

**PRESENT**

The Mayor, Councillor Rod Kendall  
Councillor Yvonne Braid  
Councillor Alan Brown  
Councillor Greg Conkey OAM  
Councillor Paul Funnell  
Councillor Garry Hiscock  
Councillor Julian McLaren  
Councillor 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 Environmental & Recreation Services	(Mr M Gardiner)
Manager Engineering	(Mr A Fenwick)
Manager Waste & Stormwater Services	(Mr G Veneris)
Manager Regulatory Services	(Mr G Minehan)
Manager Executive Support	(Mr S Gray)
Manager Project Operations	(Ms C Angel)
Senior Town Planner	(Ms C Rocks)
Development Assessment Coordinator	(Ms A Gray)
Communications & Engagement Officer	(Miss S Post)
Corporate Governance & Risk Coordinator	(Mrs J Watkins)

**PRAYER**

Almighty God,

Help protect our Mayor, elected Councillors and staff.

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

Amen.

**ACKNOWLEDGEMENT OF COUNTRY**

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

**APOLOGIES**

No apologies were received.

**PROCEDURAL MOTION - CHANGE OF STANDING ORDERS**

**16/147 RESOLVED:**

On the Motion of Councillors K Poynter and A Brown

**That Council defer consideration of CM-1 SUPPLEMENTARY COUNCIL MEETING – 14 JUNE 2016 to follow RP-7 SOLID WASTE - WASTE SUBSIDY FOR CHARITABLE ORGANISATIONS.**

**CARRIED**

**CONFIRMATION OF MINUTES**

CM-1 SUPPLEMENTARY COUNCIL MEETING – 14 JUNE 2016 report was deferred for consideration to follow RP-7 SOLID WASTE – WASTE SUBSIDY FOR CHARITABLE ORGANISATIONS.

**DECLARATIONS OF INTEREST**

Councillor A Brown declared a Pecuniary Interest, the reason being that he provides professional training services to Council.

The Mayor, Councillor R Kendall declared a Significant Pecuniary Interest in PSRP-18 FORREST CENTRE HOSPICE - S356 DONATION REQUEST the reason being that he is on the board of the Forrest Centre and vacated the chamber during its consideration.

Councillor G Conkey OAM declared a Non-Pecuniary Interest in RP-7 SOLID WASTE - WASTE SUBSIDY FOR CHARITABLE ORGANISATIONS the reason being that he is a member of the Wollundry Rotary Club and remained in the chamber during its consideration.

Councillor Y Braid declared a Non-Pecuniary Interest in RP-7 SOLID WASTE - WASTE SUBSIDY FOR CHARITABLE ORGANISATIONS the reason being that she is on the Advisory Board of the Salvation Army and vacated the chamber during its consideration.

Councillor K Pascoe declared a Non-Pecuniary Interest in RP-7 SOLID WASTE - WASTE SUBSIDY FOR CHARITABLE ORGANISATIONS the reason being that he is a member of the Men's Shed and Wollundry Rotary Club and vacated the chamber during its consideration.

## **REPORTS FROM POLICY AND STRATEGY COMMITTEE**

### **PS-1 POLICY AND STRATEGY COMMITTEE MEETING - 14 June 2016**

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

#### **16/148 RESOLVED:**

On the Motion of Councillors P Funnell and A Brown

That the Minutes of the Policy and Strategy Committee Meeting held on 14 June 2016 be confirmed and recommendations numbered PSCM-1, PSRP-1 to PSRP-2, PSRP-8 to PSRP-17, PSRP-19 and PSM-1 contained therein be adopted.

**CARRIED**

### **PSRP-3 AMENDMENT NUMBER 9 TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010**

#### **16/149 RESOLVED:**

On the Motion of Councillors D Tout and A Brown

That Council defer consideration of AMENDMENT NUMBER 9 TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 pending the outcome of a Councillor workshop.

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

#### For the Motion

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

#### Against the Motion

**CARRIED**

**PSRP-4 AMENDMENT NUMBER 10 TO THE WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010 - STAUNTON OVAL**

**16/150 RESOLVED:**  
On the Motion of Councillors A Brown and P Funnell

**That Council:**

- a receive and note this report on Amendment Number 10 to the Wagga Wagga Development Control Plan 2010**
- b endorse the exhibition of the proposed amendment 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
- J McLaren
- K Pascoe
- K Poynter
- D Tout

**CARRIED**

**PSRP-5 DA16/0103 DWELLING AND GARAGE, SPRING STREET, WAGGA WAGGA**

**16/151 RESOLVED:**  
On the Motion of Councillors P Funnell and D Tout

**That Council approve Development Application DA16/0103 Dwelling and Garage at Spring Street, Wagga Wagga, subject to the following conditions:**

**CONDITIONS**

**Approved Plans and Documentation**

- 1. This is a ‘Deferred Commencement Consent’ under Section 80(3) of the Environmental Planning and Assessment Act, 1979, (as amended). This consent does not become operative until the requirements listed in Schedule ‘A’ of this consent have been satisfied. All issues shall be satisfactorily resolved within a period of 12 months from the ‘Determination Date’, that is shown on this consent.**

Upon compliance with the requirements/conditions listed under Schedule ‘A’, and written confirmation from Council to that effect, the consent shall become operative from a “Date of Endorsement’ (to be included on the written notification) subject to the conditions listed in Schedule ‘B’ and any additional conditions arising from the requirements of Schedule ‘A’.

**Schedule A**

The following deferred commencement conditions must be complied with to the satisfaction of Council, prior to the issue of an operational Development Consent.

- (1) Written evidence shall be provided to the satisfaction of Council demonstrating that the Certificate of Title for the subject land (i.e. proposed Lot 25 in the subdivision of Lot 1 DP 578010 as approved by Development Consent DA13/0639.01 issued on 24/06/2014) has been registered with NSW Land and Property Information.**
- (2) Documentary evidence shall be provided to the satisfaction of Council demonstrating that all approved plans are consistent with the registered plan of subdivision with regard to all dimensions, areas and boundary configurations of the allotment and with regard to any easements and restrictions that may exist over the allotment.**

**NOTE 1: where it is not possible to demonstrate those matters required under condition 2 above, the applicant may seek to modify the consent under the provisions of Section 96 of the Environmental Planning and Assessment Act 1979.**

- (3) Where the approved BASIX certificate references the original (or**

'parent') allotment, the applicant shall provide an amended BASIX certificate for the registered allotment.

- (4) Adoption of a Development Control Plan for the site that contains controls that permit a 1.5m side setback to a secondary frontage

REASON: It is in the public interest that buildings are not constructed until such time as the land has been subdivided. Section 79C(1)(c) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**Schedule B**

2. 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
1506 A001	Site Analysis	Vision ATA Architects	A	01/16
1506 A002	Floor Elevation Plans, and section	Vision ATA Architects	A	01/16
1506 A003	3D Model	Vision ATA Architects	A	01/16
702443S	BASIX Certificate	Vision ATA Architects	-	24/02/16
-	Statement of Environmental Effects	MJM Consulting Engineers	-	23/02/16

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 Release of Construction Certificate**

3. The development must be constructed to ensure that all floor levels are a minimum of 500 mm above the 1:100 year overland flow flood level, this being RL 178.300m AHD. This minimum floor level must be shown on the approved construction plans for the site.

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

**Prior to Commencement of Works**

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

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

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

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

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

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

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

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

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

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

as amended.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

**NOTE: This condition does not apply to:**

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

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

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

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

**During works**

- 12. 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>	<b>When the footings have been excavated and all steel reinforcement has been placed in position.</b>
<b>Slab</b>	<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>
<b>Wall frame</b>	<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>
<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</b>

	all wet areas, prior to tiling or finishing of surface.
Drainage	When the stormwater and roof water drainage system has been completed.
Final	Required prior to occupation of the building

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

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

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

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

**13. 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.

**14. 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.*

**15. 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.*

**16. 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.

- 17. 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 Drainage Sewer</b>	<b>When all internal plumbing and drainage work is installed and prior to concealment.</b>
<b>External Drainage Sewer</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.

- 18. 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**

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

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

- 20. 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.**

- 21. 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.**

- 22. 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.**

- 23. 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**

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.

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

For the Motion

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

Against the Motion

**CARRIED**

**PSRP-6 DA15/0561 DEMOLITION OF SHED, NEW BRICK 3 BAY GARAGE WITH SUB FLOOR CELLAR TO REAR OF LOT 57 BEST STREET, WAGGA WAGGA, LOT 7 DP 1044537**

**16/152 RESOLVED:**

On the Motion of Councillors A Brown and P Funnell

**That Council approve, Development Application DA15/0561 for Demolition of Shed and Brick three Bay Garage with Sub-Floor Cellar to Rear of Lot 7 DP 1044537 at 57 Best Street subject to the following conditions:**

**Approved Plans and Documentation**

- 1. 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>
	<b>Block plan and elevations for new shed</b>	<b>applicant</b>	<b>No date</b>
	<b>Statement of Environmental Effects and supporting additional information</b>	<b>Cate and Graham Horton</b>	<b>14/11/2015 &amp; 27/11/2015</b>
	<b>Correspondence (demolition details)</b>	<b>Graham Horton</b>	<b>No date</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 Construction Certificate**

- 2. 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 \$426.67  
The Section 64 Stormwater contribution (updated by the CPI) required to be paid is \$518.41

**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).

### **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. 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.

**8. 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.

**9. 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.

10. 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**

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.
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.

**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. 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.

**15 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.

**16 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 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.



**17 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.

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

- **Cladding to be corrugated profile;**
- **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.

**19 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>Stormwater Drainage</b>	<b>When all external stormwater drainage work is installed and prior to</b>

	<b>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.

- 20 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**

- 21 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.

- 22 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.

- 23. 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.

- 24. 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**

- 25. 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.

**26 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.**

**This condition 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  
A Brown  
G Conkey OAM  
P Funnell  
G Hiscock  
J McLaren  
D Tout

Against the Motion

Y Braid  
K Pascoe  
K Poynter

**CARRIED**

**PSRP-7 DA16/0248 - USE OF EXISTING 7M x 9M SHED AT 98 VEALE STREET, ASHMONT**

**16/153 RESOLVED:**

On the Motion of Councillors P Funnell and K Pascoe

That Council approve Development Application DA16/0248 for the use of an existing 7m x 9m shed at 98 Veale Street, Ashmont subject to the following conditions:

**CONDITIONS**

**Approved Plans and Documentation**

- The development must be 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>Applicant</b>	-	<b>05/05/16</b>
<b>BS1033</b>	<b>Elevations &amp; Best Sheds Section A-A</b>		-	<b>28/08/13</b>
-	<b>Statement Of Environmental Effects</b>	<b>Applicant</b>	-	<b>17/02/16</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 release of Building Certificate**

- 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.

- 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**

**4. All building work must comply 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
- J McLaren
- K Pascoe
- K Poynter
- D Tout

**CARRIED**

**PSRP-18 FORREST CENTRE HOSPICE - \$356 DONATION REQUEST**

The Mayor, Councillor R Kendall declared a Significant Pecuniary Interest and vacated the Chair and the chamber, the time being 6:32pm.

The Deputy Mayor, Councillor D Tout assumed the Chair, the time being 6:32pm.

**16/154 RESOLVED:**

On the Motion of Councillors P Funnell and G Hiscock

**That Council donate \$400 to the Forrest Centre Hospice fundraising Committee as detailed in the report under Section 356 of the Local Government Act 1993.**

**CARRIED**

The Deputy Mayor, Councillor D Tout vacated the Chair, the time being 6:32pm.

The Mayor, Councillor R Kendall re-entered the chamber and assumed the Chair, the time being 6:32pm.

**PROCEDURAL MOTION - ENGLOBO**

**16/155 RESOLVED:**  
On the Motion of Councillors A Brown and D Tout

**That the standing orders be varied for the meeting as set out hereunder:**

- **Items where councillors wish to speak**
- **Items where no councillors wish to speak**
- **Confidential**
- **Matter of urgency**
- **Closure of Meeting**

**That RP-1 and RP-9 be adopted as recommended in the business papers**

**CARRIED**

**REPORTS FROM STAFF**

**RP-1 2016 CARETAKER PERIOD**

**16/156 RESOLVED:**  
On the Motion of Councillors A Brown and D Tout

**That Council:**

- a note Section 393B of the Local Government (General) Regulation 2005 limiting the exercise of functions by Council in the four (4) week period leading up to ordinary elections**
- b delegate the necessary authority to the Mayor, Councillor R Kendall and the General Manager, Mr Alan Eldridge to co-jointly deal with any matters for which a decision of the Council would be required, other than those which cannot be delegated under Section 377 of the Local Government Act 1993, from 10 September 2016 until the declaration of the poll**

**CARRIED**

**RP-2 INTEGRATED PLANNING AND REPORTING - ADOPTION OF DOCUMENTS**

A Motion was moved by Councillors P Funnell and G Hiscock.

That Council, having considered all submissions received relating to the exhibited documents by the closing date of 26 May 2016:

- a adopt the Combined Draft Delivery Program and Operational Plan for the Financial Year 2016/2017 including the Draft Revenue and Pricing Policy 2016/2017, and the Draft Long Term Financial Plan 2016/2026 with the modifications as outlined in the body of this report
- b set the interest on overdue rates and charges for 2016/2017, in accordance with Section 566(3) of the Local Government Act 1993, at 8.00 % per annum calculated on a daily simple interest basis (set in accordance with the limit advised by the NSW Office of Local Government)
- c make and levy the following Rates and Annual Charges for 2016/2017 under the relevant sections of the Local Government Act 1993:
  - i Residential - City and Suburbs rate of 0.8371 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act 1993, calculated on the land value in respect of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the Village of Forest Hill, excluding Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population  

A minimum rate of \$656.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate
  - ii Residential - Other rate of 0.65490 cents in the dollar calculated on the land value in respect of all rateable land within the Council's area, which, in the Council's opinion, is land which:-
    - (a) is not less than two (2) hectares and not more than 40 hectares in area
    - (b) is either:
      - (i) not zoned or otherwise designated for use under an environmental planning instrument
      - (ii) zoned or otherwise designated for use under such an environmental planning instrument for non urban purposes
    - (c) does not have a significant and substantial commercial purpose or character

Excludes Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, and also Farmland, rated in accordance with the provisions of Section 515 of the



Local Government Act, within such centres of population

A minimum rate of \$295.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

- iii Residential – Villages rate of 0.56570 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act, 1993, calculated on the land value of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the villages of San Isidore, Gumly Gumly, Tarcutta, Humula, Uranquinty, Mangoplah, Oura, Currawarna, Ladysmith, Galore, Collingullie and North Wagga excluding Business - Villages and Rural land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

A minimum rate of \$248.00 for each parcel of land as prescribed under section 548 of the Local Government Act 1993 shall apply to this rate.

- iv Business - City and Suburbs rate of 1.44310 cents in the dollar calculated on the land value of all rateable non residential land, which cannot be classified as residential, or farmland land in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the village of Forest Hill, in terms of Sections 518 and 529 of the Local Government Act 1993

A minimum rate of \$629.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

- v Business - Villages and Rural rate of 0.71280 cents in the dollar calculated on the land value of all rateable land in the Council’s area, in terms of Sections 518 and 529 of the Local Government Act, 1993, defined by Council Resolution 12/176, excluding lands defined as Business - City and Suburbs, Residential, and Farmland

A minimum rate of \$106.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

- vi Farmland rate of 0.38750 cents in the dollar, calculated on the land value of all rateable land, which, in Council’s opinion, qualifies as farmland as defined in Section 515 of the Local Government Act, 1993

A minimum rate of \$285.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

Special Rate - Levee Upgrade

- vii Residential - City and Suburbs Special Rate - Levee upgrade rate of 0.0337 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act 1993, calculated on the land value in respect of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the Village of Forest Hill, excluding Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

- viii Residential – Other Special Rate - Levee upgrade rate of 0.0264 cents in the dollar calculated on the land value in respect of all rateable land within the Council’s area, which, in the Council’s opinion, is land which:-
  - (a) is not less than two (2) hectares and not more than 40 hectares in area
  - (b) is either:
    - (i) not zoned or otherwise designated for use under an environmental planning instrument
    - (ii) zoned or otherwise designated for use under such an environmental planning instrument for non urban purposes
  - (c) does not have a significant and substantial commercial purpose or character

Excludes Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

- viii Residential – Villages Special Rate - Levee upgrade rate of 0.0228 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act, 1993, calculated on the land value of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the villages of San Isidore, Gumly Gumly, Tarcutta, Humula, Uranquinty, Mangoplah, Oura, Currawarna, Ladysmith, Galore, Collingullie and North Wagga excluding Business - Villages and Rural land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population
- x Business - City and Suburbs Special Rate - Levee upgrade rate of 0.0581 cents in the dollar calculated on the land value of all rateable non-residential land, which cannot be classified as residential, or farmland land in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the village of Forest Hill, in terms of Sections 518 and 529 of the Local Government Act 1993
- xi Business - Villages and Rural Special Rate - Levee upgrade rate of 0.0287 cents in the dollar calculated on the land value of all rateable land in the Council’s area, in terms of Sections 518 and 529 of the Local Government Act, 1993, defined by Council Resolution 12/176, excluding lands defined as Business - City and Suburbs, Residential, and Farmland
- xii Farmland - Special Rate - Levee upgrade rate of 0.00729 cents in the dollar, calculated on the land value of all rateable land, which, in Council’s opinion, qualifies as farmland as defined in Section 515 of the Local Government Act, 1993
- xiii Sewerage Services Annual Charge of \$474.00 per dwelling unit. Multiple residence properties are charged at \$474.00 per residence, for all residences, and non-strata title residential premises on a single allotment

(flats/units) situated within the Council’s centres of population, capable of being connected to the sewerage service scheme except when excluded by specific council policy, such charge being made in terms of Section 501 of the Local Government Act 1993

xiii Non Residential Sewer Charges

Access charge based on each and every meter connection per non-residential allotment for all non-residential premises and non-residential allotments situated within the Council’s centres of population, capable of being connected to the sewerage service scheme except when excluded by specific council policy, such charge being made in terms of Section 501 of the Local Government Act 1993.

Access charge based on Meter size for 2016/2017 is as follows:

20mm	\$145.00
25mm	\$226.00
32mm	\$371.00
40mm	\$580.00
50mm	\$906.00
80mm	\$2,320.00
100mm	\$3,625.00
150mm	\$8,156.00

Non Residential includes :

- (a) Non residential strata
- (b) Small community property
- (c) land owned by the Crown, not being land held under a lease for private purposes
- (d) land that belongs to a religious body and is occupied and used in connection with:
  - (i) a church or other building used or occupied for public worship
  - (ii) a building used or occupied for the purpose of religious teaching or training
- (e) land that belongs to and is occupied and used in connection with a school (being a government school or non-government school within the meaning of the Education Reform Act 1990 or a school in respect of which a certificate of exemption under section 78 of that Act is in force), including:
  - (i) a playground that belongs to and is used in connection with the school; and

- (ii) land that belongs to a public benevolent institution or public charity and is used or occupied by the institution or charity for the purposes of the institution or charity
- (f) land that belongs to a public hospital
- (g) land that is vested in the Minister for Health, the Health Administration Corporation or the New South Wales Health Foundation
- (h) land that is vested in a university, or a university college, and is used or occupied by the university or college solely for its purposes

Usage charge

Per kl usage charge of \$2.00 per kl will apply to all Non Residential Sewer customers except excluded by specific Council Policy, such charge being made in accordance with Section 501 of the Local Government Act 1993.

- xv Pressure Sewer Scheme – Annual pump maintenance charge (rural residential and villages). An additional sewerage service charge of \$148.00 per pump for all premises connected to the sewerage system via a pressure service for the maintenance and replacement of the pump unit as necessary
- xvi Domestic Waste Management Service Charge of \$303.00 per service on a per occupancy basis per annum for a once weekly service rendered in the centres of population and within the scavenging areas defined as the City of Wagga Wagga and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 496 of the Local Government Act 1993
- xvii Domestic Waste Management Service Charge Rural Residential of \$303.00 per service to be applied to all properties utilising a waste collection service managed by Council, but outside Council’s defined waste collection service areas charged in accordance with the provisions of Section 496 of the Local Government Act 1993
- xviii Commercial Waste Management Service Charge of \$303.00 per occupancy per annum, for a once weekly service rendered in the centre of population and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 501 of the Local Government Act 1993
- xviii Domestic Waste Management Service Charge of \$31.00 for each parcel of rateable undeveloped land not receiving a service within the scavenging areas of the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, and Gumly Gumly, such charge being levied in accordance with the provisions of Sections 496 of the Local Government Act 1993
- xx Domestic Waste Management Service Charge of \$31.00 for each parcel of rateable residential land in the waste collection service areas including Lake Albert and Springvale where Council’s Waste Management collection

service is not utilized. This only applies those properties that have been previously charged this rate on their notices prior to June 2012. Such charge being levied in accordance with the provisions of Sections 496 of the Local Government Act 1993

xxi Domestic Waste Management Service Charge of \$101.00 for each additional domestic bin, being an additional domestic bin provided over and above the three (3) bins already provided by the service, rendered in the centres of population, and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 496 of the Local Government Act 1993

xxii Commercial Waste Management Service Charge of \$194.00 for each additional commercial bin, being an additional bin provided over and above the bin already provided by the service, rendered in the centres of population and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Forest Hill, Ladysmith, Mangoplah, Tarcutta, Oura, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 501 of the Local Government Act 1993

xxiii Commercial Waste Management Charge – Small Commercial Strata Properties to be applied to all commercial strata properties with a parcel area of less than 70 square metres not utilising a Council commercial waste service, and capable of using waste service funded by the body corporate - \$101.00

xxiiii Multi Unit Developments (Non Strata)

Domestic Waste Management Service Charge of \$303.00 for each rateable property with an additional bin charge of \$101.00 to apply for each additional bin charged in accordance with the provisions of Section 496 of the Local Government Act 1993. For the purposes of the revenue and pricing policy the definition of Multi-Unit developments (Non Strata) involves the development of twenty or more residential units on a site at a higher density than general housing development.

xxv Stormwater Management Service Charges

Stormwater Management Service charges will be applicable for all urban properties (i.e. residential and business) as referenced below with the following exceptions in accordance with the Division of Local Government (DLG) Stormwater Management Service Charge Guidelines dated July 2006:

- Non rateable land
- Crown Land
- Council Owned Land
- Land held under lease for private purposes granted under the Housing Act 2001 or the Aboriginal Housing Act 1998
- Vacant Land

- Rural Residential or Rural Business land not located in a village, town or city
  - Land belonging to a charity and public benevolent institutions
  - (a) Residential Stormwater Management Service Charge of \$25.00 per residential property levied in accordance with the provisions of Section 496A of the Local Government Act 1993
  - (b) Residential Medium/High Density Stormwater Management Service Charge of \$12.50 per occupancy: Residential Strata, Community Title, Multiple Occupancy properties (flats and units), and Retirement Village style developments. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993
  - (c) Business Stormwater Management Service Charge of \$25.00 per business property. Properties are charged on a basis of \$25.00 per 350 square metres of land area. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993
  - (d) Business Medium/High Density Stormwater Management Service Charge of \$5.00 per occupancy - Business Strata and Multiple Occupancy Business properties. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993
- d note that the amount of the Special Rate to fund Council's one-third share of the cost of the levee upgrade may be reduced on a pro-rata basis in future years if the project can be delivered at a lower cost than the current estimate of \$23.3 million

An AMENDMENT was moved by the Mayor, Councillor R Kendall and seconded by Councillor G Hiscock.

That Council, having considered all submissions received relating to the exhibited documents by the closing date of 26 May 2016:

- a adopt the Combined Draft Delivery Program and Operational Plan for the Financial Year 2016/2017 including the Draft Revenue and Pricing Policy 2016/2017, and the Draft Long Term Financial Plan 2016/2026 with the modifications as outlined in the body of this report
- b set the interest on overdue rates and charges for 2016/2017, in accordance with Section 566(3) of the Local Government Act 1993, at 8.00% per annum calculated on a daily simple interest basis (set in accordance with the limit advised by the NSW Office of Local Government)
- c make and levy the following Rates and Annual Charges for 2016/2017 under the relevant sections of the Local Government Act 1993:
  - i Residential - City and Suburbs rate of 0.8371 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act 1993, calculated on the land value in respect of all rateable lands situated in the centres of

population defined by Council Resolution 12/176 as the City of Wagga Wagga and the Village of Forest Hill, excluding Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

A minimum rate of \$656.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate

- ii Residential - Other rate of 0.65490 cents in the dollar calculated on the land value in respect of all rateable land within the Council's area, which, in the Council's opinion, is land which:-
  - (a) is not less than two (2) hectares and not more than 40 hectares in area
  - (b) is either:
    - (i) not zoned or otherwise designated for use under an environmental planning instrument
    - (ii) zoned or otherwise designated for use under such an environmental planning instrument for non urban purposes
  - (c) does not have a significant and substantial commercial purpose or character

Excludes Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

A minimum rate of \$295.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

- iii Residential – Villages rate of 0.56570 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act, 1993, calculated on the land value of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the villages of San Isidore, Gumly Gumly, Tarcutta, Humula, Uranquinty, Mangoplah, Oura, Currawarna, Ladysmith, Galore, Collingullie and North Wagga excluding Business - Villages and Rural land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

A minimum rate of \$248.00 for each parcel of land as prescribed under section 548 of the Local Government Act 1993 shall apply to this rate.

- iv Business - City and Suburbs rate of 1.44310 cents in the dollar calculated on the land value of all rateable non residential land, which cannot be classified as residential, or farmland land in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the village of Forest Hill, in terms of Sections 518 and 529 of the Local Government Act 1993

A minimum rate of \$629.00 for each parcel of land as prescribed under

Section 548 of the Local Government Act 1993 shall apply to this rate.

- v Business - Villages and Rural rate of 0.71280 cents in the dollar calculated on the land value of all rateable land in the Council's area, in terms of Sections 518 and 529 of the Local Government Act, 1993, defined by Council Resolution 12/176, excluding lands defined as Business - City and Suburbs, Residential, and Farmland

A minimum rate of \$106.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

- vi Farmland rate of 0.38750 cents in the dollar, calculated on the land value of all rateable land, which, in Council's opinion, qualifies as farmland as defined in Section 515 of the Local Government Act, 1993

A minimum rate of \$285.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

Special Rate - Levee Upgrade

- vii Residential - City and Suburbs Special Rate - Levee upgrade rate of 0.0337 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act 1993, calculated on the land value in respect of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the Village of Forest Hill, excluding Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

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- xii Farmland - Special Rate - Levee upgrade rate of 0.00729 cents in the dollar, calculated on the land value of all rateable land, which, in Council’s opinion, qualifies as farmland as defined in Section 515 of the Local Government Act, 1993
- xiii Sewerage Services Annual Charge of \$474.00 per dwelling unit. Multiple residence properties are charged at \$474.00 per residence, for all residences, and non-strata title residential premises on a single allotment (flats/units) situated within the Council’s centres of population, capable of being connected to the sewerage service scheme except when excluded by specific council policy, such charge being made in terms of Section 501 of the Local Government Act 1993
- xiiii Non Residential Sewer Charges

Access charge based on each and every meter connection per non-residential allotment for all non-residential premises and non-residential allotments situated within the Council’s centres of population, capable of being connected to the sewerage service scheme except when excluded by specific council policy, such charge being made in terms of Section 501 of the Local Government Act 1993.

Access charge based on Meter size for 2016/2017 is as follows:

20mm	\$145.00
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Non Residential includes :

- (a) Non residential strata
- (b) Small community property
- (c) land owned by the Crown, not being land held under a lease for private purposes
- (d) land that belongs to a religious body and is occupied and used in connection with:
  - (i) a church or other building used or occupied for public worship
  - (ii) a building used or occupied for the purpose of religious teaching or training
- (e) land that belongs to and is occupied and used in connection with a school (being a government school or non-government school within the meaning of the Education Reform Act 1990 or a school in respect of which a certificate of exemption under section 78 of that Act is in force), including:
  - (i) a playground that belongs to and is used in connection with the school; and
  - (ii) land that belongs to a public benevolent institution or public charity and is used or occupied by the institution or charity for the purposes of the institution or charity
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- (h) land that is vested in a university, or a university college, and is used or occupied by the university or college solely for its purposes

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Per kl usage charge of \$2.00 per kl will apply to all Non Residential Sewer customers except excluded by specific Council Policy, such charge being made in accordance with Section 501 of the Local Government Act 1993.

- xv Pressure Sewer Scheme – Annual pump maintenance charge (rural residential and villages). An additional sewerage service charge of \$148.00 per pump for all premises connected to the sewerage system via a pressure service for the maintenance and replacement of the pump unit as necessary
- xvi Domestic Waste Management Service Charge of \$303.00 per service on a per occupancy basis per annum for a once weekly service rendered in the

centres of population and within the scavenging areas defined as the City of Wagga Wagga and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 496 of the Local Government Act 1993

- xvii Domestic Waste Management Service Charge Rural Residential of \$303.00 per service to be applied to all properties utilising a waste collection service managed by Council, but outside Council’s defined waste collection service areas charged in accordance with the provisions of Section 496 of the Local Government Act 1993
- xviii Commercial Waste Management Service Charge of \$303.00 per occupancy per annum, for a once weekly service rendered in the centre of population and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 501 of the Local Government Act 1993
- xviii Domestic Waste Management Service Charge of \$31.00 for each parcel of rateable undeveloped land not receiving a service within the scavenging areas of the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, and Gumly Gumly, such charge being levied in accordance with the provisions of Sections 496 of the Local Government Act 1993
- xx Domestic Waste Management Service Charge of \$31.00 for each parcel of rateable residential land in the waste collection service areas including Lake Albert and Springvale where Council’s Waste Management collection service is not utilized. This only applies those properties that have been previously charged this rate on their notices prior to June 2012. Such charge being levied in accordance with the provisions of Sections 496 of the Local Government Act 1993
- xxi Domestic Waste Management Service Charge of \$101.00 for each additional domestic bin, being an additional domestic bin provided over and above the three (3) bins already provided by the service, rendered in the centres of population, and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 496 of the Local Government Act 1993
- xxii Commercial Waste Management Service Charge of \$194.00 for each additional commercial bin, being an additional bin provided over and above the bin already provided by the service, rendered in the centres of population and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Forest Hill, Ladysmith, Mangoplah, Tarcutta, Oura, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 501 of the Local Government Act 1993
- xxiii Commercial Waste Management Charge – Small Commercial Strata Properties to be applied to all commercial strata properties with a parcel area of less than 70 square metres not utilising a Council commercial

waste service, and capable of using waste service funded by the body corporate - \$101.00

xxiii Multi Unit Developments (Non Strata)

Domestic Waste Management Service Charge of \$303.00 for each rateable property with an additional bin charge of \$101.00 to apply for each additional bin charged in accordance with the provisions of Section 496 of the Local Government Act 1993. For the purposes of the revenue and pricing policy the definition of Multi-Unit developments (Non Strata) involves the development of twenty or more residential units on a site at a higher density than general housing development.

xxv Stormwater Management Service Charges

Stormwater Management Service charges will be applicable for all urban properties (i.e. residential and business) as referenced below with the following exceptions in accordance with the Division of Local Government (DLG) Stormwater Management Service Charge Guidelines dated July 2006:

- Non rateable land
  - Crown Land
  - Council Owned Land
  - Land held under lease for private purposes granted under the Housing Act 2001 or the Aboriginal Housing Act 1998
  - Vacant Land
  - Rural Residential or Rural Business land not located in a village, town or city
  - Land belonging to a charity and public benevolent institutions
- (a) Residential Stormwater Management Service Charge of \$25.00 per residential property levied in accordance with the provisions of Section 496A of the Local Government Act 1993
- (b) Residential Medium/High Density Stormwater Management Service Charge of \$12.50 per occupancy: Residential Strata, Community Title, Multiple Occupancy properties (flats and units), and Retirement Village style developments. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993
- (c) Business Stormwater Management Service Charge of \$25.00 per business property. Properties are charged on a basis of \$25.00 per 350 square metres of land area. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993
- (d) Business Medium/High Density Stormwater Management Service Charge of \$5.00 per occupancy - Business Strata and Multiple Occupancy Business properties. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the

provisions of Section 496A of the Local Government Act 1993

- d note that the amount of the Special Rate to fund Council's one-third share of the cost of the levee upgrade may be reduced on a pro-rata basis in future years if the project can be delivered at a lower cost than the current estimate of \$23.3 million
- e further amend the Delivery Program & Operational Plan 2016/17 Concept List for Capital Works (refer page 18) for the Bolton Park upgrade to change \$6,810,597 to \$4,580,597 and remove the PCYC contribution of \$1,830,000 and sale of land of \$400,000 as a funding source

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

**16/157 RESOLVED:**

On the Motion of the Mayor, Councillor R Kendall and G Hiscock

**That Council, having considered all submissions received relating to the exhibited documents by the closing date of 26 May 2016:**

- a **adopt the Combined Draft Delivery Program and Operational Plan for the Financial Year 2016/2017 including the Draft Revenue and Pricing Policy 2016/2017, and the Draft Long Term Financial Plan 2016/2026 with the modifications as outlined in the body of this report**
- b **set the interest on overdue rates and charges for 2016/2017, in accordance with Section 566(3) of the Local Government Act 1993, at 8.00 % per annum calculated on a daily simple interest basis (set in accordance with the limit advised by the NSW Office of Local Government)**
- c **make and levy the following Rates and Annual Charges for 2016/2017 under the relevant sections of the Local Government Act 1993:**
  - i **Residential - City and Suburbs rate of 0.8371 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act 1993, calculated on the land value in respect of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the Village of Forest Hill, excluding Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population**

**A minimum rate of \$656.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate**
  - ii **Residential - Other rate of 0.65490 cents in the dollar calculated on the land value in respect of all rateable land within the Council's area, which, in the Council's opinion, is land which:-**

- (a) is not less than two (2) hectares and not more than 40 hectares in area
- (b) is either:
  - (i) not zoned or otherwise designated for use under an environmental planning instrument
  - (ii) zoned or otherwise designated for use under such an environmental planning instrument for non urban purposes
- (c) does not have a significant and substantial commercial purpose or character

**Excludes Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population**

**A minimum rate of \$295.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.**

- iii **Residential – Villages rate of 0.56570 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act, 1993, calculated on the land value of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the villages of San Isidore, Gumly Gumly, Tarcutta, Humula, Uranquinty, Mangoplah, Oura, Currawarna, Ladysmith, Galore, Collingullie and North Wagga excluding Business - Villages and Rural land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population**

**A minimum rate of \$248.00 for each parcel of land as prescribed under section 548 of the Local Government Act 1993 shall apply to this rate.**

- iv **Business - City and Suburbs rate of 1.44310 cents in the dollar calculated on the land value of all rateable non residential land, which cannot be classified as residential, or farmland land in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the village of Forest Hill, in terms of Sections 518 and 529 of the Local Government Act 1993**

**A minimum rate of \$629.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.**

- v **Business - Villages and Rural rate of 0.71280 cents in the dollar calculated on the land value of all rateable land in the Council’s area, in terms of Sections 518 and 529 of the Local Government Act, 1993, defined by Council Resolution 12/176, excluding lands defined as Business - City and Suburbs, Residential, and Farmland**

**A minimum rate of \$106.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.**

- vi Farmland rate of 0.38750 cents in the dollar, calculated on the land value of all rateable land, which, in Council's opinion, qualifies as farmland as defined in Section 515 of the Local Government Act, 1993

A minimum rate of \$285.00 for each parcel of land as prescribed under Section 548 of the Local Government Act 1993 shall apply to this rate.

**Special Rate - Levee Upgrade**

- vii Residential - City and Suburbs Special Rate - Levee upgrade rate of 0.0337 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act 1993, calculated on the land value in respect of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the Village of Forest Hill, excluding Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

- viii Residential – Other Special Rate - Levee upgrade rate of 0.0264 cents in the dollar calculated on the land value in respect of all rateable land within the Council's area, which, in the Council's opinion, is land which:-

(a) is not less than two (2) hectares and not more than 40 hectares in area

(b) is either:

(i) not zoned or otherwise designated for use under an environmental planning instrument

(ii) zoned or otherwise designated for use under such an environmental planning instrument for non urban purposes

(c) does not have a significant and substantial commercial purpose or character

Excludes Business - City and Suburbs land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such centres of population

- viii Residential – Villages Special Rate - Levee upgrade rate of 0.0228 cents in the dollar in terms of Sections 516 and 529 of the Local Government Act, 1993, calculated on the land value of all rateable lands situated in the centres of population defined by Council Resolution 12/176 as the villages of San Isidore, Gumly Gumly, Tarcutta, Humula, Uranquinty, Mangoplah, Oura, Currawarna, Ladysmith, Galore, Collingullie and North Wagga excluding Business - Villages and Rural land, rated in accordance with the provisions of Section 518 of the Local Government Act 1993, Residential (Other) land as defined, and also Farmland, rated in accordance with the provisions of Section 515 of the Local Government Act, within such

**centres of population**

- x **Business - City and Suburbs Special Rate - Levee upgrade rate of 0.0581 cents in the dollar calculated on the land value of all rateable non-residential land, which cannot be classified as residential, or farmland land in the centres of population defined by Council Resolution 12/176 as the City of Wagga Wagga and the village of Forest Hill, in terms of Sections 518 and 529 of the Local Government Act 1993**
- xi **Business - Villages and Rural Special Rate - Levee upgrade rate of 0.0287 cents in the dollar calculated on the land value of all rateable land in the Council’s area, in terms of Sections 518 and 529 of the Local Government Act, 1993, defined by Council Resolution 12/176, excluding lands defined as Business - City and Suburbs, Residential, and Farmland**
- xii **Farmland - Special Rate - Levee upgrade rate of 0.00729 cents in the dollar, calculated on the land value of all rateable land, which, in Council’s opinion, qualifies as farmland as defined in Section 515 of the Local Government Act, 1993**
- xiii **Sewerage Services Annual Charge of \$474.00 per dwelling unit. Multiple residence properties are charged at \$474.00 per residence, for all residences, and non-strata title residential premises on a single allotment (flats/units) situated within the Council’s centres of population, capable of being connected to the sewerage service scheme except when excluded by specific council policy, such charge being made in terms of Section 501 of the Local Government Act 1993**

**xiii Non Residential Sewer Charges**

**Access charge based on each and every meter connection per non-residential allotment for all non-residential premises and non-residential allotments situated within the Council’s centres of population, capable of being connected to the sewerage service scheme except when excluded by specific council policy, such charge being made in terms of Section 501 of the Local Government Act 1993.**

**Access charge based on Meter size for 2016/2017 is as follows:**

<b>20mm</b>	<b>\$145.00</b>
<b>25mm</b>	<b>\$226.00</b>
<b>32mm</b>	<b>\$371.00</b>
<b>40mm</b>	<b>\$580.00</b>
<b>50mm</b>	<b>\$906.00</b>
<b>80mm</b>	<b>\$2,320.00</b>
<b>100mm</b>	<b>\$3,625.00</b>



150mm	\$8,156.00
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**Non Residential includes :**

- (a) Non residential strata**
- (b) Small community property**
- (c) land owned by the Crown, not being land held under a lease for private purposes**
- (d) land that belongs to a religious body and is occupied and used in connection with:**
  - (i) a church or other building used or occupied for public worship**
  - (ii) a building used or occupied for the purpose of religious teaching or training**
- (e) land that belongs to and is occupied and used in connection with a school (being a government school or non-government school within the meaning of the Education Reform Act 1990 or a school in respect of which a certificate of exemption under section 78 of that Act is in force), including:**
  - (i) a playground that belongs to and is used in connection with the school; and**
  - (ii) land that belongs to a public benevolent institution or public charity and is used or occupied by the institution or charity for the purposes of the institution or charity**
- (f) land that belongs to a public hospital**
- (g) land that is vested in the Minister for Health, the Health Administration Corporation or the New South Wales Health Foundation**
- (h) land that is vested in a university, or a university college, and is used or occupied by the university or college solely for its purposes**

**Usage charge**

**Per kl usage charge of \$2.00 per kl will apply to all Non Residential Sewer customers except excluded by specific Council Policy, such charge being made in accordance with Section 501 of the Local Government Act 1993.**

- xv Pressure Sewer Scheme – Annual pump maintenance charge (rural residential and villages). An additional sewerage service charge of \$148.00 per pump for all premises connected to the sewerage system via a pressure service for the maintenance and replacement of the pump unit as necessary**
- xvi Domestic Waste Management Service Charge of \$303.00 per service on a per occupancy basis per annum for a once weekly service**

rendered in the centres of population and within the scavenging areas defined as the City of Wagga Wagga and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 496 of the Local Government Act 1993

- xvii Domestic Waste Management Service Charge Rural Residential of \$303.00 per service to be applied to all properties utilising a waste collection service managed by Council, but outside Council's defined waste collection service areas charged in accordance with the provisions of Section 496 of the Local Government Act 1993
- xviii Commercial Waste Management Service Charge of \$303.00 per occupancy per annum, for a once weekly service rendered in the centre of population and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 501 of the Local Government Act 1993
- xviii Domestic Waste Management Service Charge of \$31.00 for each parcel of rateable undeveloped land not receiving a service within the scavenging areas of the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, and Gumly Gumly, such charge being levied in accordance with the provisions of Sections 496 of the Local Government Act 1993
- xx Domestic Waste Management Service Charge of \$31.00 for each parcel of rateable residential land in the waste collection service areas including Lake Albert and Springvale where Council's Waste Management collection service is not utilized. This only applies those properties that have been previously charged this rate on their notices prior to June 2012. Such charge being levied in accordance with the provisions of Sections 496 of the Local Government Act 1993
- xxi Domestic Waste Management Service Charge of \$101.00 for each additional domestic bin, being an additional domestic bin provided over and above the three (3) bins already provided by the service, rendered in the centres of population, and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Ladysmith, Forest Hill, Tarcutta, Oura, Mangoplah, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 496 of the Local Government Act 1993
- xxii Commercial Waste Management Service Charge of \$194.00 for each additional commercial bin, being an additional bin provided over and above the bin already provided by the service, rendered in the centres of population and within the scavenging areas defined as the City of Wagga Wagga, and the villages of Forest Hill, Ladysmith, Mangoplah, Tarcutta, Oura, North Wagga and Gumly Gumly, charged in accordance with the provisions of Section 501 of the Local Government Act 1993

**xxiii Commercial Waste Management Charge – Small Commercial Strata Properties to be applied to all commercial strata properties with a parcel area of less than 70 square metres not utilising a Council commercial waste service, and capable of using waste service funded by the body corporate - \$101.00**

**xxiiii Multi Unit Developments (Non Strata)**

**Domestic Waste Management Service Charge of \$303.00 for each rateable property with an additional bin charge of \$101.00 to apply for each additional bin charged in accordance with the provisions of Section 496 of the Local Government Act 1993. For the purposes of the revenue and pricing policy the definition of Multi-Unit developments (Non Strata) involves the development of twenty or more residential units on a site at a higher density than general housing development.**

**xxv Stormwater Management Service Charges**

**Stormwater Management Service charges will be applicable for all urban properties (i.e. residential and business) as referenced below with the following exceptions in accordance with the Division of Local Government (DLG) Stormwater Management Service Charge Guidelines dated July 2006:**

- **Non rateable land**
- **Crown Land**
- **Council Owned Land**
- **Land held under lease for private purposes granted under the Housing Act 2001 or the Aboriginal Housing Act 1998**
- **Vacant Land**
- **Rural Residential or Rural Business land not located in a village, town or city**
- **Land belonging to a charity and public benevolent institutions**

- (a) Residential Stormwater Management Service Charge of \$25.00 per residential property levied in accordance with the provisions of Section 496A of the Local Government Act 1993**
- (b) Residential Medium/High Density Stormwater Management Service Charge of \$12.50 per occupancy: Residential Strata, Community Title, Multiple Occupancy properties (flats and units), and Retirement Village style developments. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993**
- (c) Business Stormwater Management Service Charge of \$25.00 per business property. Properties are charged on a basis of \$25.00 per 350 square metres of land area. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance**

with the provisions of Section 496A of the Local Government Act 1993

- (d) Business Medium/High Density Stormwater Management Service Charge of \$5.00 per occupancy - Business Strata and Multiple Occupancy Business properties. Subject to a maximum charge of \$250.00 per rateable assessment levied in accordance with the provisions of Section 496A of the Local Government Act 1993

d note that the amount of the Special Rate to fund Council's one-third share of the cost of the levee upgrade may be reduced on a pro-rata basis in future years if the project can be delivered at a lower cost than the current estimate of \$23.3 million

e further amend the Delivery Program & Operational Plan 2016/17 Concept List for Capital Works (refer page 18) for the Bolton Park upgrade to change \$6,810,597 to \$4,580,597 and remove the PCYC contribution of \$1,830,000 and sale of land of \$400,000 as a funding source

**CARRIED**

Councillor K Pascoe vacated the chamber, the time being 6:59pm.

Councillor K Pascoe re-entered the chamber, the time being 7:01pm.

### **RP-3 EMERGENCY SERVICES PRECINCT**

#### **16/158 RESOLVED:**

On the Motion of Councillors A Brown and K Poynter

#### **That Council:**

- a receive and note the Business Case for the City of Wagga Wagga Emergency Services Precinct
- b provide in-principle support for establishing a co-located site with the various agencies for the coordination and management of emergency events
- c set aside Lot 2 DP702230 as the preferred site for an Emergency Services Precinct
- d receive a further report, once the full scope, resourcing requirements and costs, and the funding model for the proposed Emergency Services Precinct are further developed

**CARRIED**

**RP-4      REQUEST FOR LEGAL ASSISTANCE - LOCAL GOVERNMENT NSW**

**16/159      RESOLVED:**  
On the Motion of Councillors K Pascoe and D Tout

**That Council make a contribution of \$1,071.24 (exclusive of GST) to Local Government NSW for legal costs associated with an appeal to the Supreme Court of NSW for Bathurst Regional Council.**

**CARRIED**

**RP-5      FINANCIAL PERFORMANCE REPORT MAY 2016**

**16/160      RESOLVED:**  
On the Motion of Councillors P Funnell and K Pascoe

**That Council:**

- a      approve the variations to the 2015/16 original budget for the month ended 31 May 2016 and note the forecast balanced budget as presented in this report**
- b      note the Responsible Accounting Officer’s reports, in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3: Clause 203) that the financial position of Council is satisfactory having regard to the original estimates of income and expenditure and the recommendations made above**
- c      note Council’s external investments as at 31 May 2016**

**CARRIED**

**RP-6      POL 029 - ASBESTOS POLICY**

**16/161      RESOLVED:**  
On the Motion of Councillors K Poynter and A Brown

**That Council:**

- a      note that no submissions were received during the exhibition period for Draft Policy 029 Asbestos Policy**
- b      adopt POL 029 Asbestos Policy**

**CARRIED**

**RP-7 SOLID WASTE - WASTE SUBSIDY FOR CHARITABLE ORGANISATIONS**

Councillors Y Braid and K Pascoe declared a Non-Pecuniary Interest and vacated the chamber, the time being 7:32pm.

**16/162 RESOLVED:**  
On the Motion of Councillors A Brown and P Funnell

**That Council:**

- a in accordance with POL 093 Subsidy for Waste Disposal by Charitable Organisations, endorse the annual waste disposal subsidies for the amount of \$7150 for the organisations as referred to in this report**
- b authorise the General Manager or his delegate to approve further applications from charitable organisations and community groups for subsidised waste disposal fees for the 2016/17 financial year up to an amount of \$5149 as budgeted**

**CARRIED**

Councillors Y Braid and K Pascoe re-entered the chamber, the time being 7:36pm.

**CM-1 SUPPLEMENTARY COUNCIL MEETING - 14 JUNE 2016**

**16/163 RESOLVED:**  
On the Motion of Councillors K Pascoe and A Brown

**That the Minutes of the proceedings of the Supplementary Council Meeting held on 14 June 2016 be confirmed as a true and accurate record subject to resolution 16/146 RP-2 BOLTON PARK ALL ABILITIES PLAYGROUND being corrected to read:**

**“That Council endorse the General Manager or his delegate to negotiate with the relevant parties for the delivery of the Bolton Park all abilities playground and report back to Council.”**

**CARRIED**

**RP-8 MULTI PURPOSE STADIUM BOLTON PARK**

A Motion was moved by Councillors P Funnell and J McLaren.

That Council defer this item for consideration pending a further report from the General Manager to the July 2016 Ordinary Council meeting.

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

That Council:

- a receive and note the report
- b proceed with developing a revised master plan for the Bolton Park precinct including a business case for the Multi-Purpose Stadium Bolton Park Project
- c not make a determination regarding providing financial support towards the PCYC Youth Hub to be located at the former South Wagga Bowling Club site until a detailed business case and design has been received from PCYC
- d receive a further report if a detailed proposal is received from PCYC

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

**16/164 RESOLVED:**

On the Motion of Councillors K Poynter and G Conkey OAM

**That Council:**

- a receive and note the report**
- b proceed with developing a revised master plan for the Bolton Park precinct including a business case for the Multi-Purpose Stadium Bolton Park Project**
- c not make a determination regarding providing financial support towards the PCYC Youth Hub to be located at the former South Wagga Bowling Club site until a detailed business case and design has been received from PCYC**
- d receive a further report if a detailed proposal is received from PCYC**

**CARRIED**

**RP-9 PROPOSED CREATION OF AN ESSENTIAL ENERGY EASEMENT OVER LOT 1 DP 535470 AT WAGGA WAGGA**

**16/165 RESOLVED:**  
On the Motion of Councillors A Brown and D Tout

**That Council:**

- a create an easement in favour of Essential Energy for electricity purposes over Lot 1 DP 535470 at the Wagga Wagga Lawn Cemetery**
- b note that Crown Lands consent is required for creation of the easement**
- c authorise execution of all necessary documents under Council’s common seal as necessary**

**CARRIED**

**COMMITTEE MINUTES**

Councillor A Brown vacated the chamber the time being 8:12pm.

Councillor A Brown re-entered the meeting the time being 8:16pm.

**M-1 AUDIT AND RISK COMMITTEE MINUTES - 12 MAY 2016**

**16/166 RESOLVED:**  
On the Motion of Councillors A Brown and D Tout

**That the Council receive and note the minutes of the Audit and Risk Committee Meeting held on 12 May 2016 and endorse the recommendations contained therein with the change to RP-1 as detailed in the report.**

**CARRIED**

**CLOSED COUNCIL**

**16/167 RESOLVED:**  
On the Motion of Councillors A Brown and G Hiscock

**That the Council now resolve itself into a Closed Council, the time being 8:20pm.**

**CARRIED**



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

**CONFIDENTIAL REPORTS**

Councillor K Pascoe vacated the chamber the time being 8:36pm.

Councillor K Pascoe re-entered the chamber the time being 8:37pm.

**CONF-1 RFT2016-011 SUPPLY OF LEGAL SERVICES**

**16/168 RESOLVED:**  
On the Motion of Councillors K Pascoe and P Funnell

**That Council:**

- a appoint the following tender applicants to Council’s panel of legal providers for the relevant Legal Service Areas for the period commencing 1 July 2016 and expiring on 30 June 2018 with the option of a further two year period, as follows:**
  - **Category 1 – Local Government Act 1993 and related legislation:**
    - Lindsay Taylor Lawyers
    - Hall & Wilcox
    - Kell Moore Lawyers Pty Ltd trading as Kell Moore Lawyers
    - Marsdens Law Group
  - **Category 2 – Planning & Development:**
    - Lindsay Taylor Lawyers
    - Kell Moore Lawyers Pty Ltd trading as Kell Moore Lawyers
  - **Category 3 – Industrial and Employment Relations**
    - Sparke Helmore Lawyers – only for WHS matters, not general IR and ER
    - Williamson Legal Pty Ltd trading as Williamson Legal
    - Colin Biggers & Paisley Pty Ltd trading as Colin Biggers & Paisley
    - Omedia Pty Ltd trading as Workdynamic Australia
  - **Category 4 - Property:**
    - Kell Moore Lawyers Pty Ltd trading as Kell Moore Lawyers
    - Commins Hendriks Pty Ltd trading as Commins Hendriks Solicitors
    - Maddocks
  - **Category 5 – Commercial, Contract and Administrative:**
    - Kell Moore Lawyers Pty Ltd trading as Kell Moore Lawyers

- Lindsay Taylor Lawyers
- Maddocks
- **Category 6 – General Services:**
  - Colin Biggers & Paisley Pty Ltd trading as Colin Biggers & Paisley
  - Kell Moore Lawyers Pty Ltd trading as Kell Moore Lawyers
  - Marsdens Law Group
  - Hall & Wilcox

**CARRIED**

**CONF-2 DEVELOPMENT SERVICING CHARGES MODIFICATION REQUEST**

**16/169 RESOLVED:**  
On the Motion of Councillors A Brown and K Pascoe

**That Council:**

- a agree to defer the requirement for payment of Section 64 developer contributions for stormwater and sewerage in relation to a proposed subdivision of the land mentioned in the body of this report under the terms nominated in the body of this report
- b receive a further review report which considers amendments to the Developer Servicing Plans which allow for the deferral of contributions for industrial subdivisions which do not trigger the need for sewer or stormwater infrastructure

**CARRIED**

**REVERSION TO OPEN COUNCIL**

**16/170 RESOLVED:**  
On the Motion of Councillors K Poynter and P Funnell

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8:41pm.**

**CARRIED**

**REPORT OF PROCEEDINGS OF CLOSED COUNCIL**

**16/171 RESOLVED:**

On the Motion of Councillors A Brown and K Pascoe

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

**CARRIED**

A Division was called for on CONF-2 DEVELOPMENT SERVICING CHARGES MODIFICATION REQUEST on the Councillors D Tout and A Brown.

For the Motion

Against the Motion

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

Councillor J McLaren vacated the chamber, the time being 8:46pm.

**QUESTIONS/BUSINESS WITH NOTICE**

The following Questions/Business with Notice were raised to be addressed in the next available Business Paper.

Councillor G Hiscock requested information to be provided on work currently being conducted at Equex, including costing, drainage work and earth works for new infrastructure.

Councillor P Funnell requested information on the priority weeds list in line with the Biosecurity Act and what input will Council have.

Councillor P Funnell requested information on the Eunony Road acquittal, Byrnes Road deviation and roundabout, including how it will be funded.

Councillor A Brown requested an update on the Lights Around the Lake project.

Councillor Y Braid requested that an investigation of drainage occur at the pedestrian crossing on Baylis Street from Market Place across to the ANZ Bank.

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 9:03pm.

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MAYOR