



# Agenda and Business Paper

---

## Traffic Committee

To be held on  
**Thursday 12 May 2022**  
at 9:30am

Civic Centre cnr Baylis and Morrow Streets,  
Wagga Wagga NSW 2650 (PO Box 20)  
P 1300 292 442  
P [council@wagga.nsw.gov.au](mailto:council@wagga.nsw.gov.au)

[wagga.nsw.gov.au](http://wagga.nsw.gov.au)

## **TRAFFIC COMMITTEE AGENDA AND BUSINESS PAPER**

**THURSDAY 12 MAY 2022**

### **ORDER OF BUSINESS:**

<b>CLAUSE</b>	<b>PRECIS</b>	<b>PAGE</b>
	<b><u>ACKNOWLEDGEMENT OF COUNTRY</u></b>	<b>2</b>
	<b><u>APOLOGIES</u></b>	<b>2</b>
	<b><u>DECLARATIONS OF INTEREST</u></b>	<b>2</b>
	<b><u>REPORTS</u></b>	
<b>RP-1</b>	<b>BAROOMA SHOPPING CENTRE - TRAFFIC FACILITIES - AVOCET DRIVE AND MESSENGER AVENUE</b>	<b>3</b>
<b>RP-2</b>	<b>PEDESTRIAN REFUGE - AVOCET DRIVE</b>	<b>24</b>
<b>RP-3</b>	<b>PECK STREET - PARKING</b>	<b>51</b>
<b>RP-4</b>	<b>BARDO LANE - STOP SIGN</b>	<b>57</b>
<b>RP-5</b>	<b>INFORMAL REPORT - SPECIAL EVENT TRAFFIC MANAGEMENT PLANS</b>	<b>60</b>
	<b><u>QUESTIONS WITH NOTICE</u></b>	<b>61</b>

**ACKNOWLEDGEMENT OF COUNTRY**

**APOLOGIES**

**DECLARATIONS OF INTEREST**

## **REPORTS**

### **RP-1 BAROOMA SHOPPING CENTRE - TRAFFIC FACILITIES - AVOCET DRIVE AND MESSENGER AVENUE**

**Author:** Frank Goodyer

**Director:** Warren Faulkner

#### **Recommendation**

---

**That Council approves:**

- a. Installation of a 60-metre length of Right Turn lane and corresponding through/Left Turn lane on Avocet Drive, not less than 3.2 meters wide, to form a two-lane approach to the Boorooma St and Messenger Avenue roundabout.
- b. Installation of a 60-metre length of NO STOPPING zone utilising R-400 series signs on the northern kerb of Avocet Drive and west of the intersection of Boorooma Street.
- c. Installation of a central median in Messenger Avenue, not less than 0.6 metres wide, from the roundabout splitter island to 15 metres past the messenger Avenue driveway to the site.
- d. Installation of NO STOPPING zone utilising R-400 series signs on both sides of Messenger Avenue east of the intersection with Boorooma Street and ending 10 metres east of the intersection of Phar Lap Place.
- e. Installation of an L3 Unbroken Lane Line for a distance of 20 metres from the eastern kerb alignment of Phar Lap Place, maintaining minimum lanes widths, at or above three metres.
- f. Installation of an R2-14 RIGHT TURN ONLY sign on the central median in Messenger Avenue facing eastbound traffic.
- g. Installation of a R2-3 KEEP LEFT sign at the eastern end of the centre median in Messenger Avenue facing westbound traffic.
- h. Installation of an R2-9 RIGHT LANE MUST TURN RIGHT sign on the roundabout splitter island in Avocet Drive facing eastbound traffic.

#### **Report**

---

A development application DA 20/0752 relates to the construction of a shopping complex at 2 Phar Lap Place BOOROOMA. The recommendations specifically relate to the following condition of consent contained in the Notice of Determination for the application.

*C.10 Prior to the release of the Construction Certificate a plan shall be submitted to and approved by Council, to the satisfaction of the General Manager or delegate, that identifies:*

- *The installation, on Avocet Dr, of an exclusive right turning lane (60m in length) and a through/left turning lane with individual lane width not less than*

3.2m to form a two lane approach to the Boorooma St-Messenger Ave roundabout on Avocet Dr.

- Installation of No Stopping for a distance of 60m towards the roundabout for eastbound traffic on Avocet Dr.
- Installation of a central median in Messenger Ave, not less than 0.6m wide, from the roundabout splitter island to 15m past the Messenger Ave driveway to the site.
- Installation of No Stopping signs restricting parking on both sides of Messenger Ave east from the roundabout to 10 metres past the Phar Lap PI intersection.
- Install a dividing line within Messenger Avenue for a distance of 20 metres to the west of the eastern kerb line of Phar Lap Place, to create a separate through traffic lane bypassing right turning traffic. Minimum lane widths are to be maintained at or above 3.0m.

*This plan is required to be referred to, and endorsed by the Local Traffic Committee before it is approved as these works incorporate a prescribed traffic control device.*

The applicant provided the attached traffic plan design depicting the signs, lines and road markings required under the condition of consent.

The recommendations of this report identify and confirm that the technical specifications for all the regulatory devices depicted in the plan, are as per Transport for NSW *Supplement to the Australian Standard AS 1742 Manual of Uniform Traffic Control Devices*.

### **Risk Management Issues for Council**

---

No risks have been identified in relation to this matter.



### **Internal / External Consultation**

---

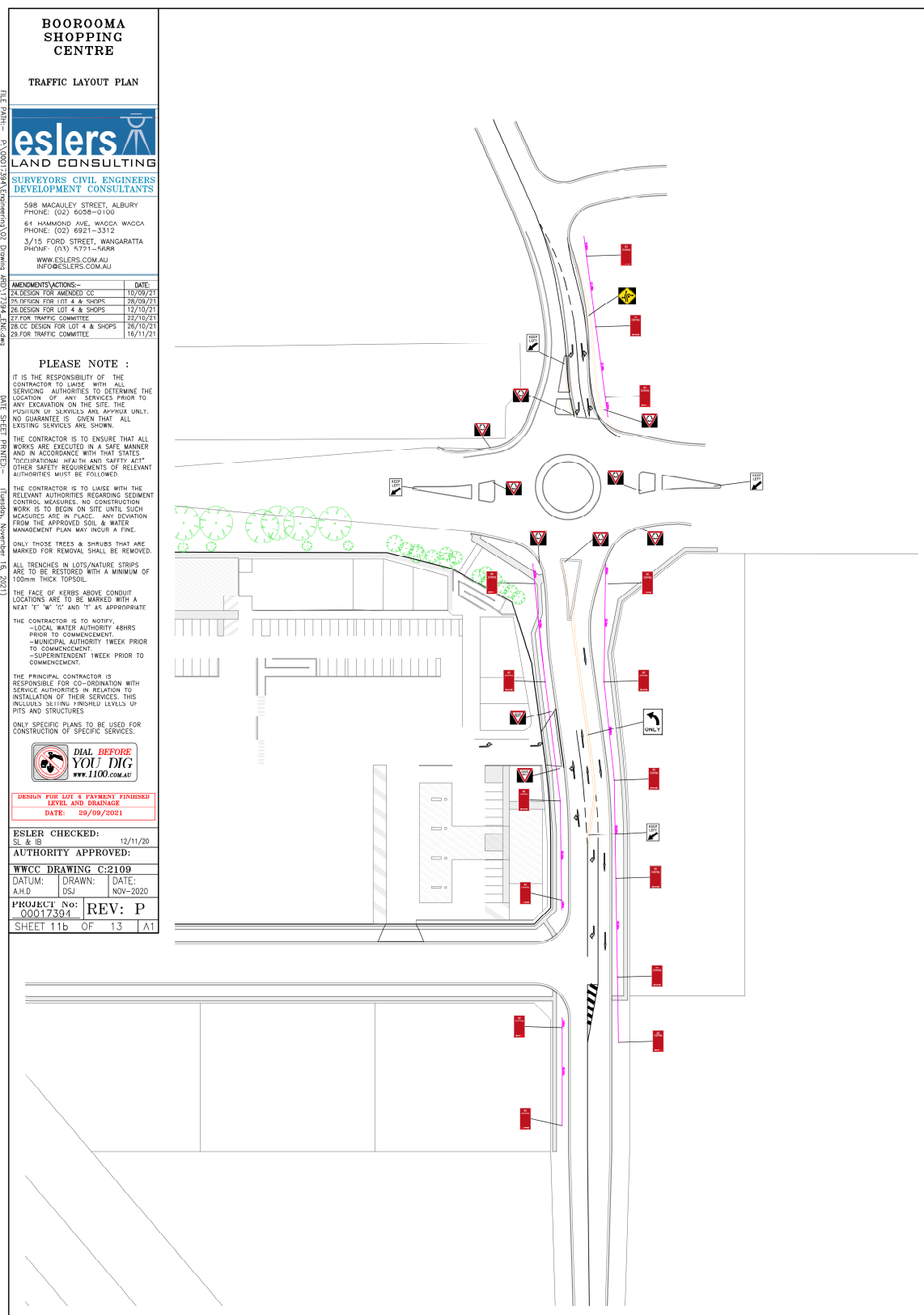
Consultation was undertaken with the applicant in this matter and internal WWCC stakeholders.

### **Attachments**

---

1.  17394 Traffic facilities Plan - Avocet and Messenger
2.  Development Application (DA) Consent DA20 0752 662168







City of  
Wagga Wagga

# Notice of Determination of Development Application

Environmental Planning and Assessment Act 1979

Notice is hereby given of the determination by Council to the above Development Application pursuant to Section 4.18(1) of the Environmental Planning & Assessment Act, 1979.

<b>Application Number:</b>	DA20/0752
<b>Applicant:</b>	Peter Fitzpatrick The Diocese Of Wagga Wagga Po Box 5668 WAGGA WAGGA, NSW 2650
<b>Land to be Developed:</b>	2 Phar Lap PI BOOROOMA NSW 2650 Lot 53 DP 1179795, Lot 36 DP 1179795
<b>Description</b>	Shopping Centre (8 Shops, Carparking and Access Ramp)
<b>Determination:</b>	Approved Subject to Conditions
<b>Date of Determination:</b>	02/08/2021
<b>Consent to Operate from:</b>	02/08/2021
<b>Consent to Lapse on:</b>	02/08/2026
<b>Other Approvals:</b>	Nil

On behalf of the Council

Steven Cook  
Senior Town Planner

**Right of Appeal** - Where an applicant is dissatisfied with this determination, the applicant has the right to appeal the decision to the Land and Environment Court within a period of 12 months from the date the decision is notified or registered on the NSW planning portal

**Review of Determination** - The applicant may request the Council to review the determination. A determination cannot be reviewed after the period within which an appeal may be made to the Land and Environment Court has expired or, if an appeal has been made against the determination, after the Court has disposed of that appeal.

DA20/0752 - Assessing Officer: Steven Cook

1 of 17

Document Set ID: 5422779

Version: 1, Version Date: 02/08/2021





Notice of Determination  
Development Application No. DA20/0752

## CONDITIONS OF CONSENT FOR APPLICATION NO. DA20/0752

### A. SCHEDULE A – Reasons for Conditions

The conditions of this consent have been imposed for the following reasons:

- A.1 To ensure compliance with the terms of the Environmental Planning and Assessment Act 1979 and Regulation 2000.
- A.2 Having regard to Council's duties of consideration under Section 4.15 and 4.17 of the Act.
- A.3 To ensure an appropriate level of provision of amenities and services occurs within the City and to occupants of sites.
- A.4 To improve the amenity, safety and environmental quality of the locality.
- A.5 Having regard to environmental quality, the circumstances of the case and the public interest.
- A.6 Having regard to the Wagga Wagga Development Control Plan 2010.
- A.7 To help retain and enhance streetscape quality.
- A.8 Ensure compatibility with adjoining and neighbouring land uses and built form.
- A.9 To protect public interest, the environment and existing amenity of the locality.
- A.10 To minimise health risk to neighbouring residents and workers.

### B. SCHEDULE B – Deferred Commencement Conditions

N/A

### C. SCHEDULE C – Conditions

#### Approved Plans and Documentation

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

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
	Statement of Environmental Effects	Blueprint Planning	1	14/12/20
01	Locality Plan	Sewell Design	N	
03	Concept Stormwater Drainage Plan	Sewell Design	N	
04	Site Plan	Sewell Design	N	
05	Floor Plan	Sewell Design	N	
06	Setout Floor Plan	Sewell Design	N	
07	Elevations Plan	Sewell Design	N	
08	Schedule of Finishes	Sewell Design	N	
09	Typical Sections	Sewell Design	N	
10	Signage	Sewell Design	N	
11	Artist's Impression	Sewell Design	N	
	Pavement Layout Common Property & Lot 4	Eslers Land Consulting	N	12/4/21



Notice of Determination  
Development Application No. DA20/0752

	Traffic Impact Assessment	Spotto Consulting	C	17/5/21
--	---------------------------	-------------------	---	---------

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 4.55 of the Environmental Planning and Assessment Act, 1979.

C.2 No approval is granted to any subdivision of land under this consent.

**Requirements before a Construction Certificate can be issued**

C.3 The proposed northernmost vehicular access point onto Phar Lap Place must be located to comply with the required Safe InterSection Sight Distance (SISD) in either direction in accordance with the Road and Maritime Services Road Design Guide for the prevailing speed limit. Compliance with this requirement must be certified by an appropriately qualified person prior to the release of Construction Certificate, and submitted to Council, to the satisfaction of the General Manager or delegate.

C.4 Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the Building Code of Australia.

a) Pursuant to Clause 98 of the Environmental Planning and Assessment Regulation 2000, the proposed building work must comply with the Building Code of Australia (BCA), including but not limiting to:

- i) Structure - Section B- (Part B1)
- ii) Fire Resistance - Section C- (Parts C1, C2, C3)
- iii) Access and Egress - Section D- (Parts D1, D2, D3)
- iv) Services and Equipment - Section E- (Parts E1, E2, E3, E4)
- v) Health and Amenity - Section F- (Parts F1, F2, F3, F4, F5)
- vi) Ancillary Provisions- Section G- (Parts G1, G2, G3, G4, G5)
- vii) Special Use Buildings- Section H- (Parts H1, H2, H3)
- viii) Energy Efficiency- Section J- (Parts J0, J1, J2, J3, J5, J6, J7, J8)

C.5 Prior to the issue of Construction Certificate the applicant must lodge a bond with Council of:-

\$2000 for security deposit on the kerb and gutter and footpath

Plus a non-refundable administration fee as per Council's fees and charges.

NOTE 1: Applicants will be required to contact Council PRIOR to making the payment to arrange a bond (BKG) number. This must be done prior to making payment at Council's customer service desk.



Notice of Determination  
Development Application No. DA20/0752

- NOTE 2: In lieu of payment, the applicant can with written authorisation from their builder, utilise an ongoing bond should their builder hold and ongoing bond.
- NOTE 3: All monetary conditions are reviewed annually, and may change on 1 July each year.
- NOTE 4: Works in the form of driveways, kerb and gutter and footpath may require you to obtain a Section 138 Roads Act 1993 approval. Please contact Councils Road Reserve Officer on 1300 292 442 prior to undertaking such works.
- NOTE 5: Council will accept a once off security deposit for the kerb and gutter and footpath for applicants who lodge multiple DA's with council. If the applicant has security deposits held by Council for kerb and gutter and footpath at the time of Construction Certificate application, then Council may waive the need for an additional bond to be paid.
- NOTE 6: The bond held on the kerb and gutter and footpath is fully refundable upon completion of all works and upon inspection by Council to ensure that any damage to Council infrastructure has been repaired. The bond will not be refunded in the event that damage done to Council's infrastructure is not repaired to the satisfaction of Council. All damage is to be repaired at the full cost of the applicant
- C.6 Pursuant to s7.12 of the Environmental Planning and Assessment Act 1979 and the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034, a monetary contribution of \$40,000 must be paid to Council, prior to the issuing of the Construction Certificate. The monetary contribution payable under this condition will be indexed in accordance with Clause 3.2 of the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034 from the endorsed date of this Development Consent until the date of payment.
- NOTE 1: Clause 3.2 of the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034 provides for Section 7.12 contributions to be indexed in accordance with annual movements in the March quarter Consumer Price Index (CPI) (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- NOTE 2: The monetary contribution identified above remains applicable if paid within the same financial year as the date of determination. If payment is to be made outside this period, you are advised to contact Council prior to payment being made to determine if CPI increases/decreases have occurred since the date of this consent. The applicable rate of CPI at the time of consent is 118.5
- NOTE 3: A copy of the Wagga Wagga Local Infrastructure Contributions Plan 2019-2034, is available for inspection at Council Chambers, corner Baylis and Morrow Streets, Wagga Wagga, or on Council's website.
- C.7 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.



Notice of Determination  
Development Application No. DA20/0752

- NOTE 1: '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. An application for a compliance certificate must be made with Riverina Water. Additional fees and charges may be incurred by the proposed development - 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 \$22,813.55  
The Section 64 Sewer contribution (updated by the CPI 118.0/100.5) required to be paid is \$26,786.06
- NOTE 6: The Section 64 Stormwater base figure is \$6,665  
The Section 64 Stormwater contribution (updated by the CPI 118.0/87.9) required to be paid is \$8947.33
- 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.
- C.8 Prior to the issue of a Construction Certificate, the following documents must be submitted to and approved by Council, to the satisfaction of the General Manager or delegate:
- (1) Construction Management Plan (CMP), addressing the following items
- Noise and dust management throughout the construction process
  - Site specific erosion and sediment control
  - Maintenance of adjoining public roads clean and tidy
  - Hours of operation
  - Site access



Notice of Determination  
Development Application No. DA20/0752

(2) Certification from an appropriately qualified engineer that the designed driveways, movement areas, loading arrangements and carparking areas comply with AS2890.1:2004 Parking facilities - Off-street car parking and AS2890.2 Parking facilities - Off-street commercial vehicle facilities.

(3) Details of proposed fencing.

C.9 A revised landscape plan and legend shall be submitted to and approved by Council, to the satisfaction of the General Manager or delegate, prior to the release of the Construction Certificate. The plan shall address the following matters:

- (1) Include the provision of additional landscaping on the development site, including (but not necessarily limited to) within the car parking area to achieve compliance with C9 of Section 2.2 of the Wagga Wagga Development Control Plan 2010, which requires the provision of 1 tree per 5 spaces in a row.
- (2) Amend Street Tree planting as follows:
  - Change Eucalyptus leucoxylon "Rosea" in Messenger Ave to Ulmus parvifolia "Todds Form" x 5 trees to match existing streetscape species.
  - Change Ulmus parvifolia "Todds Form" in Phar Lap Place to Koeruteria paniculata x 12 trees.
- (3) Landscape plan shall be in accordance with Council's Landscape Guidelines and Landscape Application Checklist.
- (4) A Plant Schedule indicating all plant species, pot sizes, spacings and numbers to be planted within the development shall be submitted with the Landscape Plan. Plant species are to be identified by full botanical name. All plants proposed in the landscape plan are to be detailed in the plant schedule.

C.10 Prior to the release of the Construction Certificate a plan shall be submitted to and approved by Council, to the satisfaction of the General Manager or delegate, that identifies:

- The installation, on Avocet Dr, of an exclusive right turning lane (60m in length) and a through/left turning lane with individual lane width not less than 3.2m to form a two lane approach to the Boorooma St-Messenger Ave roundabout on Avocet Dr.
- Installation of No Stopping for a distance of 60m towards the roundabout for eastbound traffic on Avocet Dr.
- Installation of a central median in Messenger Ave, not less than 0.6m wide, from the roundabout splitter island to 15m past the Messenger Ave driveway to the site.
- Installation of No Stopping signs restricting parking on both sides of Messenger Ave east from the roundabout to 10 metres past the Phar Lap Pl intersection.
- Install a dividing line within Messenger Avenue for a distance of 20 metres to the west of the eastern kerb line of Phar Lap Place, to create a separate



Notice of Determination  
Development Application No. DA20/0752

through traffic lane bypassing right turning traffic. Minimum lane widths are to be maintained at or above 3.0m.

This plan is required to be referred to, and endorsed by the Local Traffic Committee before it is approved as these works incorporate a prescribed traffic control device.

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

**NOTE2:** The Local Traffic Committee only meets two-monthly and only between the months of March and November. Therefore to avoid delays the timing of meetings should be taken into consideration in preparing your plan for submission.

- C.11 Prior to the issue of a Construction Certificate, a dilapidation report is to be undertaken. This shall include clear photos and descriptions of all existing Council infrastructure adjacent to the subject site. A copy of the dilapidation report shall be submitted to and approved by Council.

#### **Requirements before the commencement of any works**

- C.12 If the work involved in the erection or demolition of a building or structure:

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b) building involves the enclosure of a public place,

a hoarding or fence must be erected between the development site/works and the public place prior to works commencing on site.

All construction materials, waste, waste skips, machinery and contractors vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractor's vehicles will be permitted within the public space.

If necessary, an awning must be erected, sufficient to prevent any substance, from or in connection with the work, falling into the public place. Further the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

**NOTE 1:** Any such hoarding, fence or awning must be removed when the work has been completed.

**NOTE 2:** Any external lighting required by this condition must be designed and positioned so that, at no time, will any light be cast upon any adjoining property.

**NOTE 3:** Prior to any hoarding being erected, the applicant must ensure that an application for a Hoarding Permit is submitted to and approved by Council.



Notice of Determination  
Development Application No. DA20/0752

C.13 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.

C.14 A CONSTRUCTION CERTIFICATE must be obtained pursuant to Section 6.7 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.

C.15 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.



Notice of Determination  
Development Application No. DA20/0752

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.

C.16 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.

C.17 Prior to carrying out any works, a "Dial Before You Dig" enquiry must be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).

C.18 The existing trees to be retained situated adjacent to site shall be protected from all construction works.

All care must be taken to protect existing trees to be retained from damage, including street trees and trees located adjacent to the proposed development. The developer shall identify all trees to be retained prior to commencement of construction works.

A Tree Protection Zone (TPZ) shall be constructed for all existing trees to be retained within the development in accordance with Australian Standards - AS 4970-2009 Protection of Trees on Development Sites.

Construction of Tree Protection Zone's, shall be completed and inspected by Council's Supervisor of Tree Planning and Management, prior to the commencement of any site works. Contact can be made by phoning 1300 292442 during normal business hours.

Removal, relocation or disruption of the Tree Protection Zone fencing will be considered as a breach of this consent. TPZ fences shall remain in place until the end of construction.

If damage of any sort should occur to any protected trees / vegetation within the development, contact shall be made with Council's Supervisor of Tree Planning and Management to determine what remedial action should be taken. Throughout the





Notice of Determination  
Development Application No. DA20/0752

construction period regular inspections of protected trees shall be carried out to ensure trees retained are of good health and vigour.

- C.19 A Section 68 Approval must be obtained by a Licensed Plumber and Drainer prior to any sewer or stormwater work being carried out on the site. Plans must be supplied for assessment and approval as part of the s68 application and must indicate that pipe and pit sizing meets the requirements of AS3500 and the Plumbing Code of Australia.

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

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

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

- C.20 Prior to works or activities commencing within the road reserve, approval under Section 138 of the Roads Act 1993 is required from Council.

A written application for Consent to Work on a Road Reserve is required to be submitted to and approved by Council. This shall include:

- the preparation of a certified Temporary Traffic Management Plan (TTP) for the works.
- the preparation of plans identifying all required intersection works at the Boorooma St / Avocet Dr roundabout
- submission of a Pavement Design Report prepared by a Geotechnical Engineer

It should be noted that work in the existing road reserve can only commence after the plan has been submitted and approved and then only in accordance with the submitted TTP. The applicant shall also arrange a Pre-Start meeting with Council's Development and Subdivisions Engineer. Please contact Council's Activities in Road Reserves Officer on 1300 292 442.

#### Requirements during construction or site works

- C.21 Vehicular access within the road reserve must be constructed to Council standards, at full cost to the developer, by a licensed Council approved contractor. A list of Contractors can be found on Council's website at- <https://wagga.nsw.gov.au/city-of-wagga-wagga/engineering-services/traffic-and-transport/working-in-a-road-reserve-or-footpath> Driveway design and grades shall comply with AS2890.1: 2004 (or as amended) and Council's Engineering Guidelines for Subdivisions and Developments.
- C.22 The Builder must at all times maintain, on the job, a legible copy of the plans and specifications approved with the Construction Certificate.
- C.23 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.
- C.24 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.



Notice of Determination  
Development Application No. DA20/0752

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

C.25 The following requirements of Essential Energy shall be complied with at all times:

- Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ([www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice - Work near Overhead Power Lines and Code of Practice - Work near Underground Assets.

C.26 A temporary security fence shall be provided to the perimeter of the site to prevent public access during the construction phase. The temporary security fence shall not be erected in the Council road reserve without an approved Section 138 Permit.

C.27 The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

C.28 Inspections are to be carried out on the approved road works in accordance with Council's Engineering Guidelines for Subdivisions and Development (or as amended) by Council. The following aspects of road works shall be inspected at the required hold points:

- (a) Pre-start inspection and inspection of traffic management & soil & erosion control measures.
- (b) Subgrade proof roll. Survey levels and compaction results.
- (c) Subbase proof roll. Compaction results.
- (d) Basecourse proof roll. Survey levels and compaction results.
- (e) Prior to sealing
- (f) Sewer works, prior to backfilling of trenches.
- (g) Stormwater works, prior to backfilling of trenches.
- (h) Concrete works prior to pouring.
- (i) Into Maintenance inspection.
- (j) Out Of Maintenance inspection at expiry of the maintenance period.

NOTE: Fees for inspections will be charged in accordance with Council's current Fees and Charges Schedule. Please contact Council's Development Engineer on 1300 292 442 to book inspections.

C.29 If any Aboriginal object is discovered and/or harmed in, on or under the land, all work must cease immediately and the area secured so as to avoid further harm to the Aboriginal object. The Heritage NSW shall be notified as soon as practicable on 131 555, providing any details of the Aboriginal object and its location, and no work shall recommence at the particular location unless authorised in writing by Heritage NSW.



Notice of Determination  
Development Application No. DA20/0752

### Requirements prior to issue of an Occupation Certificate or prior to operation

- C.30 Prior to the issue of Occupation Certificate, the paving of all vehicular movement areas, including all driveways and pavement areas on the plan 'Pavement Layout - Common Property & Lot 4', including both internal routes to Phar Lap PI, and common property areas, must be either a minimum of 150mm thick flexible pavement and sealed or 150mm thick reinforced concrete.
- C.31 Prior to the issue of an Occupation Certificate, a maintenance bond equal to 5% of the total cost of civil works shall be paid. The bond shall be held for the duration of the maintenance period until the works are accepted Out of Maintenance.
- C.32 Prior to the release of the Occupation Certificate, all works (including linemarking and signage) set out in the plan required under Condition C.10 shall be carried out and completed, to the satisfaction of the General Manager or delegate.
- C.33 Prior to the release of the Occupation Certificate, the Subdivision approved under DA20/0101 (as amended) shall be completed and registered with NSW Land Registry Services. Evidence of registration shall be submitted to Council, to the satisfaction of the General Manager or delegate.
- C.34 Prior to the release of the Occupation Certificate any measures relevant to the development site set out in any lighting strategy required under DA20/0101 (as amended) shall be implemented.
- C.35 The establishment of street trees for the entire site in accordance with the approved landscaping plan shall be carried out at full cost to the applicant.

Works shall be carried out by Council or a contractor approved by Council. Works include the supply, planting and two years maintenance for each street tree. Street trees are to be supplied in pot sizes ranging from 45ltr to 100ltr dependant on availability, with 45ltr being the minimum pot size.

If the applicant chooses to engage Council, they are to pay to Council a fee of \$500 per street tree proposed for installation prior to the release of the Occupation Certificate.

Using this fee Council will undertake the supply and installation of containerised stock, and will maintain them for a period of two years following installation. Installation will occur during the next available planting season (generally May-August each year).

NOTE: The fee per street tree will be in accordance with the figure nominated in this condition or in accordance with Council's adopted Revenue and Pricing Policy at the time of payment of this fee whichever is the greater.

- C.36 Prior to the issue of an Occupation Certificate for the completed development fees for Civil Works (including road works, stormwater, sewer, concrete works) inspections shall be paid in full. Inspections will be charged in accordance with Council's current Fees and Charges Schedule.
- C.37 Prior to release of an Occupation Certificate for the completed development an "into maintenance inspection" must be carried out of the completed road works. The maintenance period will last for 12 months, upon which time an "out of maintenance inspection" will be required to ensure the works are acceptable to Council.



Notice of Determination  
Development Application No. DA20/0752

- C.38 Prior to the issue of an Occupation Certificate for the development one A1 set of plans and an electronic copy of the Works-As-Executed plans for the road works must be submitted to Council and must detail the works as approved by the Construction Certificate and shall reflect the approved Construction Certificate plans. The information on the Works-As-Executed plans shall be as specified in Council's Engineering Guidelines for Subdivision and Developments.

- C.39 An Occupation Certificate, must be obtained pursuant to Section 6.9 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.

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

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

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

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

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

#### General requirements

- C.42 The approved uses must only be conducted between the hours of 6:00am and 9:00pm, seven days.
- C.43 All exterior lighting associated with the development must be designed and installed so that no obtrusive light will be cast onto any adjoining property.

NOTE: Compliance with Australian Standard AS4282.2019 "Control of the Obtrusive Effects of Outdoor Lighting" will satisfy this condition.

- C.44 No signage is approved as part of the application, other than the pylon signs and the wall building identification sign "Boorooma Shops". No signs or advertising material



Notice of Determination  
Development Application No. DA20/0752

(other than those classed as exempt development) shall be erected on or in conjunction with the proposed occupation of the site without a subsequent application being approved by Council.

- C.45 The signage must be designed and located, such that it complies with the following;
- a) the sign display must not include:
    - Any flashing lights,
    - Electronically changeable messages, animated display, moving parts or simulated movements,
    - Complex display that holds motorists attention beyond "glance appreciation"
    - Display resembling traffic signs or signals,
    - Instruction to traffic by using words such as "stop" or "halt",
  - b) The proposed advertising sign and support structure must be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
  - c) The method of intensity of any illumination of the sign must not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
  - d) If any proposed sign must be located within close proximity to a road reserve, the sign and supporting structure must, as a minimum, comply with the wind loading requirements as specified in AS1170.1.2002 Structural Design Actions - Permanent, imposed and other actions and AS1170.2.2002 Structural Design Actions - Wind Actions.
  - e) Signage must not obstruct or distract from any road related signage in the vicinity.
  - f) Signage and supporting structure must not pose any risk to pedestrian safety.
- C.46 The development is approved for use as 'shops' only, as defined by the Wagga Wagga Local Environmental Plan 2010. No approval is granted for any other use without further consent, unless the new use can be carried out as Exempt Development in accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- C.47 A minimum of 35 car parking spaces must be made available on site at all times. The car park and all associated facilities must be laid out in accordance with Australian Standards AS2890.1.2004, AS2890.2 2002 and AS/NZS2890.6.2009.
- C.48 Illumination of the car park must be in accordance with AS 1158.3.1.2005, as amended, lighting for roads and public spaces.
- C.49 Provision shall be made for the parking of a minimum 7 bicycles on site in accordance with AS 2890.3-1993 "Bicycle parking facilities" at all times.



Notice of Determination  
Development Application No. DA20/0752

#### **D. SCHEDULE D – Activity Approval Conditions (Section 68)**

N/A

#### **E. SCHEDULE E – Prescribed Conditions**

Conditions under this schedule are prescribed conditions for the purposes of section 4.17 (11) of the Environmental Planning and assessment Act 1979.

##### **E.1 Fulfilment of BASIX commitments (clause 97A EP&A Reg 2000)**

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.

##### **E.2 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989 (clause 98 EP&A Reg 2000)**

- (1) For development that involves any building work, the work must be carried out in accordance with the requirements of the Building Code of Australia.
- (2) In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance shall be in force before any building work authorised to be carried out by the consent commences.
- (3) For a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia.

NOTE 1: This condition does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000 (the Regulation), subject to the terms of any condition or requirement referred to in clause 187(6) or 188(4) of the Regulation, or
- (b) to the erection of a temporary building, other than a temporary structure to which part (3) of this condition applies.

NOTE 2: In this condition, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

- (a) development consent, in the case of a temporary structure that is an entertainment venue, or
- (b) construction certificate, in every other case.

NOTE 3: There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.

##### **E.3 Erection of signs (clause 98A EP&A Reg 2000)**



Notice of Determination  
Development Application No. DA20/0752

For development that involves any building work, subdivision work or demolition work, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

NOTE 1: This condition does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

NOTE 2: This condition does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Environmental Planning and Assessment Act 1979, to comply with the technical provisions of the State's building laws.

NOTE 3: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained.

E.4 Notification of Home Building Act 1989 requirements (clause 98B EP&A Reg 2000)

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
  - i) the name and licence number of the principal contractor, and
  - ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
  - i) the name of the owner-builder, and
  - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the principal certifying authority for the



Notice of Determination  
Development Application No. DA20/0752

development to which the work relates (not being the council) has given the council written notice of the updated information.

NOTE: This condition does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Environmental Planning and Assessment Act 1979, to comply with the technical provisions of the State's building laws.

E.5 Entertainment venues (clause 98C EP&A Reg 2000)

If the development involves the use of a building as an entertainment venue, the development shall comply with the requirements set out in Schedule 3A of the Environmental Planning and Assessment regulation 2000.

E.6 Maximum capacity signage (clause 98D EP&A Reg 2000)

For the following uses of a building: a sign must be displayed in a prominent position in the building stating the maximum number of persons permitted in the building if the development consent for the use contains a condition specifying the maximum number of persons permitted in the building:

- (a) entertainment venue,
- (b) function centre,
- (c) pub,
- (d) registered club,
- (e) restaurant.

NOTE: Words and expressions used in this condition have the same meanings as they have in the Standard Instrument.

E.7 Shoring and adequacy of adjoining property (clause 98E EP&A Reg 2000)

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) protect and support the building, structure or work from possible damage from the excavation, and
- (b) where necessary, underpin the building, structure or work to prevent any such damage.

NOTE: 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.

**F. SCHEDULE F – General Terms of Approval (Integrated Development)**

N/A



**RP-2 PEDESTRIAN REFUGE - AVOCET DRIVE**

**Author:** Frank Goodyer  
**Director:** Warren Faulkner

**Recommendation**

---

**That Council approve the installation of a refuge island and associated regulatory devices on Avocet Drive, Estella as per the attached diagram.**

**Report**

---

A development application, DA14/0673.02, has been considered by Council for the construction of a shopping centre in Estella. The recommendation addresses the following condition in the application.

10. Prior to release of Construction Certificate for Stage 2 an amended plan shall be prepared to the satisfaction of Director of Planning and Regulatory Services or delegate that identifies:

- A taxi pickup/drop-off area in close proximity to the pedestrian entrance to the shopping mall.
- Appropriate directional signage and line marking throughout the subject site to provide for ease of navigation for drivers through the finished carpark of the complex.
- Traffic calming devices to facilitate safe pedestrian movement. Pedestrian crossing stripes are not to be placed in the site as these resemble pedestrian crossings on the road and creates confusion as to who has priority.
- The proposed pedestrian refuge should be located so as not to impact on vehicular access to and from the residential properties located on the northern side of Avocet Drive.
- Details of the southern boundary treatment to enable the screening of loading and unloading activities.

REASON: To ensure safe vehicle movement to and from the site. Section 79c(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

**Risk Management Issues for Council**

---

There are no identified risks that are associated with this matter.




**Internal / External Consultation**

---

Consultation was undertaken with internal WWCC stakeholders.

**Attachments**

---

- 1.  DA14-0673.03
- 2.  C\_210526\_RevB\_28092021 9
- 3.  Stamped Final Copy - DA14-0673.03\_Site Plan



# Notice of Determination of Development Application

Environmental Planning and Assessment Act 1979

Notice is hereby given of the determination by Council to the Modification of the above Development Application pursuant to Section 4.55 of the Environmental Planning & Assessment Act, 1979.

Modification Number:	DA14/0673.03
Development Application	DA14/0673.02
Modified:	
Type of Modification:	s4.55(1A)
Applicant:	Wakefield Planning Po Box 594 MOREE NSW 2400
Land to be Developed:	2 Rainbow Dr ESTELLA NSW 2650
Description of Modification:	Lot 602 DP 1148567, Lot 542 DP 1179577, Lot 6012 DP 1209232 Staging of the development into two stages; Update conditions 1-17 and 48-56 new conditions 3A and 74 (retaining walls and staging).
Determination:	Approved
Description of Development:	Single Storey Commercial/Retail Development (Neighbourhood Shopping Centre), Ancillary Parking & Relocation of Existing Bus Stop
Date of Determination of Modification:	21/10/2021

On behalf of the Council

A handwritten signature in black ink, appearing to read "Amanda Gray".

Amanda Gray  
Senior Town Planner

## NOTICE OF DETERMINATION

### Lapsing of the Consent

This modification does not alter the lapsing date of the Consent. It remains as that shown on the original determination.

Agray

1 of 24

Document Set ID: 5493303

Version: 1, Version Date: 22/10/2021



Notice of Determination  
Development Application No. DA14/0673.03

### Review of Determination

Where Council is the consent authority, Section 8.2 of the Environmental Planning and Assessment Act 1979, provides that the applicant may request the Council to review the determination. A request for review cannot be made after the period within which any appeal may be made to the Court has expired if no appeal was made. There is no right to review a determination of a complying development certificate, designated development, or Crown Development.

### Right of Appeal

Where an applicant is dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 provides a right to appeal the decision to the Land and Environment Court within a period of 6 months from the date the decision is notified or registered on the NSW planning portal or after the date of deemed refusal under section 8.11.

### CONDITIONS OF CONSENT FOR APPLICATION NO. AS MODIFIED BY APPLICATION NO. DA14/0673.03

#### CONDITIONS OF CONSENT FOR APPLICATION NO.DA14/0673 AS MODIFIED BY APPLICATION NO. DA14/0673.02

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

Plan/Doc No.	Plan/Doc Title	Prepared by	Issue	Date
TP02.1	Site Analysis Plan	trg	D	8.4.16
TP03.1	Proposed Site Plan Stage 1	trg	G	1.10.21
TP04.1	Truck Movement and Signage Plan Stage 1	trg	C	19.8.15
TP05.1	Roof Plan Stage 1	trg	C	19.8.15
TP06.1	Elevations Stage 1	trg	D	8.4.16
TP07.1	Elevations Stage 1	trg	D	8.4.16
TP08.1	Landscape Plan Stage 1	trg	D	8.4.16
	Statement of Environmental Effects	Wakefield Planning		Dec 2014
	Statement of Environmental Effects Section 96(2) Modification	Wakefield Planning		28.5.16
	Proposed Seating and Landscape Area (image)	trg		No date
	Written Correspondence	Wakefield Planning		3.10.21

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.



Notice of Determination  
Development Application No. DA14/0673.03

**Prior to release of Construction Certificate**

**2. Provision must be made in the building and on the site for:**

- a) access to the building for people with disabilities in accordance with the Building Code of Australia;
- b) toilet facilities for people with disabilities in accordance with the Building Code of Australia, and such toilet facilities must be accessible to all persons working in, or using, the building; and
- c) motor vehicle parking spaces on the site for the exclusive use of people with disabilities in accordance with Table D3 of the Building Code of Australia.

**NOTE:** These matters must be addressed in the plans and specifications submitted with the application for the Construction Certificate for Stage 2.

REASON: To provide for the use of the development by people with disabilities. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**3. Prior to the issue of the Construction Certificate for Stage 2 details of all structural concrete and structural steelwork shall be submitted to the Principal Certifying Authority for approval, all such details shall be certified by a practising Structural Engineer.**

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

**3A Prior to the release of the Construction Certificate for Stage 1 Engineers Certification is required for all retaining walls over 1m in height or over 600mm and within 1m of the boundary. Retaining wall detail to include suitable subsoil drainage measures with granular backfill. Copies of the details, plans and or specifications for all proposed retaining walls, showing compliance with the provisions of the Building Code of Australia, shall be submitted to and approved by the Accredited Certifier.**

**4. Prior to the release of Construction Certificate for Stage 2 a geo-technical report must be submitted to the Principal Certifying Authority that demonstrates that the foundation upon which a footing/slab is to be located is classified in accordance with Part 3.2.4 "Site Classification", of the Building Code of Australia and AS 2870 Residential Slabs and Footings.**

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

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



Notice of Determination  
Development Application No. DA14/0673.03

- 4A. Prior to the release of each Construction Certificate sufficient information must be forwarded to the Principal Certifying Authority illustrating compliance with the relevant requirements of the BCA, clause 98 of the EPA Act.**

REASON: It is in the public interest that the building provides an adequate level of fire protection. Section 79C (1) (a) (iv) of the Environmental Planning and Assessment Act 1979, as amended.

- 5. Prior to the issue of the Construction Certificate for Stage 1 the developer must lodge a bond with Council of:-**

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

**NOTE 1:** Applicants will be required to reference the INDIVIDUAL kerb and gutter bond number (BKG 0287) when lodging bond monies. Please reference the BKG number on the application form which is available from customer service and on council's website under the planning tab > document quick links > applications / or alternatively reference BKG number 0287 when making electronic payment.

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

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

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

**NOTE 5:** The bond held on the kerb and gutter and footpath is fully refundable upon completion of all Stage 2 works and upon inspection by Council to ensure that any damage to Council infrastructure has been repaired. The bond will not be refunded in the event that damage done to Council's infrastructure is not repaired to the satisfaction of Council. All damage is to be repaired at the full cost of the applicant

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

- 6. Pursuant to s94A of the Environmental Planning and Assessment Act 1979 and City of Wagga Wagga Section 94A Levy Contributions Plan 2006, the following monetary contributions must be paid to Council:-**

- i) \$11,447.20 prior to release of the Construction Certificate for Stage 1**
- ii) \$122,752.79 prior to release of the Construction Certificate for Stage 2**



Notice of Determination  
Development Application No. DA14/0673.03

unless, before the time due for payment, the applicant and the Council enter into a legally binding agreement for the applicant to provide works-in-kind or any other material public benefit(s) to the Council in part or full satisfaction of the levy. This amount is to be adjusted in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and clause 11 of the City of Wagga Wagga Section 94A Levy Contributions Plan 2006. A copy of the City of Wagga Wagga Section 94A Levy Contributions Plan 2006, is available for inspection at Council Chambers, corner Baylis and Morrow Streets, Wagga Wagga.

**NOTE 1:** Clause 11 of the City of Wagga Wagga Section 94A Levy Contributions Plan 2006 provides for Section 94 contributions to be indexed in accordance with the Consumer Price Index - All Groups (Sydney) published by the Australian Bureau of Statistics.

**NOTE 2:** The figures outlined in this consent are based on the applicable rate of CPI at the time of consent which is 118.5. 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 modified consent (October 2021).

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

7. **Prior to the release of Construction Certificate for Stage 2 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 \$81,798.56



Notice of Determination  
Development Application No. DA14/0673.03

The Section 64 Sewer contribution (updated by the CPI at the time of the modified consent 118/100.5) required to be paid is \$96,042.09

**NOTE 6:** The Section 64 Stormwater base figure is \$23,256.76

The Section 64 Stormwater contribution (updated by the CPI at the time of the modified consent 118/87.9) required to be paid is \$31,220.68

**NOTE 7:** Section 64 contributions shall be indexed in accordance with CPI.

**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 modified consent (DA14/0673.02).

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).

8. **Prior to the issue of the Construction Certificate for Stage 2 a revised site plan shall be submitted to Council for approval that indicates;**

- i) The stormwater connecting to the spur provided
- ii) The sewer connection to the spur provided (Note the sewer connection to Councils main shall be a minimum of 150mm, this will be inspected as part of a section 68 public application)
- iii) The finished paving levels demonstrating that the stormwater overland flow path is directed towards the street
- iv) A stormwater plan indicating pipe and pit levels, inverts and sizes. This plan shall also show existing and proposed surface contours within the site and along its boundaries with immediately adjacent properties and shall define overland flow paths for storms which exceed a 1 in 10 year event.

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

9. **Prior to the issue of the Construction Certificate for Stage 2, details are to be supplied to the Principal Certifying Authority that indicates stormwater Discharge rate is equivalent to Pre-developed rates including the 10 Year ARI up to the 100 year ARI. Council also require a satisfactory overland flow path and not adversely affect adjacent properties. Onsite Detention must be constructed and maintained so as to provide a stormwater Discharge rate equivalent to Pre-developed rates.**

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



Notice of Determination  
Development Application No. DA14/0673.03

10. Prior to release of Construction Certificate for Stage 2 an amended plan shall be prepared to the satisfaction of Director of Planning and Regulatory Services or delegate that identifies:
- (a) A taxi pickup/drop-off area in close proximity to the pedestrian entrance to the shopping mall.
  - (b) Appropriate directional signage and line marking throughout the subject site to provide for ease of navigation for drivers through the finished carpark of the complex.
  - (c) Traffic calming devices to facilitate safe pedestrian movement. Pedestrian crossing stripes are not to be placed in the site as these resemble pedestrian crossings on the road and creates confusion as to who has priority.
  - (d) The proposed pedestrian refuge should be located so as not to impact on vehicular access to and from the residential properties located on the northern side of Avocet Drive.
  - (e) Details of the southern boundary treatment to enable the screening of loading and unloading activities.

REASON: To ensure safe vehicle movement to and from the site. Section 79c(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

11. The establishment of street tree/s in accordance with the amended landscape plan referred to in condition 14 shall be carried out at full cost to the applicant.

Works shall be carried out by Wagga Wagga City Council and a fee of \$450 per street tree is payable prior to the release of the Construction Certificate for Stage 2.

Works include the supply, planting and two years maintenance for each street tree to both Rainbow Drive and Avocet Drive. Street trees are to be supplied in pot sizes ranging from 45ltr to 100ltr dependant on availability, with 45ltr being the minimum pot size.

Using this fee WWCC will undertake the supply and installation of containerised stock and will maintain them for a period of two years following installation. Installation will occur during the next available planting season (generally May-August each year).

REASON: To ensure that adequate street tree planting is provided and maintained on land adjacent to and adjoining the subject land. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

12. The pavement construction requirements associated with the relocation of the bus stop will need to be in accordance with Councils Engineering Guidelines for Subdivisions & Developments. Engineering details shall be provided prior to the release of the construction certificate for Stage 2. The pavement construction will be inspected by council at critical hold points.

REASON: To ensure that works are designed and completed in accordance with Council's guidelines. Section 79c(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.





Notice of Determination  
Development Application No. DA14/0673.03

13. **Prior to issue of the Construction Certificate for Stage 2 detailed plans and elevations of the kitchen area shall be submitted in accordance with the requirements of the Food Act 2003 and the Food Regulation 2010 and the Food Safety Standards Code. Plans shall include but not be limited to the floor, wall, ceiling covering, coving, exhaust canopy, personal and chemical storage areas.**

REASON: To aid in the storage, preparation and display of food that is safe to be consumed by the public. Section 79c(1) (e) of the Environmental Planning and Assessment Act 1979, as amended.

14. **Prior to the release of Construction Certificate for Stage 2, an amended landscape shall be submitted for approval that identifies:**

- a) **A wider landscape zone to include landscaping, seating and artwork to the south-eastern elevation of the supermarket building facing Rainbow Drive.**
- b) **The deletion of a minimum of three car park spaces from the same area as noted in (a) above.**
- c) **A Plant Schedule indicating all plant species, pot sizes, spacings and numbers to be planted within the development. Plant species are to be identified by full botanical name.**

REASON: To ensure that adequate landscaping is provided and maintained on the subject land. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

15. **Prior to the release of the Construction Certificate for Stage 2 a detailed plan shall be submitted to and approved by Director of Planning and Regulatory Services , or delegate that identifies a pedestrian refuge on Avocet Drive consistent with the details outlined under condition 10. This plan is required to be referred to the Local Traffic Committee before it is approved as these works incorporate a prescribed traffic control device.**

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

**NOTE2: The Local Traffic Committee only meets two-monthly and only between the months of March and November. Therefore to avoid delays the timing of meetings should be taken into consideration in preparing your plan for submission.**

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

16. **Prior to the issue of a Construction Certificate for Stage 1, a dilapidation report is to be undertaken. This shall include clear photos and descriptions of all existing Council infrastructure adjacent to the subject site. A copy of the dilapidation report shall be submitted to and approved by Council.**

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



Notice of Determination  
Development Application No. DA14/0673.03

17. Prior to the issue of Construction Certificate for Stage 2 a person wishing to discharge liquid trade waste to the sewerage system must under Section 68 of the Local Government Act 1993 and Council's Liquid Trade Waste Regulation Policy, obtain prior approval from Council. Discharging liquid trade waste without an approval is an offence under section 626 of the Act. Further information is available from Council's Trade Waste section on 1300 242 442 regarding the application process.

The applicant shall submit detailed sewer layout plans including pre-treatment equipment to allow for the discharge of liquid trade waste to sewer.

Trade waste material is not to be discharged into Council's sewer system and/or stormwater system, without first obtaining such written approval.

All conditions of the approval must be complied with.

REASON: To prevent damage to the Council's Sewage Treatment System and subsequent pollution of the Murrumbidgee River and comply with the Local Government (General) Regulation 2005, and Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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

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

#### Prior to Commencement of Works

19. Prior to any 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.



Notice of Determination  
Development Application No. DA14/0673.03

**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.

20. **A CONSTRUCTION CERTIFICATE must be obtained for each stage of development 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.

21. **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.**



Notice of Determination  
Development Application No. DA14/0673.03

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.

22. **Prior to the commencement of any 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.

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

**NOTE 1: Works carried out under a separately approved Section 68 prior to a Development Consent and/or Construction Certificate being issued are subject to change and are at the applicant's risk.**

**NOTE 2: The Section 68 Activity Approval (PUBLIC) may be subject to a works bond payable prior to the release of the Section 68 Activity Approval. The works bond payable will be determined based on the category of works being undertaken. Refer to Council's Section 68 Activity Approval Guide for definition of works categories.**

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

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



Notice of Determination  
Development Application No. DA14/0673.03

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

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

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.

26. **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.

27. **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.

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



Notice of Determination  
Development Application No. DA14/0673.03

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

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

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

29. **Prior to approval of the Section 138 Permit a bond of \$5000 or 5% of civil works (whichever is greater) in the form of cash or bank guarantee shall be paid to Council for the following:**

- (a) Making good any damage caused to any property of the Council as a consequence of the doing of anything to which the consent relates,**
- (b) Completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent,**
- (c) Remedying any defects in any such public work that arise within 6 months after the work is completed.**

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

30. **A soil and water management plan for the site shall be submitted in accordance with Wagga Wagga City Council's Engineering Guidelines for Subdivision and Developments. No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as a compliance certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended has been issued by Council or an accredited certifying authority confirming that the plan is in accordance with Council's Engineering Guidelines for Subdivision and Developments and Soils and Construction Volume 1, Managing Urban Stormwater. Upon certification, the measures in the Soil and Water Management Plan are to be implemented during the course of the development.**

REASON: To minimise the risk of soil erosion and water pollution, and because of representations about these matters from the Soil Conservation Service and the Department of Environment and Conservation. Section 79C(1)(b) and (d) of the *Environmental Planning and Assessment Act 1979*, as amended.

#### **During works**

31. **The exit driveway must be designed so that drivers will have a full view of the footway, prior to crossing to comply with Council's Engineering Guidelines for Subdivisions and Developments.**



Notice of Determination  
Development Application No. DA14/0673.03

REASON: To ensure the means of exit is adequate for the safe movement of vehicles across the footway. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

32. **Vehicular access within the road reserve must be constructed to Council standards, at Minimum of 150mm Reinforced Concrete at full cost to the developer, by a licensed Council approved contractor.**

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

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

COLUMN 1	COLUMN 2
Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
Slab	When reinforcement steel has been placed in position in any concrete slab, whether or not the slab is suspended, on the ground, or on fill.
Wall frame	When the frame has been erected and prior to sheeting and or brick veneer outer wall has been constructed and tied to the frame.
Roof frame	When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.
Wet areas	When the flashing to all wet areas, including the plinth under the bath, the bathroom, laundry, water closet, ensuite and shower recess have 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.



Notice of Determination  
Development Application No. DA14/0673.03

**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 Compliance Certificates be issued for these components of the development, and Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

34. If soil conditions require it:

- a) retaining walls associated with the erection/demolition of a building or other approved methods of preventing movement of soil must be provided, and
- b) adequate provision must be made for drainage.

**NOTE 1: A Retaining wall in excess of 600mm in height or within 1m of the lot boundary or an easement is not exempt development under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and requires an approval.**

**NOTE 2: Retaining walls which exceed 600mm in height must be designed by a Practising Structural Engineer or installed in accordance with any manufacturer's specification.**

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.

35. 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.

36. 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.

37. 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.





Notice of Determination  
Development Application No. DA14/0673.03

- 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.

38. **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.



Notice of Determination  
Development Application No. DA14/0673.03

**39. The construction of a concrete footpath**

- a) 1.2 metres wide and 100 mm thick**
- b) for the full width of the existing footway**

**and for the full frontage of the subject land to the public road shall be constructed in accordance with Council's Engineering Guidelines for Subdivision and Developments.**

REASON: To increase the capacity of the road system by increasing the capacity of the footway in order to cater for pedestrian traffic generated by the development. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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

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

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

**42. Stormwater mains must be extended to the site, at full cost to the developer, in accordance with Council's Engineering Guidelines for Subdivision and Developments and policies. The works must be carried out by Council or a licensed approved contractor under Council supervision.**

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

**43. All driveways between the public road network and the subject site shall be constructed so that the formed vehicle path rises to the level of the pedestrian footpath along the frontage of the site and not have the footpath step down onto the roadway.**

REASON: To ensure safe vehicle movement to and from the site. Section 79c(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

**44. The construction and finished area used for the manufacture, preparation, storage, packing, carriage or delivery of food for sale shall be constructed and maintained in accordance with the Food Act 2003 and Regulations 2010 and the Food Safety Standards Code.**



Notice of Determination  
Development Application No. DA14/0673.03

REASON: To aid in the storage, preparation and display of food that is safe to be consumed by the public. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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

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

46. **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.

47. **The construction of Barrier Kerb and Gutter in Rainbow Drive shall be carried out in accordance with Council's Engineering Guidelines for Subdivision and Developments. The works shall include the provision of street drainage where necessary, for the full frontage of the subject land to Rainbow Drive.**

REASON: To provide for the drainage of stormwater and increase the capacity of the road system in the locality of the proposed development. Sections 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

**Prior to release of Occupation Certificate / Prior to Operation**

48. **Prior to issue of occupation certificate for Stage 2 the redundant kerb layback in Rainbow Drive shall be replaced with conventional barrier kerbing, and Council's footway rehabilitated, in accordance with Council's Engineering Guidelines for Subdivisions and Developments.**

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

49. **A fee applies for each quality control inspection as per the Engineering Guidelines for Subdivisions and Development. The monies are payable at completion of works or prior to the release of each Occupation Certificate. Fees will be charged in accordance with Council's current Fees and Charges Schedule.**



Notice of Determination  
Development Application No. DA14/0673.03

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

50. **Prior to the issue of Occupation Certificate for Stage 2 the following measures must have been implemented in accordance with the approved plans.**

- (a) **The one-way motion through the service dock area is to be appropriately signposted and line marked at the driveway intersections with Avocet Drive and Rainbow Drive and within the development site.**
- (b) **Trolley bays provided within the carpark for the control and storage of shopping trolleys.**

REASON: To adequately provide for the safe movement of vehicles within the development. Section 79c(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

51. **Prior to the issue of Occupation Certificate for Stage 2 a Centre Management Plan shall be submitted to and approved by the Director of Planning and Regulatory Services (or his delegate) and must include, as a minimum, detail in relation to the on-going management of complaints regarding site activity, security on site, litter control and trolley management.**

REASON: It is in the public interest that the centre operates in a safe and efficient manner without detriment to existing levels of amenity in the area. Section 79c (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

52. **Prior to the issue of an Occupation Certificate for Stage 2, the owner must submit to Council a final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:**

- a) **has been assessed by a properly qualified person; and**
- b) **was found, when it was assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.**

**Further, the assessment must be carried out within a period of three (3) months of the date on which the final Fire Safety certificate was issued. The owner of the building must forward a copy of the certificate to the New South Wales Fire Brigades and must prominently display a copy in the building.**

**NOTE: A final Fire Safety Certificate must be provided before a final Occupation Certificate can be issued for the building and must be provided if a Fire Safety Order is made in relation to the building premises.**

REASON: To ensure the development complies with the requirements imposed under clause 153 of the *Environmental Planning and Assessment Regulation 2000*, as amended. Section 80A(11) of the *Environmental Planning and Assessment Act 1979*, as amended.

53. **Prior to the issue of the Occupation Certificate for Stage 2 and two (2) days prior to the premises opening, Council's Environmental and Community Services Directorate must be contacted for a Health Inspection and registration of the premises in accordance with the Food Act 2003 and the Food Regulations 2010, Food Safety Standards Code.**



Notice of Determination  
Development Application No. DA14/0673.03

REASON: To aid in the storage, preparation and display of food that is safe to be consumed by the public. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

54. **Prior to the release of the Occupation Certificate for Stage 2 the Food Business Premise and current Food Safety Supervisor with NSW Food Authority must be notified.**

REASON: To aid in the storage, preparation and display of food that is safety to be consumed by the public. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

55. **An Occupation Certificate for each stage of development, 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 operation/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.

56. **A final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of each stage 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.

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



Notice of Determination  
Development Application No. DA14/0673.03

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

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

#### General

58. The approved retail and gym uses must only be conducted:

- a) on Mondays to Saturdays, inclusive between the hours of 7.00 am and 10.00 pm.
- b) on Sundays and public holidays between the hours of 8.00 am and 8.00 pm.

The approved child care centre must only be operational between 7am and 6pm Monday to Fridays.

REASON: To ensure development does not reduce the amenity of the area. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

59. The hours for the use and operation of the loading docks including the collection and removal of waste, shall be 7:00am to 7:00pm Monday to Sunday inclusive and public holidays.

REASON: It is in the public interest that the amenity of the area is not affected. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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

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

61. No signage is approved as part of the application, no signs or advertising material (other than those classed as exempt development) shall be erected on or in conjunction with the proposed occupation of the site without a subsequent application being approved by Council.

REASON: Advertising structures and signs may require a development application to assess the impact on the amenity and safety of the area. Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, as amended.

62. All covered outside areas that permit smoking must comply with the Smoke - Free Environment Act 2000 and Smoke Free Environment Regulation 2007.

REASON: It is in the public interest that such areas comply with the provisions of relevant legislation. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.



Notice of Determination  
Development Application No. DA14/0673.03

63. **All activities including, loading and unloading associated with this development are to take place within the subject development site to remove interference with vehicles and pedestrian movement on public roads. The loading dock area is to be located and designed so that any vehicles accessing the loading dock are not required to reverse from any part of a public road reserve or through a pedestrian movement area.**

REASON: To ensure that suitable loading and delivery facilities are provided on site. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

64. **The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Council's satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.**

REASON: It is in the interests of highway safety that the site operates within the limitations for which it was designed. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

65. **Any landscaping, fencing or signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site and through the carpark to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".**

REASON: To ensure safe vehicle movement to and from the site. Section 79c(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

66. **Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.**

REASON: To adequately provide for the safe movement of vehicles within the development. Section 79c(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

67. **A development application will be required for the fit out of the supermarket and other retail stores together with any associated signage. Applications for subsequent changes of tenancy will be determined against SEPP (Exempt and Complying Development Codes) 2008.**

REASON: To ensure that appropriate uses are approved to occupy the tenancies together with relevant controls and conditions. Section 79C (1)(e) *Environmental Planning and Assessment Act 1979*.

68. **The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement (copy attached).**

REASON: It is in the public interest that the development provides an Annual Fire Safety Statement. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.





Notice of Determination  
Development Application No. DA14/0673.03

69. (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.

70. The off-street car park layout associated with the proposed development including driveway design and location, internal aisle widths, ramp grades, parking bay dimensions and loading bays are to be in accordance with AS 2890.1-2004 "Off-street car parking" and AS 2890.2-2002 "Off-street commercial vehicle facilities" and the Austroads Guide to Traffic Management Part 11: Parking.

REASON: To adequately provide for the parking of vehicles within the development. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

71. Illumination of the car park must be in accordance with AS 1158.3.1.2005, as amended, lighting for roads and public spaces and AS4282 - "Control of Obtrusive Effects of Outdoor Lighting".

REASON: To provide opportunities for natural surveillance and reduce the likelihood of crime on the subject land. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*.

72. Provision shall be made for the parking of bicycles on site in accordance with AS 2890.3-1993 "Bicycle parking facilities" is required.

REASON: To allow for alternative means of transport to and from the development site. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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





Notice of Determination  
Development Application No. DA14/0673.03

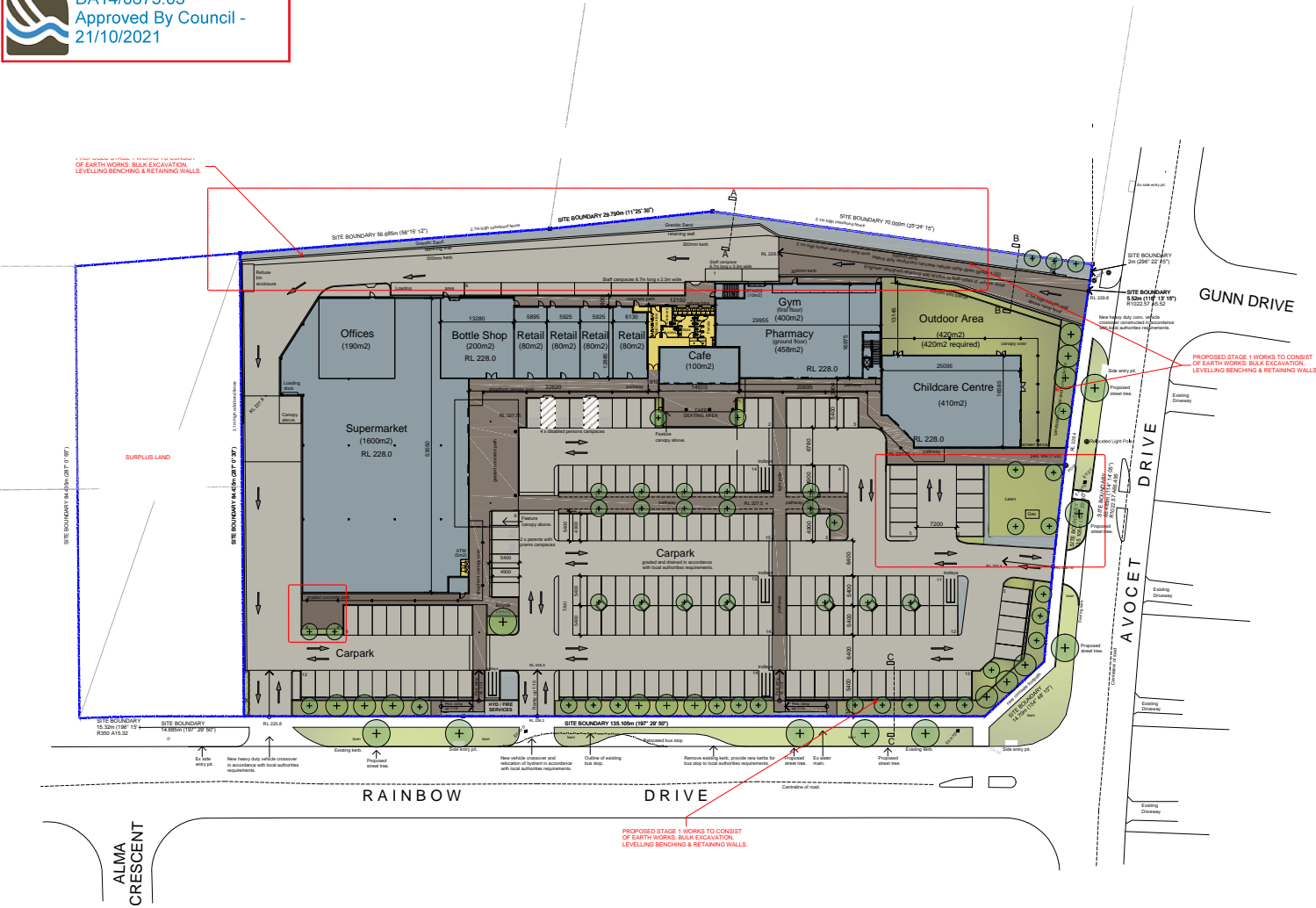
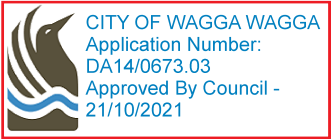
74. This approval is for a development to be undertaken in two Stages, in accordance with the approved plans (refer to Condition 1), namely:-

Stage 1: Earth works, bulk excavation, levelling and retaining walls.  
Stage 2: Civil works, footings, slabs, construction of retail buildings, car-park, external paving, new bus-stop. (Stage 2);

Unless otherwise expressly stated, the conditions must be read as being applicable to all Stages.



Project Number:		210526	
Sheet Number:	Revision Number:	Sheets in Set:	
C8	B	25	



DEVELOPMENT SUMMARY	
<b>SITE</b>	
Site area	13,100m <sup>2</sup>
<b>BUILDING AREA</b>	
Supermarket	1790m <sup>2</sup>
Bottle Shop	200m <sup>2</sup>
Retail shops	320m <sup>2</sup>
Cafe	100m <sup>2</sup>
Pharmacy	450m <sup>2</sup>
Gym (Incl Staircases & Lift)	440m <sup>2</sup>
ATM	8m <sup>2</sup>
Child care	410m <sup>2</sup>
Amenities(Incl. corridor)	100m <sup>2</sup>
Total building area	3818m <sup>2</sup>
<b>CARSACES</b>	
Total required 5in 100(excl child care)	161
Total required child care (60 kids)	15
Total provided	176

REFER TO LANDSCAPE PLAN FOR ALL PLANTING & LANDSCAPING DETAILS

ALL EXTERNAL BUILDING & CAR PARK LIGHTING TO FUTURE DETAIL IN STRICT ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARDS & AUTHORITY REQUIREMENTS. ALL LIGHTING WILL BE DESIGNED TO REDUCE GLARE AND BE BAFFLED TO MINIMIZE LIGHT SPILL

1	STAGE 1 DEVELOPMENT APPROVAL	10/10/2021
2	STAGE 2 DEVELOPMENT APPROVAL	10/10/2021
3	STAGE 3 DEVELOPMENT APPROVAL	10/10/2021
4	STAGE 4 DEVELOPMENT APPROVAL	10/10/2021
5	STAGE 5 DEVELOPMENT APPROVAL	10/10/2021
6	STAGE 6 DEVELOPMENT APPROVAL	10/10/2021
7	STAGE 7 DEVELOPMENT APPROVAL	10/10/2021
8	STAGE 8 DEVELOPMENT APPROVAL	10/10/2021
9	STAGE 9 DEVELOPMENT APPROVAL	10/10/2021
10	STAGE 10 DEVELOPMENT APPROVAL	10/10/2021



PROPOSED SUPERMARKET AND RETAIL DEVELOPMENT  
PROJECT ADDRESS  
CNR RAINBOW & AVOCET DRIVE  
ESTELLA  
NSW 2650

PROPOSED SITE PLAN  
STAGE 1

CLIENT  
ALLETTA PTY LIMITED

DATE	SCALE	BY
SEP 14	1:250	MT/K
DATE	SCALE	BY
MT/K	1:250	MT/K
TOWN PLANNING		
10/09/21	1:250	MT/K

01 PROPOSED SITE PLAN  
SCALE 1:250

**RP-3 PECK STREET - PARKING**

**Author:** Frank Goodyer  
**Director:** Warren Faulkner

**Recommendation**

---

**That Council approve the following changes to parking restrictions in Peck Street Wagga Wagga:**

- a. Install a length of timed parking utilising R5-1 series signs depicting 1P 8am-4.00pm Mon-Fri for the first six marked parking bays on the eastern side of Peck Street commencing from Yathong Street**
- b. Install a length of NO PARKING for the remaining seven marked parking bays on the eastern side of Peck Street commencing from Yabtree Street utilising R5-40 series signs with additional words "Authorised Vehicles Excepted"**

**Report**

---

**Background**

At its Ordinary Meeting on 25 July 2016, Council approved a raft of recommendations contained in a report from Traffic Committee relating to changes in traffic control facilities and devices in and around the new Wagga Wagga Base Hospital precinct.

Two recommendations within the report RP-4 HOSPITAL AND PRECINCT TRAFFIC AND PARKING MANAGEMENT which were approved, included:

- c Install R5-40 series NO PARKING signs, with additional words 'Authorised Vehicles Excepted', on the eastern side of Peck Street from the sign mentioned at point 'b' for a distance of 59 metres toward the south.*
- d Install R5-40 series NO PARKING signs, with additional words 'Renal Patients Excepted', on the eastern side of Peck Street, from the southern end of the zone that is mentioned at point 'c', for a length of 17 metres.*

The recommendation for these parking controls was consistent with the arrangements previously implemented by MLHD before the Peck Street was transferred to Council's control and were approved to remain, in order to facilitate restricted parking for authorised MLHD/NSW Health vehicles and patients attending the Renal Unit.

**Comment**

The MLHD Manager, Corporate and Business Services at the Wagga Wagga Base Hospital has advised Council that earlier in 2021, MLHD converted the Renal Unit into a COVID vaccination clinic. The change adversely impacted patients seeking vaccination by not being able to access timed parking in the vicinity of the clinic which resulted in several patients not meeting appointments.

The original spaces restricted for use by Renal Unit patients only are no longer required and MLHD have requested that six spaces be approved for one hour timed parking to facilitate the regular turnover of patients attending the vaccination hub and other hospital services.

Staff have inspected the site and spoken with the relevant manager. The signs currently installed by MLHD for 'Authorised Vehicles' are no longer approved for use. The permissive parking times are consistent with other parking zones within the health precinct.

Murrumbidgee Local Health District authorised vehicles are readily identifiable by the sticker as per the attachment which is affixed to the vehicle.

The current recommendation will remedy this situation.

The recommendation complies with the following legislation and policy.

a.NSW Road Rules 204

b.AS 1742.11 (Parking Controls) Clauses 3.3.2(a), 3.3.3, 3.3.4 and 3.3.5

---

### **Risk Management Issues for Council**

There are no risks that are associated with this matter.









---

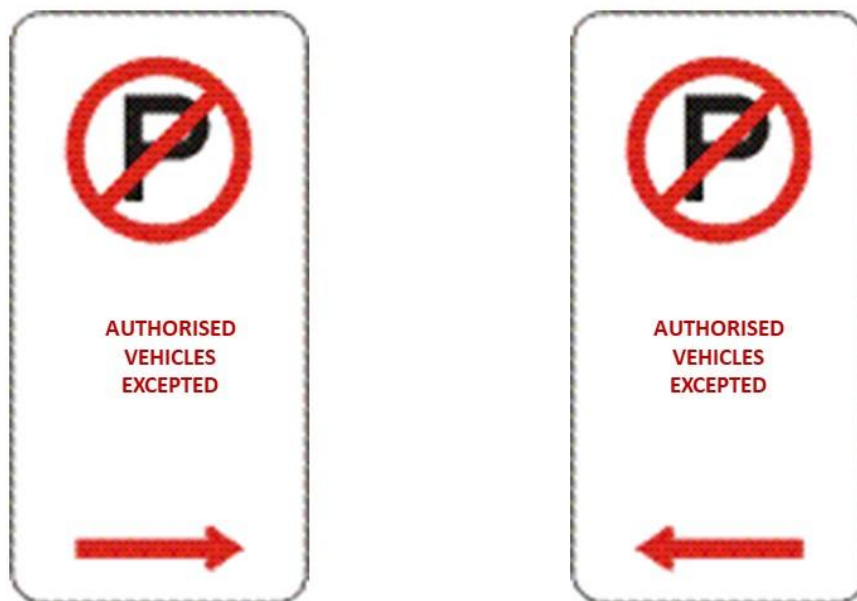
### **Internal / External Consultation**

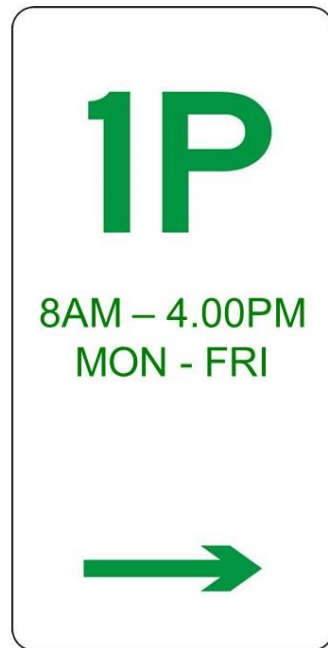
Consultation was undertaken with the applicant in this matter.

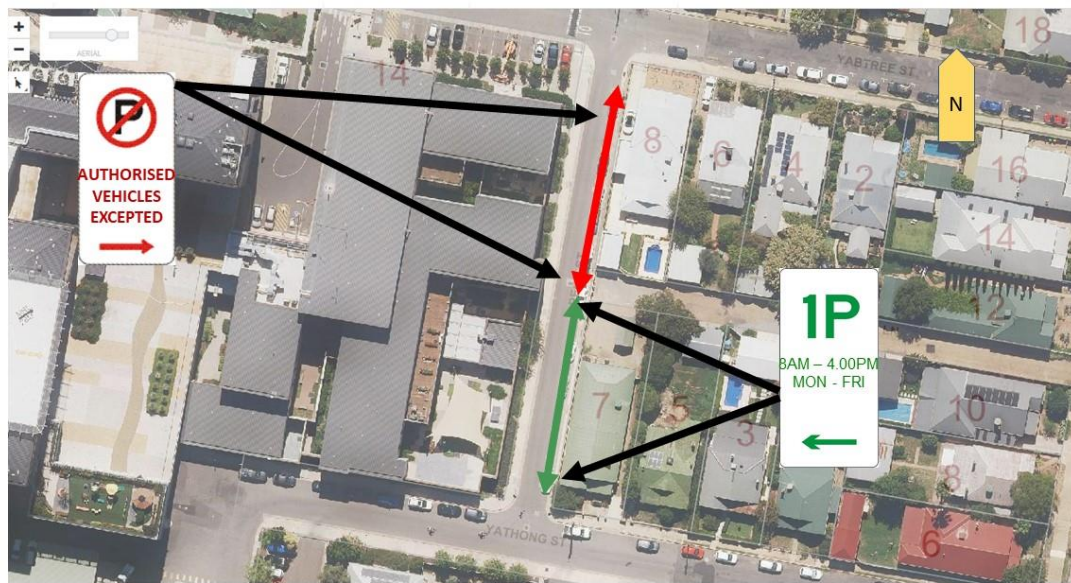
---

### **Attachments**

1.   No Parking Authorised Vehicles Excepted
2.   1P Parking - Peck Street
3.   Peck Street Proposed Parking Layout
4.   MLHD vehicle identification











**RP-4      BARDON LANE - STOP SIGN**

**Author:**      Frank Goodyer  
**Director:**    Warren Faulkner

**Recommendation**

---

**That Council install a STOP sign and associated STOP line utilising R1-1 series signage in Bardon Lane at the intersection of Morgan Street.**

**Report**

---

A customer request was received highlighting a safety issue for pedestrians at the intersection of Bardon Lane and Morgan Street.

Drivers exiting Bardon Lane are unsighted from pedestrians to their left until they have entered the traffic lane, due to the building alignment being directly adjacent to the laneway and the footpath.

There currently no controls at the intersection and the addition of a STOP sign with painted STOP line will enhance pedestrian safety.

**Risk Management Issues for Council**

---

The intended purpose of this report is to safely manage a risk issue that has been identified and that is detailed in the report.



**Internal / External Consultation**

---

Consultation was undertaken with the applicant in this matter.

**Attachments**

---

1.  Bardon Lane exiting to Morgan Street - Drivers view
2.  Morgan Street - Pedestrians view approaching Bardon Lane





**RP-5            INFORMAL REPORT - SPECIAL EVENT TRAFFIC MANAGEMENT PLANS**

**Author:**        Frank Goodyer  
**Director:**      Warren Faulkner

**Recommendation**

---

That Traffic Committee note the approval under delegation of Special Event Traffic Management Plans for the following events.

**Report**

---

**Light the Lake – New Year’s Eve 31 December 2021**

The event was sponsored by Council to celebrate the New Year and involved the temporary management of traffic to ensure the safe movement of people and vehicles in the streets surrounding the lake on the evening of 31 December 2021.

**Touch NSW – Junior State Cup Southern Conference Carnival – 18 to 20 February 2022**

This annual event continues to increase in popularity and attendance. The implementation of a comprehensive traffic management plan on roads bordering Jubilee Park across the weekend ensures a safe environment for people attending the event with minimal impact on the non-event community.

**Wagga Wagga Food and Wine Festival – 19 February 2022**

The Food and Wine Festival has been conducted by the Rotary Club of Wollundry, Wagga Wagga Inc for over ten years. It’s a static event held in the Civic precinct using sections of Baylis Street, Morrow Street and Ivan Jack Drive.

**Ladysmith P&C Duathlon – 29 May 2022**

This is an on-road competitive running and cycling event which had been postponed from 2021 due to COVID. The traffic management plan ensures the safe conduct of the event on local roads in Ladysmith with minimal impact on the non-event community.

**Risk Management Issues for Council**

Risks identified have been assessed and documented by organisers in the application process.

**Internal / External Consultation**

---

Consultation was undertaken with the applicant, organisers and stakeholders of the events.

## **QUESTIONS WITH NOTICE**