated the chamber during consideration of both reports.

**REPORTS FROM POLICY AND STRATEGY COMMITTEE**

**PS-1 POLICY AND STRATEGY COMMITTEE MEETING - 11 APRIL 2016**

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

**16/081 RESOLVED:**

On the Motion of Councillors K Pascoe and A Brown

**That the Minutes of the Policy and Strategy Committee Meeting held on 11 April 2016 be confirmed and recommendations numbered PSCM-1, PSRP-9 to PSRP-11 contained therein be adopted.**

**CARRIED**

**REPORTS FROM STAFF**

**PSRP-1 DA16/0007 - 23 LOT RESIDENTIAL SUBDIVISION AT 1-101 OLD BOMEN ROAD CARTWRIGHTS HILL NSW 2650**

**16/082 RESOLVED:**

On the Motion of Councillors A Brown and D Tout

**That Council:**

- a approve Development Application DA16/0007, 23 Lot Residential Subdivision at 1-101 Old Bomen Road, Cartwrights Hill, 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.**

<b>Plan/DocNo.</b>	<b>Plan/Doc Title</b>	<b>Prepared by</b>	<b>Issue</b>	<b>Date</b>
<b>C01</b>	<b>Subdivision Layout</b>	<b>LRCE</b>	<b>1</b>	<b>17.2.16</b>
<b>C02</b>	<b>Sewer Layout</b>	<b>LRCE</b>	<b>1</b>	<b>17.2.16</b>
<b>C03</b>	<b>Stormwater Layout</b>	<b>LRCE</b>	<b>1</b>	<b>17.2.16</b>
	<b>Staging Plan</b>	<b>Salvestro Planning</b>		<b>23.2.16</b>
	<b>Statement of Environmental Effects</b>	<b>Salvestro Planning</b>	<b>B</b>	<b>Feb. 2016</b>
<b>15079</b>	<b>Written Correspondence</b>	<b>Salvestro Planning</b>		<b>24.1.16</b>
	<b>Proposed Subdivision Cartwright's Hill Traffic Advice Report</b>	<b>Regional Transport Planning</b>		<b>Feb 2016</b>

**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 issue of a Construction Certificate for Stage 3, the plans shall show an internal temporary cul-de-sac head designed to accommodate turning for a 12.5m long school bus. Turning paths of the design vehicle shall be submitted with the application for Construction Certificate.**

REASON: It is in the public interest that the design of that aspect of the development complies with Council’s Engineering Guidelines. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 3. **Prior to the issue of a Construction Certificate for Stage 4, the plans shall show an internal cul-de-sac head designed to accommodate turning for a 12.5m long school bus. Turning paths of the design vehicle shall be submitted with the application for Construction Certificate.**

REASON: It is in the public interest that the design of that aspect of the development complies with Council’s Engineering Guidelines. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 4. **Prior to the release of the Construction Certificate for Stage 3 a plan shall be submitted to and approved by Director of Planning and Regulatory Services, or delegate that identifies the intersection design at the internal road and Old Bomen Road. This plan is required to be referred to, and approved by the Local Traffic Committee before it is approved as these works incorporate a prescribed traffic control device.**

**NOTE 1: A prescribed traffic control device is a sign, signal, marking, structure or other device to direct or warn traffic on a road or road related area.**

**NOTE 2: The Local Traffic Committee only meets two-monthly and only between the months of March and November. Therefore to avoid delays the timing of meetings should be taken into consideration in preparing your plan for submission.**

**NOTE 3: Satisfaction of this condition will not be completed until the relevant Local Traffic Committee minutes are endorsed by the Council**

**NOTE 4: The Local Traffic Committee shall also review and make recommendations regarding the most appropriate speed limit for Old Bomen Road**

REASON: To ensure traffic related impacts associated with the development are minimised. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 5. **Prior to the issue of a Construction Certificate for Stage 3, a dilapidation report is to be undertaken. This shall include clear photos and descriptions of all existing Council infrastructure adjacent to the subject site. A copy of the dilapidation report shall be submitted to and approved by Council.**

REASON: It is in the public interest that the development works do not damage existing Council infrastructure and accordingly a record of existing conditions is required.

- 6. **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](http://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**

- 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. **Prior to works associated with Stage 1 commencing, plans detailing stormwater infrastructure to manage the discharge of stormwater from the development site to the Olympic Highway road reserve shall be submitted to RMS for review. The plans shall demonstrate that there will be no impact from stormwater discharged from the development site into the Olympic Highway road reserve.**

REASON: The character of the development is such that storm water will be increased and must be safely conveyed to the storm water drainage system. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 9. **A Construction Certificate must be obtained 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 Wagga Wagga City Council’s Engineering Guidelines for Subdivisions and Developments prior to any subdivision works commencing.**

**NOTE 1:** No building, engineering or excavation work must be carried out in relation to this development until the necessary Construction Certificate or relevant certificates of approval have 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 the 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 that the design of the proposed work to be assessed in detail before construction commences, and because it is in the public interest that the development comply with the appropriate construction standards. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 10. **Prior to the commencement of works, an application is required to be lodged for both an Activity Approval under Section 68, Part B - 4, 5 and 6, of the Local Government Act 1993 for any public infrastructure sewer / stormwater works and a Construction Certificate for all other subdivision works. These two applications should be lodged concurrently.**

**NOTE 1:** Works carried out under an approved Section 68 prior to a Development Consent and/or Construction Certificate being issued are subject to change and are

at the applicant's risk.

**NOTE 2:** Prior to the commencement of works a works bond may be required to be lodged with Council for public infrastructure works. Refer to Council’s Section 68 Activity Approval Application Guide for detail.

**REASON:** To ensure that the activity is carried out with the relevant approvals required under the Local Government Act 1993.

- 11. 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.

- 12. Prior to works commencing a container must be erected on site for the enclosure of all construction 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 Council’s Waste Management Centre.

Materials and sheds or machinery linked to construction associated with the subdivision 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:** The applicant must retain weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited. Documentation must include quantities and nature of the waste.

**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.

**During works**

- 13. 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.

- 14. 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.

- 15. Inter-allotment drainage must be constructed to drain all lots not draining naturally to a public road. The drainage system must include grated inlet pits with a 90 mm diameter pipe connection to all lots. All drainage works are to comply with the provisions of AS/NZS 3500 and Council's Engineering Guidelines for Subdivision and Developments.**

REASON: The character of the subdivision is such that it warrants storm water drainage of this type. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 16. Sewer mains must be extended to the site, at full cost to the developer, in accordance with Council's Engineering Guidelines for Subdivision and Developments. The works must be carried out by Council or a licensed approved contractor under Council supervision via a Section 68 (Public) approval.**

REASON: To ensure that the development is serviced by a reticulated sewerage system. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**Prior to release of Survey Certificate**

- 17. Pursuant to s94 of the *Environmental Planning and Assessment Act 1979* and the *City of Wagga Wagga Section 94 Contributions Plan 2006-2019* the following per allotment monetary contributions must be paid to Council, prior to the issuing of the Survey Certificate for each Stage of the development unless, before the time due for payment, the applicant and the Council enter into a legally binding agreement for the applicant to provide works-in-kind or any other material public benefit(s) to the Council in part or full satisfaction of the monetary contributions:**

<b>Contributions Plan Preparation &amp; Management</b>	<b>\$335.95</b>
<b>Future Civic, Community &amp; Cultural</b>	<b>\$335.29</b>

Recoupment Civic, Community & Cultural	\$1,635.02
Future Roads & Traffic Management	\$2,396.43
Recoupment Open Space & Recreation	\$755.39
Future Open Space & Recreation	\$1,220.92
Base Charge	\$6,679.00/per lot
Final Amount Including CPI 108.9/95.6 (April 2016)	\$7,608.19/per lot

The amounts payable under this condition will be indexed in accordance with Clause 2.12 of the *City of Wagga Wagga Section 94 Contributions Plan 2006-2019* from the endorsed date of this Development Consent until the date of each payment. 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:** Clause 2.12 of the *City of Wagga Wagga Section 94 Contributions Plan 2006-2019* provides for Section 94 contributions to be indexed in accordance with the Consumer Price Index - All Groups (Sydney) published by the Australian Bureau of Statistics.

**NOTE 2:** 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* and the *City of Wagga Wagga Section 94 Contributions Plan 2006-2019*, as amended, Council is satisfied that the development will require the provision of, or increase the demand for, public amenities and public services within the area.

**18. Prior to the release of the Subdivision Certificate for each stage of development 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 the Subdivision 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 \$3538 per lot.  
The Section 64 Sewer contribution (updated by the CPI) required to be paid is \$3759.78 per lot

**NOTE 6:** The Section 64 Stormwater base figure is \$1721 per lot

The Section 64 Stormwater contribution (updated by the CPI) required to be paid is \$2091.04 per lot

**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.

19. Prior to the release of Subdivision Certificate for each stage Council's sewer/stormwater pipelines within the subdivision development are to be inspected using Closed Circuit Television (CCTV) at the conclusion of all construction activities onsite (into maintenance inspection). The CCTV footage is to be presented to Council on DVD for assessment if using a private contractor. CCTV can be carried out by Council or a private contractor, Council will charge at a rate of \$180 per hour plus \$2 per linear metre inclusive (subject to CPI indexation). Should any damage to Councils

**infrastructure be evident, the developer shall repair/reinstate damaged infrastructure at their cost.**

REASON: So that Council may ensure that the design and construction is in accordance with Councils requirements. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 20. Prior to the release of Subdivision Certificate for each stage of development a maintenance bond to the value of 5% of the cost of works shall be submitted to Council. The bond shall be held by Council for the duration of the maintenance period.**

REASON: It is in the public interest to ensure that subdivision works are carried out in accordance with relevant legislations, standards and codes.

- 21. Prior to the issue of a Subdivision Certificate for Stage 1 of the development the plans shall show an overland flow path in the form of a constructed open drain and low flow trickle pipe to be constructed from the low point in the internal road and extend across the site to its boundary. The overland flow path shall be sized to contain the 1 in 100yr stormwater flow. The low flow trickle pipe shall be sized to contain the 1 in 10yr stormwater flow. An easement to drain water shall be created over the open drain in favour of Wagga Wagga City Council. The open drain shall be designed in accordance with Council’s Engineering Guidelines for Subdivision and Developments.**

REASON: The character of the development is such that storm water will be increased and must be safely conveyed to the storm water drainage system. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 22. Prior to the issue of a Subdivision Certificate for Stage 2, the plans shall show the diversion of stormwater flow from the existing culvert crossing adjacent to Lot 13 in Old Bomen Road to the road drainage system in Old Bomen Road and any required remedial works to the drainage system in Old Bomen as a result of the diversion.**

REASON: The character of the development is such that storm water will be increased and must be safely conveyed to the storm water drainage system. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 23. Prior to the issue of a Subdivision Certificate for Stage 2, the plans shall indicate the repair of the existing sealed edge in Old Bomen Road on the curve adjacent to proposed lot 16.**

REASON: It is in the public interest that the design of that aspect of the development complies with Council’s Engineering Guidelines. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**24. Prior to the release of the Subdivision Certificate for Stage 2 a plan shall be submitted to and approved by Director of Planning and Regulatory Services, or delegate that identifies any required linemarking and sign posting on the curve in Old Bomen Road fronting proposed Lot 16. This plan is required to be referred to, and approved by the Local Traffic Committee before it is approved as these works incorporate a prescribed traffic control device.**

**NOTE 1: A prescribed traffic control device is a sign, signal, marking, structure or other device to direct or warn traffic on a road or road related area.**

**NOTE 2: The Local Traffic Committee only meets two-monthly and only between the months of March and November. Therefore to avoid delays the timing of meetings should be taken into consideration in preparing your plan for submission.**

**NOTE 3: Satisfaction of this condition will not be completed until the relevant Local Traffic Committee minutes are endorsed by the Council**

**REASON:** To ensure traffic related impacts associated with the development are minimised. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

**25. A Subdivision Certificate for each stage of development, 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 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.

**26. Building envelopes and restrictive covenants, written with Council empowered to uplift, are to be created and shown on the submitted survey plans. The envelopes shall not allow any dwelling, building or other structure to be located on land: -**

- i on land within 400 metres of the BISTF**
- ii within 10 metres of Old Bomen Road**
- iii within 2 metres of any side or rear boundary**

Detailed survey plans shall be provided identifying that each envelope complies with the requirements of this condition to Council prior to the release of the survey plan for each stage of the subdivision. Upon request, selected building envelopes shall be pegged/marked on site to allow Council officers to complete compliance inspections.

REASON: Because those works referred to and which are sited, or are to 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.

**27. Submission of a signed instrument under Section 88B of the Conveyancing Act 1919 for the creation of easements and/or restrictions as to user intended to be created is required prior to the release of the Subdivision Certificate for each stage of development. Covenants shall be created, with Council empowered to uplift, for all allotments within the subdivision, that requires:**

- i. A notation that purchasers are aware of the fact that they are purchasing land that is adjacent to an industrial area and a Sewerage Treatment Plant, that they might experience odour and noise from time to time and that these issues should be addressed in any future design of development on the affected subject lot(s).**
- ii. The design of all future dwellings is to incorporate double glazing at a minimum to all windows.**
- iii. The design of all future dwellings is to incorporate sound proof insulation - to all external construction adequate to control indoor noise levels in accordance with AS2107-2000.**
- iv. The design of all future dwellings is to incorporate draught/odour stops to all doors and windows.**

REASON: To minimise the potential for residential receptors to be impacted by nearby industrial sources and in the interest of amenity, Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**28. A fee applies for each quality control inspection as per the approved checklist. The monies are payable at completion of works or prior to the release of the plan of subdivision for each stage of development. Fees will be charged in accordance with Council's current Fees and Charges Schedule.**

Reason: It is in the public interest that such fees are paid in accordance with Council Management Plan, Section 79c (l) (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**29. The area of the proposed development is subject to Native**

**Vegetation Cover Requirements. Minimum native vegetation levels apply for different rural land capability classes.**

**Prior to the release of the first Subdivision Certificate the applicant is to calculate the requirements for trees and shrubs for each new lot according to land capability classes on a pro-rata basis and these calculations are to be submitted to Council for verification. The validated vegetation requirements are to be specified in the Land and Water Management Plan for the subdivision and acknowledged on the Deposited Plan and the 88B instrument.**

**The costs of establishing the minimum native vegetation levels are to be shared between the new land owner and the developer. The Council will require a Developer Contribution to be paid to Council that is calculated according to Council’s Fees and Charges in force at the time the Development Application is lodged with Council before release of the survey plans.**

**NOTE: The Developer Contributions will be held in Trust by Council and distributed to the new Lot owners when a new home is built on the created house Lots on a *pro-rata* basis according to the native seedlings allocated to that Lot. The allocated native trees and shrubs must be planted before the Final Occupation Certificate will be issued for the new home.**

**REASON: To ensure appropriate planting takes place on each lot. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.**

- 30 Prior to release of Subdivision Certificate for each stage of development an “into maintenance inspection” must be carried out of the completed works. The maintenance period will last for 6 months, upon which time an “out of maintenance inspection” will be required to ensure the works are acceptable to Council.**

**REASON: It is in the public interest to ensure that subdivision works are carried out in accordance with relevant legislations, standards and codes.**

- 31. Prior to the issue of the Subdivision Certificate for Stage 3, Street Lighting shall be designed and constructed in accordance with AS 1158 Part 1.1 Vehicular Traffic 2005 (or subsequent amendments) at the intersection of the internal road and Old Bomen Road. The level of lighting to be provided shall be based upon a safety assessment of the intersection and shall consider (but not be limited to) traffic numbers, posted speed limits, geometry, sight distances, pedestrian and cyclist activity and crash history.**

**NOTE: Satisfaction of this condition will not be completed until the relevant Local Traffic Committee minutes are endorsed by the Council**

REASON: It is in the public interest that the design of that (those) aspect(s) of the development comply with Council’s Engineering Guidelines for Subdivisions and Development and relevant Australian Standards. Section 79C(1)(c) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**32. Prior to the issue of the Subdivision Certificate for each stage of development 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.

**General**

**33. Access to the subject land is only to occur via Old Bomen Road and the proposed new access road identified on the subdivision layout. No entrance, exit, access, gate, or driveway must be constructed onto either Bomen Road or the Olympic Highway.**

REASON: To prevent unsafe access to the adjoining road network. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

**34. This approval is for a development to be undertaken in four (4) Stages, namely:**

- (1) 3 x Residential Lots (Stage 1);**
- (2) 5 x Residential Lots (Stage 2);**
- (3) 7 x Residential Lots and associated portion of road (Stage 3);**
- (4) 8 x Residential Lots and remaining portion of road (Stage 4)**

**In accordance with the approved staging plan (refer to Condition 1). All Stages are required to be undertaken in a chronological order. Unless otherwise expressly stated, the conditions must be read as being applicable to all Stages.**

REASON: So that the development proceeds in a planned manner in accordance with the approved plans. Section 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979*, as amended.

**35. The proposed road shall be named Menneke Place.**

**The naming of the road is after August Menneke inventor of the Menneke Bell who had an established blacksmith business in North Wagga during the late 19th century.**



REASON: Because it is in the public interest that road naming within residential areas follow Council's Road and Suburb Naming Policy. Section 79C(1)(e) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 36. Wagga Wagga City Councils 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 Councils 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.

NOTE: Satisfaction of this condition will not be completed until the relevant Local Traffic Committee minutes are endorsed by the Council

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

- b amend the current Cartwrights Hill deferred Area Planning Proposal from RU1 Rural to R5 Large Lot Residential to reflect the outcomes of the Development Application DA16/0007 determination and notify the Department of Planning and Environment of the amended gateway application

**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  
K Pascoe  
K Poynter  
D Tout

Against the Motion

**CARRIED**

**PSRP-2 DA15/0669 - PROPOSED 9M X 10M DETACHED BRICK SHED TO REAR OF PROPERTY, 30 PLUNKETT DRIVE, LAKE ALBERT**

**16/083 RESOLVED:**  
 On the Motion of Councillors P Funnell and G Conkey OAM

**That Council approve Development Application DA15/0669 for proposed 9m x 10m detached brick shed at 30 Plunkett Drive Lake Albert, Lot 32 DP 1142732 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
120842-3	Garage details	Xeros Kendall	B	Nov 2015
-	Statement of Environmental Effects	Louisa Ryan	-	15/11/15
-	Additional Information	NGH	-	17/3/16

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 2.6 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.

**6. 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.

**7. 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.

**8. 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**

9. 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.

<b>COLUMN 1</b>	<b>COLUMN 2</b>
<b>Footings</b>	When the footings have been excavated and all steel reinforcement has been placed in position.
<b>Slab</b>	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.
<b>Wall frame</b>	When the frame has been erected and prior to sheeting and or brick veneer outer wall has been constructed and tied to the frame.
<b>Roof frame</b>	When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.
<b>Wet areas</b>	When waterproofing has been applied to all wet areas, prior to tiling or finishing of surface.
<b>Drainage</b>	When the stormwater and roof water drainage system has been completed.
<b>Final</b>	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.

**10. 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.

**11. 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.

**12. 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.

**13. 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.

**14. 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.

- 15. 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**

- 16. 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.

- 17. 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.

### General

**18. Vehicular access via adjacent Council owned land both during and after construction is not permitted at any time.**

**REASON:** To ensure that construction vehicles do not damage Council property. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**19. 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.

### Activity Approval Conditions (Section 68)

**20. The plumbing work/s listed must be inspected as indicated below in accordance with AS/NZS 3500 and Plumbing Code of Australia.**

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

**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. Sewerage and stormwater drainage work must comply with AS3500 and the Plumbing Code of Australia except where otherwise provided in the Local Government Act 1993 or the Local Government (General) Regulation 2005. In this regard, it may be necessary for you to contact a Licensed Plumber and Drainer.

**A copy of the document entitled - Contractor’s Copy shall be provided to the nominated plumbing contractor prior to the commencement of works.**

REASON: To ensure the activity approval complies with the requirements of Section 98 of the Local Government Act 1993 and Clause 16A of the Local Government (General) Regulation 2005.

- 22. Council requires a “Certificate of Compliance”, “Works as Executed Diagram” and “Notice of Works” to be submitted and approved by Council prior to the issue of a Final Plumbing Certificate. The Works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF File in accordance with Council/NSW Fair Trading requirements.

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

**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
- K Pascoe
- K Poynter
- D Tout

**CARRIED**

**PSRP-3 DA16/0132 - USE OF EXISTING CARPORT, SHED AND ADDITIONS TO REAR OF DWELLING, 5 JAMES STREET, KOORINGAL, LOT B DP 163948**

**16/084 RESOLVED:**

On the Motion of Councillors D Tout and K Pascoe

**That Council approve Development Application DA16/0132 for use of existing carport, shed and additions to rear of dwelling at 5 James Street Kooringal, Lot B DP 163948 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.**

<b>Plan/DocNo.</b>	<b>Plan/Doc Title</b>	<b>Prepared by</b>	<b>Issue</b>	<b>Date</b>
-	<b>Site Plan</b>	<b>Kevin Salmon</b>	-	<b>21/3/16</b>
-	<b>Elevations of carport and shed</b>	<b>Kevin Salmon</b>	-	<b>21/3/16</b>
-	<b>Elevations of additions</b>	<b>Applicant</b>	-	<b>21/3/16</b>
-	<b>Statement of Environmental Effects</b>	<b>Applicant</b>	-	<b>10/3/16</b>
-	<b>Additional information</b>	<b>Applicant</b>	-	<b>20/3/16</b>

**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. **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.

- 4. **Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the 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.

**During works**

- 5. **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.

- 6. **The demolition must be carried out in accordance with the provisions of Australian Standard AS2601-2001: The Demolition of Structures.**

**Within fourteen (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.

- 7. 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.

#### **Prior to release of Building Certificate**

- 8. A Section 68 Approval must be obtained from Council prior to the release of the Building Certificate for any required plumbing and drainage works.**

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.

- 9. A Building Certificate must be obtained from Council, within three (3) months of the date of this Development Approval pursuant to Section 149A of the *Environmental Planning and Assessment Act 1979*, as amended.**

REASON: It is in the public interest that a Building Certificate is issued for this development. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

#### **General**

- 10. All building work must be carried out in accordance with the requirements of the Building Code of Australia**

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.

**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
- K Pascoe
- K Poynter
- D Tout

**CARRIED**

**PSRP-4 DA16/0077 - FOR A SHED WITH TOILET AMENITIES TO REAR OF DWELLING AT 25 SAMSON AVENUE, ESTELLA NSW 2650**

**16/085 RESOLVED:**

On the Motion of Councillors K Pascoe and Y Braid

That Council approve Development Application DA16/0077 for a Shed with Toilet Amenities to Rear of Dwelling at 25 Samson Avenue in Estella, subject to 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
-	Site Plan	Applicant	C01_A	16/02/16
-	Interior Elevations - sheet 2 of 6	Fair Dinkum Sheds	-	15/02/16
-	Internal Frame Section - sheet 3 of 6	Fair Dinkum Sheds	-	15/02/16
-	Exterior Elevation - sheet 6 of 6	Fair Dinkum Sheds	-	15/02/16
-	Statement of Environmental Effects	Applicant	-	16/02/16
-	Additional information letter	Applicant	-	18/03/16

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 2.6 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.

**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

**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 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.

**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 ten (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.

## **General**

- 20. (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

Against the Motion

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

**CARRIED**

**PSRP-5 DA15/0602 USE OF EXISTING ADDITION TO GARAGE 18 FREER STREET WAGGA WAGGA LOTS 9 & 10 DP 2910**

**16/086 RESOLVED:**  
 On the Motion of Councillors P Funnell and G Hiscock

**That Council approve development application DA15/0602 for use of existing Addition to Garage, 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.**

<b>Plan No.</b>	<b>Plan/Doc. Title</b>	<b>Prepared by</b>	<b>Date</b>
A01	Site Analysis Plan	icono	15.02.2016
A02	Site Analysis Plan(Demolition Plan, Floor Plan, Elevations)	icono	17.02.2016
	Statement of Environmental Effects	icono	09.10.2015
	Correspondence	Salvestro Planning	Received by Council 19.01.2016

**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**

- Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.**

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.

3. **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.

4. **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 NIL.  
The Section 64 Sewer contribution (updated by the CPI) required to be paid is NIL.

**NOTE 6:** The Section 64 Stormwater base figure is \$100.78H.  
The Section 64 Stormwater contribution (updated by the CPI) required to be paid is \$122.45.

**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).

- 5. **Prior to the issue of a Construction Certificate an application is required to be lodged with and approved by Council for a Build Over Permit for the proposed works over the existing sewer main/stormwater main located within the site.**

**Contact Council’s Waste and Stormwater Division on 1300 292 442 in relation to the obtaining the required Approval/Permit to Encumber a Service Line and or Easement.**

**NOTE:** A copy of the required Approval/Permit to Encumber a Service Line and or Easement shall be provided to Council’s Planning Directorate as evidence for the satisfaction of this condition.

**REASON:** It is in the public interest that construction does not commence until such time as all required approvals have been obtained for the development. Section 79C(1)(c) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**Prior to Commencement of Works**

- 6. **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.

**7. 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.

**8. 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.

**9. 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.

**10. The proposed colour scheme for the painting of the dwelling and/or new building must be submitted for approval prior to the commencement of painting works. Colours must be selected from the heritage range.**

**NOTE 1: The subject site is located within the Heritage Conservation Area and as such any external works, particularly those that may be viewed from the road frontage which affect the streetscape require the submission of a Development Application to Council for consideration.**

**NOTE 2: Council's Heritage Advisor is available for further consultation in regards to any future alterations or renovations to the premises (including any alterations to the exterior of the building eg exterior colour schemes and fence modifications).**

**NOTE 3: Council provides a Local Heritage Fund for provision of small grants to encourage and assist owners of heritage listed buildings and buildings in the Heritage Conservation Area, to achieve a positive contribution to the streetscape. Should you wish to make application for assistance for part of the works in the development proposal the application for funding assistance must be approved prior to works commencing on that aspect of the work e.g. replacement fence, or colour scheme.**

REASON: To ensure a positive impact on the streetscape and the character of the conservation area. Section 79C (1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**11. 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.

**12. 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.

**13. 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.

14. 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**

15. 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.
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.

**16. 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.

**17. 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.

**18. 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 ten (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.

**19. The demolition must be carried out in accordance with the provisions of Australian Standard AS2601-2001: The Demolition of Structures.**

**Within fourteen (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.

**20. 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.

**21. The building must be designed and constructed in such a manner and of such materials as to minimise the likelihood of damage to the building in**

**the event of flooding.**

REASON: To reduce the likelihood of damage from flood waters. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

**22. The extension/building must be constructed with the following materials and profiles:**

- Cladding/roof materials must match the existing building;
- Eaves/gutters must be of ogee/quad profile to match existing;
- Ridge and hip cappings must be roll top;
- Downpipes must be circular.

**NOTE 1:** This subject site is located within the Heritage Conservation Area, and as such, any external works, particularly those that may be viewed from the road frontage which affect the streetscape, require the submission of a Development Application to Council for consideration.

**NOTE 2:** Council’s Heritage Advisor is available for further consultation in regards to any future alterations or renovations to the premises (including any alterations to the exterior of the building e.g. exterior colour schemes and fence modifications).

**NOTE 3:** Council provides a Local Heritage Fund for provision of small grants to encourage and assist owners of heritage listed buildings and buildings in the Heritage Conservation Area to achieve a positive contribution to the streetscape. Should you wish to make application for assistance for part of the works in the development proposal, the application for funding assistance must be approved prior to works commencing on that aspect of the work e.g. replacement fence, or colour scheme.

REASON: To ensure a positive impact on the streetscape and the character of the conservation area. Section 79C (1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**23. 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
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.

**24. 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**

**25. 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.

**26. A Building Certificate for the works undertaken without consent must be obtained from Council, within three (3) months of the date of this Development Approval pursuant to Section 149A of the *Environmental Planning and Assessment Act 1979*, as amended.**

**NOTE:** An application form has been attached.

REASON: It is in the public interest that a Building Certificate is issued for this development. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**27. The building shall not be used or occupied until such time as an occupation certificate has been issued.**

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.

**28. 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.

- 29. Lots 9 and 10 DP 2910 are to be consolidated into one lot prior to the issue of an Occupation Certificate.**

**NOTE:** Evidence of consolidation must be provided to Council

**REASON:** The size and shape of the subject land, and the siting of the proposed buildings and works thereon, are such to require the land be consolidated. Section 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979*, as amended.

**General**

- 30. All exterior lighting associated with the development must be designed and installed so that no obtrusive light will be cast onto any adjoining property.**

**NOTE:** Compliance with Australian Standard AS4282.1997 “Control of the Obtrusive Effects of Outdoor Lighting” will satisfy this condition.

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

- 31. 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.

**32. Any new boundary fencing related to the development shall be of timber paling or corrugated metal and no more than 1800mm in height.**

REASON: To ensure a positive impact on the streetscape and the character of the conservation area. Section 79C (1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**33. All electrical wiring and mechanical installations are to be located and retained above floor level.**

REASON: To reduce the likelihood of damage from flood waters. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

**34. (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
- K Pascoe
- K Poynter
- D Tout

Against the Motion

**CARRIED**



**PSRP-6 DA16/0117 - DWELLING AND ATTACHED GARAGE, 21 TURNER STREET, TURVEY PARK, NSW 2650**

**16/087 RESOLVED:**

On the Motion of Councillors G Hiscock and P Funnell

That Council approve Development Application DA16/0117 dwelling and attached garage at 21 Turner Street, Turvey Park, subject to 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
-	Site Plan and Soil and Water management plan	Design <sup>2</sup> Consulting	-	11/2015
-	Floor Plan, Perspectives, and BASIX details	Design <sup>2</sup> Consulting	-	11/2015
-	Elevations and Section	Design <sup>2</sup> Consulting	-	11/2015
693833S	BASIX Certificate	Design <sup>2</sup> Consulting	-	18/12-2016
-	Statement of Environmental Effects	Applicant	-	02/03/2016

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 the applicant is required to submit plans that show that the footings 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.

**Prior to Commencement of Works**

- 3. **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.

- 4. **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.

- 5. 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.

- 6. 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.

- 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. **Concrete 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.

11. **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.

<b>Roof frame</b>	<b>When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.</b>
<b>Wet areas</b>	<b>When waterproofing has been applied to all wet areas, prior to tiling or finishing of surface.</b>
<b>Final</b>	<b>Required prior to occupation of the building</b>

**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.

**12. 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.

**13. 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.

**14. 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 ten (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.

15. **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.

16. **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.**

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

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

17. **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**

18. **Prior to issue of an occupation certificate:-**

- a) **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.

- 19. **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.

- 20. **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.

- 21. **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.

- 22. **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**

- 23. **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.

- 24. (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.

**Activity Approval Conditions (Section 68)**

- 25. **The plumbing work/s listed must be inspected as indicated below in accordance with AS/NZS 3500 and Plumbing Code of Australia.**

COLUMN 1	COLUMN 2
Internal House Drainage	When all internal plumbing work is installed and prior to concealment.
External House 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.

- 26. Sewerage and stormwater drainage work must comply with AS3500 and the Plumbing Code of Australia except where otherwise provided in the Local Government Act 1993 or the Local Government (General) Regulation 2005. In this regard, it may be necessary for you to contact a Licensed Plumber and Drainer.

A copy of the document entitled - Contractor’s Copy shall be provided to the nominated plumbing contractor prior to the commencement of works.

REASON: To ensure the activity approval complies with the requirements of Section 98 of the Local Government Act 1993 and Clause 16A of the Local Government (General) Regulation 2005.

- 27. Council requires a “Certificate of Compliance”, “Works as Executed Diagram” and “Notice of Works” to be submitted and approved by Council prior to the issue of a Final Plumbing Certificate. The Works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF File in accordance with Council/NSW Fair Trading requirements.

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

**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
- K Pascoe
- K Poynter
- D Tout

**CARRIED**

Mr J Bolton, Director Commercial and Economic Development declared a Pecuniary Interest in PSRP-7 AMENDMENT TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 - 9-17 STURT STREET, WAGGA WAGGA and PSRP-8 PLANNING PROPOSAL TO REZONE AND AMEND THE HEIGHT OF BUILDING AND FLOOR SPACE RATIO FOR 9 - 17 STURT STREET, WAGGA WAGGA and vacated the chamber the time being 6.41pm.

**PSRP-7 AMENDMENT TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 - 9-17 STURT STREET, WAGGA WAGGA**

**16/088 RESOLVED:**  
On the Motion of Councillors G Conkey OAM and A Brown

**That Council:**

- a receive and note the report on the Amendment to the Wagga Wagga Development Control Plan 2010**
- b endorse the exhibition of the proposed amendments to the Wagga Wagga Development Control Plan 2010 in accordance with the Environmental Planning and Assessment Act 1979 public consultation provisions**

**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
- K Pascoe
- K Poynter
- D Tout

**CARRIED**

**PSRP-8 PLANNING PROPOSAL TO REZONE AND AMEND THE HEIGHT OF BUILDING AND FLOOR SPACE RATIO FOR 9 - 17 STURT STREET, WAGGA WAGGA**

**16/089 RESOLVED:**  
On the Motion of Councillors G Conkey OAM and P Funnell

**That Council:**

- a receive and note the report on the public exhibition of the Wagga Wagga Local Environmental Plan 2010 amendment**
- 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

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

Against the Motion

**CARRIED**

Mr J Bolton, Director Commercial and Economic Development returned to the Chamber the time being 6.41pm.

**COMMITTEE MINUTES**

**PSM-1 TRAFFIC COMMITTEE MINUTES AND SUMMARY - MEETING HELD 10 MARCH 2016**

**16/090 RESOLVED:**  
On the Motion of Councillors P Funnell and A Brown

**That Council:**

- a receive and note the minutes from the Traffic Committee meeting held 10 March 2016, including a summary of each item’s risk and budget implications**
- b receive a further report on the details of RP-14, RP-20, RP-21 and RP-22 before a determination is made on these particular items**

**CARRIED**

**COUNCILLOR REPORT**

**CR-1 2016 AUSTRALIAN LOGISTICS COUNCIL FORUM**

**16/091 RESOLVED:**  
On the Motion of Councillors A Brown and K Pascoe

**That Council receive and note the report.**

**CARRIED**

**REPORTS FROM STAFF**

**RP-1 RESPONSES TO QUESTIONS/BUSINESS WITH NOTICE**

**16/092 RESOLVED:**  
On the Motion of Councillors A Brown and P Funnell

**That Council receive and note the report outlining responses to Questions/Business with Notice.**

**CARRIED**

Councillor K Poynter declared a Pecuniary Interest in RP-2 INTEGRATED PLANNING AND REPORTING - DRAFT COMBINED DELIVERY PROGRAM AND OPERATIONAL PLAN 2016/17 AND LONG TERM FINANCIAL PLAN 2016/26 and vacated the chamber during the debate of the Activities on Footpath Policy, the time being 7:03pm.

Councillor K Pascoe vacated the chamber, the time being 7:18pm.

Councillor K Pascoe re-entered the chamber at 7:19pm.

Councillor K Poynter re-entered the chamber after conclusion of debate on the Activities on Footpath Policy at 7:29pm.

Councillor K Poynter vacated the chamber during the vote of RP-2 INTEGRATED PLANNING AND REPORTING - DRAFT COMBINED DELIVERY PROGRAM AND OPERATIONAL PLAN 2016/17 AND LONG TERM FINANCIAL PLAN 2016/26, the time being 7:36pm.

**RP-2 INTEGRATED PLANNING AND REPORTING - DRAFT COMBINED DELIVERY PROGRAM AND OPERATIONAL PLAN 2016/17 AND LONG TERM FINANCIAL PLAN 2016/26**

**16/093 RESOLVED:**  
On the Motion of Councillors P Funnell and A Brown

**That Council:**

- a place the following documents on public exhibition for 28 days commencing 27 April 2016 and concluding on 24 May 2016:**
  - i draft Combined Delivery Program and Operational Plan for the Financial Year 2016/17**
  - ii draft Long Term Financial Plan 2016/26**
- b receive submissions from the community in relation to these documents throughout the exhibition period**
- c consider a further report addressing the submissions received at the Policy and Strategy meeting on 14 June 2016**
- d note the attached information regarding Activities on Footpaths Policy (POL041), which includes comparative data with other Councils**
- e endorse placing on public exhibition the proposed reduction of fees for Activities on Footpath Policy POL041 as outlined in the amended draft 2016/17 Revenue and Pricing Policy as per resolution 16/024 adopted at the 29 February 2016 Council meeting**
- f include additional appendix to show comparative information between alternate fee structures for Activities on Footpaths**

**CARRIED**

Councillor K Poynter re-entered the chamber at 7:36pm.

RP-3 ANNUAL GRANTS PROGRAM report has been withdrawn prior to the meeting.

**RP-4 2016 NSW LOCAL ROADS CONGRESS**

**16/094 RESOLVED:**  
On the Motion of Councillors A Brown and K Pascoe

**That Council:**

- a endorse the attendance of the Mayor at the 2016 NSW Local Roads Congress**
- b appoint the Mayor to attend the 2016 NSW Local Roads Congress**
- c receive a report on the outcome of the 2016 NSW Roads Congress**

**CARRIED**

**CLOSED COUNCIL**

**16/095 RESOLVED:**  
On the Motion of Councillors P Funnell and G Conkey OAM

**That the Council now resolve itself into a Closed Council, the time being 7.37pm.**

**CARRIED**

AT THIS STAGE OF THE MEETING THE PRESS AND PUBLIC GALLERY RETIRED FROM THE COUNCIL MEETING.

**CONFIDENTIAL REPORTS**

**CONF-1 PROPOSED LEASE TO BIG RIVER GROUP PTY LTD**

**16/096 RESOLVED:**  
On the Motion of Councillors P Funnell and G Hiscock

**That Council:**

- a authorise the General Manager to enter into lease negotiations with the Big River Group Pty Ltd over vacant land located at 100 Elizabeth Avenue, Forest Hill**
- b receive a further report detailing the outcome of these negotiations**

**CARRIED**



**CONF-2 PROPOSED ACQUISITION OF PART LOT 42 DP 1000852 AT ESTELLA FOR ROAD PURPOSES**

**16/097 RESOLVED:**  
On the Motion of Councillors A Brown and P Funnell

**That Council defer consideration of proposed acquisition of part lot 42 DP 1000852 at Estella for road purposes.**

**CARRIED**

**CONF-3 PROPOSED CREATION OF AN ESSENTIAL ENERGY EASEMENT OVER LOT 1 SECTION 4 DP 758642 AT MANGOPLAH**

**16/098 RESOLVED:**  
On the Motion of Councillors A Brown and K Pascoe

**That Council:**

- a agree to the creation of an Essential Energy electricity easement over Lot 1 Section 4 DP 758642 at Mangoplah**
- b pay compensation of \$1,000 (excluding GST) to the owners of Lot 1 Section 4 DP 758642**
- c authorise execution of all necessary documents under Council’s common seal as necessary**

**CARRIED**

**REVERSION TO OPEN COUNCIL**

**16/099 RESOLVED:**  
On the Motion of Councillors K Poynter and A Brown

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.58pm.**

**CARRIED**

**REPORT OF PROCEEDINGS OF CLOSED COUNCIL**

**16/100 RESOLVED:**  
On the Motion of Councillors K Poynter and K Pascoe

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

**CARRIED**

**QUESTIONS/BUSINESS WITH NOTICE**

No Questions/Business With Notice were received.

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 8.13pm.

.....  
MAYOR