

## **COUNCILLOR QUESTIONS ON BUSINESS PAPERS – 13 APRIL 2026 COUNCIL MEETING**

This report presents Councillor Questions on Business Papers submitted in accordance with Council's Code of Meeting Practice relating to items contained within the Business Papers for the 13 April 2026 Ordinary Council Meeting.

Responses to the questions have been prepared by the relevant Council officers. The questions and responses are presented below to be provided to Councillors and the community prior to consideration of the matters before Council.

The question and response are presented below.

### **Report**

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This report presents Councillor Questions on Business Papers submitted in accordance with Council's Code of Meeting Practice relating to items contained within the Business Papers for the 23 February 2026 Ordinary Council Meeting.

Responses to the questions have been prepared by the relevant Council officers. The questions and responses are presented below to be provided to Councillors and the community prior to consideration of the matters before Council.

The question and response are presented below.

#### **RP-1 DA25/0175 - HOTEL AND MOTEL ACCOMMODATION AND DEMOLITION OF EXISTING BUILDING AT 91 PETER STREET, WAGGA WAGGA LOT 1 DP 150006**

##### Questions by Councillor Foley

- 1. The staff assessment report acknowledges that the 19-space parking shortfall will be absorbed by the Council-owned car park adjacent to the site. Does Council accept that a nexus exists between this development and increased demand on that public asset?**

Response: The assessment has concluded that the demand can be accommodated within the existing network. This means that this development will introduce "new" cars to the existing parking provided for community use.

- 2. Does Council have the power under s7.11 of the Environmental Planning and Assessment Act 1979 to impose a monetary contribution condition on this consent, having regard to that nexus?**

Response: Council cannot impose a s7.11 contribution unless it is supported by an adopted contributions plan that identifies the infrastructure, apportionment and contribution rates. There is currently no such plan applying to CBD parking for this type of development

**3. If not, is a works in kind condition requiring the applicant to fund physical improvements to the adjacent Council car park available as a condition of consent?**

Response: A works-in-kind condition must relate directly to infrastructure identified within an adopted contributions framework or be necessary to make the development acceptable. It is recorded in a Voluntary Planning Agreement and must come from the developer, not be imposed by the Council.

**4. If neither option is available, can Council grant a deferred commencement consent under s4.16(3) of the EP&A Act, with the consent not operating until a parking contribution mechanism for CBD hotel developments is in place?**

Response: Deferred commencement conditions must relate to matters that are clearly defined and capable of being satisfied. Deferring consent until a future policy or contribution mechanism is developed would lack certainty and would not meet the requirements of the Act.

**5. If none of the above are available, what mechanism if any does the GM advise is open to Council to require a community offset for the parking shortfall this development will place on public infrastructure?**

Response: There is no mechanism available at determination to require a monetary or infrastructure offset in the absence of an adopted contributions plan or a voluntarily offered planning agreement. The appropriate pathway for addressing cumulative parking impacts is through strategic planning mechanisms rather than conditions on individual applications.

**6. Is the new DCP currently under development expected to include revised rules, policies or standards in relation to parking including for CBD developments of this nature? If so, is there any indication of what those changes may involve, and when the new DCP will be available for councillors to refer to and apply?**

Response: Council is progressing a CBD Parking Study as part of the broader CBD Masterplan Project. This work includes a detailed analysis of parking supply, demand and utilisation across the CBD and will inform recommendations regarding future parking management and policy settings.