

Ordinary Meeting Of Council



Wollondilly Shire Council

Minutes

Monday 18 May 2015

The meeting commenced at 6.30pm and was held in the Council Chamber 62-64 Menangle Street, Picton NSW 2571.

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

RECORDING OF MEETINGS	3
PRESENT	3
ALSO PRESENT WERE	3
NATIONAL ANTHEM	3
ACKNOWLEDGEMENT OF COUNTRY	3
APOLOGIES AND LEAVE OF ABSENCE REQUESTS	3
DECLARATION OF INTEREST	4
CONFIRMATION OF MINUTES	6
MAYORAL MINUTE	7
PLANNING AND ECONOMY	18
PE1 Development Application No. 010.2014.00000872.001 - Construction of Boarding use Comprising Eight (8) Units on First Floor with Parking at Ground Level	18
PE2 Development Application No. 010.2015.00000028.001 - The Construction and Use of a Resource Recovery Facility with associated Vehicle Depot and Truck Wash Area in two (2) stages at 50 Bridge Street, Picton.....	19
PE3 Exhibition of a Draft Planning Agreements Policy.....	44
PE4 Update on Assessment of Development Application No. D525-05 - Alterations and Additions to existing commercial building, to create eight (8) ground level shops, nine (9) units of shop-top housing dwellings over new shops and landscaping - 55-57 Menangle Street, Picton.....	45
PE5 Draft Planning Proposal - West Tahmoor - Lot Size Amendment	46
PE6 Update on Sub-Regional Planning.....	47
PE7 Local Development Performance Monitoring.....	48
PE8 Badgery's Creek Airport - Proposal for Joint Peer Review of Environmental Impact Statement.....	49
PE9 Greater Macarthur investigation Area - Impact on Current Planning Proposals	50
GOVERNANCE	51
GO1 Notice of Motion Status Report - May 2015	51
GO2 Investment of Funds as at 31 March 2015.....	52
GO3 Third Quarterly Review of 2014/15 Operational Plan including the Quarterly Budget Review Statement for period ended 31 March 2015.....	53
GO4 Land Acquisition Purposes - Various Issues - Bargo.....	54
ENVIRONMENT	55
EN1 Establishment of a National Park for Bargo River Gorge	55
EN2 Argyle Street - London Plane Trees.....	56
EN3 Review of Street Sweeping Services Contract 2009/09	57
NOTICE OF MOTION/RESCISSION	58
RES1 Rescission Motion No. 1 submitted by Cr B Banasik on 20 April 2015 regarding Development Application No. 010.2014.00000502.001 - Demolition and the Construction and Subdivision of two Dual Occupancies (three new dwellings)	58
NOM1 Notice of Motion No. 1 submitted by Cr Mitchell on 28 April 2015 regarding Financial Assistance Grants to Local Government	84
NOM2 Notice of Motion No. 2 submitted by Cr Hannan on 12 May 2015 regarding Oakdale Phone Booth.....	85
NOM3 Notice of Motion No. 3 submitted by Cr Mitchell on 13 May 2015 regarding alternate Councilor Reps on the JRPP	86
CLOSING	87

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

RECORDING OF MEETINGS

The Mayor stated that in accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

PRESENT

Councillors: Mitchell (Mayor), B Banasik, Law, Terry, Amato, M Banasik, Hannan, Gibbs and Landow.

ALSO PRESENT WERE

Acting General Manager, Acting Executive Director Community Services and Corporate Support, Director Planning, Director Infrastructure and Environment, Manager Governance and one Governance Officer

NATIONAL ANTHEM

The Mayor requested that everyone stand for the Australian National Anthem.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

APOLOGIES AND LEAVE OF ABSENCE REQUESTS

TRIM 88-10

There were no apologies noted for this meeting.

DECLARATION OF INTEREST

TRIM 528-6

Cr Mitchell declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Cr Law holds this Contract. Cr Mitchell stated that his association with Cr Law is as an elected member and that he would remain present at the meeting and vote on the matter.

Cr Mitchell declared a Non-Pecuniary (Significant) Conflict of Interest in Item PE4 – Update on Assessment of Development Application No D525-05. The reason being was that a family member owns a business in Picton Village Square. Cr Mitchell stated that he would leave the meeting and not take part in the consideration or discussion of the matter or voting on the matter.

Cr Law declared a Pecuniary Conflict of Interest in relation to Item EN3 – Review of Street Sweeping Services Contract 2009/09. Cr Law stated that he is the holder of the existing contract. He advised he would leave the meeting, and not take part in the consideration or discussion of this matter or voting on the matter.

Cr Hannan declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Councillor Law holds this Contract. Cr Hannan stated that her association with Cr Law is as an elected member and that she has the absence of a personal interest in the decision. She advised that she would remain present at the meeting and vote on the matter.

Cr B Banasik declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Councillor Law holds this Contract. Cr B Banasik stated that his association with Cr Law is as an elected member. He advised that he would remain present at the meeting and vote on the matter.

Cr Amato declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Councillor Law holds this Contract. Cr Amato stated that his association with Cr Law is as an elected member. He advised that he would leave the meeting and not take part in the consideration or discussion of this matter.

Cr M Banasik declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Councillor Law holds this Contract. Cr M Banasik stated that his association with Cr Law is as an elected member. He advised that he would remain present at the meeting and vote on the matter.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Cr Landow declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Councillor Law holds this Contract. Cr Landow stated that his association with Cr Law is as an elected member. He advised that he would remain present at the meeting and vote on the matter.

Cr Landow declared a Non-Pecuniary (Non - Significant) Conflict of Interest in Item PE4 – Update on Assessment of Development Application No D525-05. The reason being was that a family member owns a shop in the Square. Cr Landow advised that he would remain present at the meeting and take part in voting.

Cr Gibbs declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. The reason being was that Councillor Law holds this Contract. Cr Gibbs stated that his association with Cr Law is as an elected member. He advised that he would remain present at the meeting and vote on the matter.

Cr Terry declared a Non-Pecuniary Conflict of Interest in Item EN3 – Review of Street Sweeping Services Contract 2009/09. Cr Terry advised that she has an ongoing relationship and regular contact with Cr Law who is the contractor. She stated that as she is unable to remove the source of conflict she would leave the meeting and not take part in the consideration or discussion of the matter.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

CONFIRMATION OF MINUTES

TRIM 88-10

66/2015 Resolved on the Motion of Crs M Banasik and Hannan:

That the Minutes of the Ordinary Meeting held on Monday 20 April 2015, as circulated, be adopted as true and correct.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

MAYORAL MINUTE

TRIM 531

On Tuesday 21 April a MACROC CEO Breakfast was held at Harrington Grove Country Club and was attended by Cr Michael Banasik and Cr Lou Amato along with Executive Staff from Council. Guest speaker was Marina Go, Chair, Wests Tigers NRL Club.

Unfortunately I was unable to attend this event but I would like to thank Cr Lou Amato and Cr Michael Banasik for attending.



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Also on Tuesday 21 April 2015 there was an Anzac Service held at John Goodlet Manor, Queen Victoria Park. I would like to thank Cr Hilton Gibbs for attending on my behalf and also thank Ally Dench, Executive Director for accompanying him.



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

I would like to thank Cr Kate Terry for attending an Anzac Service on Thursday 23 April 2015 held at Appin School.

Cr Kate Terry also attended services held in Bargo and Menangle on Saturday 25 April 2015 and I would like to convey my appreciation to her for attending these services on behalf of Council.



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Over 10,000 people attended the Picton Anzac Day Service held on Saturday 25 April 2015. I would like to congratulate the organisers of this event, The Picton Anzac Day Committee on its success which brought record crowds into Picton.

I would like to thank fellow Councillors and Executive Staff for attending this ceremony.



The Mayor gave a special thankyou to Cr Ray Law for his contribution to the Anzac Day Ceremonies.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

I would like to thank Cr Judith Hannan, Cr Hilton Gibbs and Executive Director, Ally Dench for attending the Anzac Service held in Oakdale on Anzac Day.



I would like to thank Cr Hannan, Cr Gibbs and Executive Director, Ally Dench for also attending services in Warragamba, and Mt Hunter.

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

The Australian Local Government Women's Association was held on Friday 1 May and Saturday 2 May 2015 in Wollongong and was attended by Cr Judith Hannan; Executive Director, Ally Dench and Manager Compliance, Robyn Cooper. Friday's session was attended by Cr Kate Terry; General Manager, Luke Johnson as well as 2 Council Staff.



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

An Association of Mining Related Council Meeting was held on Thursday 7 May 2015 and Friday 8 May 2015 at Quirindi. Cr Michael Banasik attended this meeting and I would like to thank David Henry, Council's Environmental Assessment Planner for attending this meeting on my behalf.



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

I am addressing Council tonight recommending a resolution to establish a meeting with myself; Local Member for Wollondilly, Jai Rowell; General Manger, Luke Johnson and the Minister for Roads, The Honourable Duncan Gay MLC to request the NSW government fast-track the upgrades to the Picton Rd / Hume Highway intersection.

There is a significant crash history at this interchange, particularly where the highway ramps meet Picton Road. Official statistics show that there has been 45 serious crashes between January 2009 and December 2013 and we are aware of more since that reporting period including two in April and a fatal accident late last year. These crashes have a number of causes including confusion about who has the right of way and motorists who misjudge the speed and intentions of other vehicles using the intersections. Traffic also currently queues back to the Hume Highway during busy time, increasing the potential for crashes on the high-speed highway.

The upgrade of this intersection is important to improve road safety in our Shire and is overdue for action, I will be calling on the Minister to take a personal interest in this project and accelerate the works.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Council received one (1) application for donations in May 2015.

Peter Wards – application for \$250.00 representing Australia in Men's Softball team to play at the World Championships in Saskatoon Canada from 26 June to 5th July 2015.

This application has been assessed against the criteria and has been recommended for approval. I propose that Council support this application and approve the requested financial support.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Lastly it is with sadness that I acknowledge the passing of a dear friend to Wollondilly – Bob Brown. In 2011, Mr Brown made significant donations in the name of his late wife Betty to some worthwhile causes in Wollondilly. He made a contribution to the K9 Memorial in Emmett Park, Tahmoor and was also a great benefactor to the Bargo Rural Fire Service. Mr Brown was a truly generous man; I send condolences to his friends and family at this sad time. I would like to observe a minutes silence for Mr Bob Brown.



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

The Mayor thanked the Councillors for their support during the last month.

67/2015 Resolved on the Motion of Crs Mitchell and B Banasik:

That the Mayoral Minute be accepted.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan,
 Gibbs and Landow

Planning and Economy

PLANNING AND ECONOMY

PE1 Development Application No. 010.2014.00000872.001 - Construction of Boarding House Comprising Eight (8) Units on First Floor with Parking at Ground Level

260774

DD010.2014.00000872.001

68/2015 Resolved on the Motion of Crs B Banasik and Law:

That Development Application 010.2013.00000872.001 for the construction of an eight (8) unit boarding house with parking at ground level be refused for the following reasons:

- (a) The proposal does not comply with Clauses 3(b), 30(1)(b) & 30A of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (Section 79C(1)(a)(i) Environmental Planning and Assessment Act 1979).
- (b) The proposal does not comply with the controls 4, 5, 17, 20, 28, 29, 33, 35 and 41 in Section 4.17 Hostels and Boarding Houses, of Wollondilly Development Control Plan 2011 Volume 3.
- (c) The proposal does not comply with objectives 1.1, 1.4, 11.3, and 11.4, Section 1.2 Objectives of Wollondilly Development Control Plan 2011, Volume 3.
- (d) The proposal does not comply with objective 2 Part 2 – General Considerations for all Development, Wollondilly Development Control Plan 2011, Volume 3.
- (e) The proposed development will result in an unsatisfactory impact on the Built Environment.
- (f) The proposed development is not in the public interest.
- (g) The site is not considered suitable for the proposed development.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

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Planning and Economy

PE2 **Development Application No. 010.2015.0000028.001 - The Construction and Use of a Resource Recovery Facility with associated Vehicle Depot and Truck Wash Area in two (2) stages at 50 Bridge Street, Picton**
1006 TRIM DD010.2015.0000028.001

69/2015 **Resolved** on the Motion of Crs M Banasik and Landow:

1. That Development Application 010.2015.0000028.001 for the construction and use of a resource recovery facility with associated vehicle depot and truck wash area in two (2) stages at Lot 14 DP 620557, No. 50 Bridge Street, Picton be approved subject to the following conditions:

1. **COMPLIANCE**

These conditions are imposed to ensure that the development is carried out in accordance with the conditions of consent and the approved plans to Council's satisfaction.

All Stages

- (1) Development Consent is granted for resource recovery facility, depot with associated vehicle depot, truck wash facility and associated works in two (2) stages at Lot: 14 DP: 620557, No. 50 Bridge Street, Picton.
- (2) The applicant is informed that this approval shall be regarded as being otherwise in accordance with the information and particulars set out and described in the Development Application registered in Council's records as Development Application No. 010.2015.0000028.001 received on 15/01/2015 except where varied by the following conditions of consent.
- (3) Development shall take place in accordance with the following plans:

Plan Title	Drawn By	Reference	Dated
Proposed Transport Depot 50 Bridge Street, Picton Site Layout Stage 1	Duggan & Hede Pty Ltd	JR469-c2-02 Revision B	11/14
Proposed Transport Depot 50 Bridge Street, Picton Site Layout Stage 2	Duggan & Hede Pty Ltd	JR469-c2-02 Revision B	11/14

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

Proposed Transport Depot 50 Bridge Street, Picton Office – Floor Plan	Duggan & Hede Pty Ltd	JR469-20-01	02/15
Proposed Transport Depot 50 Bridge Street, Picton Office – Elevations	Duggan & Hede Pty Ltd	JR469-20-03	02/15
Proposed Transport Depot 50 Bridge Street, Picton Office – Unisex PWD Details	Duggan & Hede Pty Ltd	JR469-20-06	01/15
Proposed Transport Depot 50 Bridge Street, Picton Workshop/Truck Wash – Plans and Elevations	Duggan & Hede Pty Ltd	JR469-20-10 Revision B	11/14
Proposed Transport Depot 50 Bridge Street, Picton Truck Park #1 – Plan & Elevations	Duggan & Hede Pty Ltd	JR469-20-11 Revision B	11/14
Proposed Transport Depot 50 Bridge Street, Picton Truck Park #2 – Plan & Elevations	Duggan & Hede Pty Ltd	JR469-20-12 Revision B	11/14
Proposed Transport Depot 50 Bridge Street, Picton Stage 2 Industrial Building – Plan & Elevations	Duggan & Hede Pty Ltd	JR469-20-13 Revision B	11/14
Proposed Transport Depot 50 Bridge Street, Picton Stage 2 Truck Park #2B - Plan & Elevations	Duggan & Hede Pty Ltd	JR469-20-14 Revision B	11/14
Proposed Transport Depot 50 Bridge Street, Picton Baler Layout	Duggan & Hede Pty Ltd	JR469-C2-13 Revision A	03/15

submitted in respect of Development Application No. 010.2015.00000028.001 dated, except where varied by the following conditions:

Planning and Economy

- (4) The development shall be undertaken in the following stages:

Stage 1:

- Workshop and Truck Wash Building
- Truck Parking Building #1 and #2A
- Office and Amenities Building

Stage 2:

- Industrial Building (baler facility)
- Truck Parking Buildings #2B.

- (5) The truck parking facilities are not to be fully enclosed and shall only be used for the parking of vehicles associated with the development.

- (6) Development shall take place in accordance with the recommendations of the following reports:

- Review of Proposed Resource Recovery Facility – Picton NSW prepared by Air Noise Environment Pty Ltd (Ref 4053 Replet) dated 12 January 2015
- Geotechnical Investigations at No. 50 Bridge Street, Picton prepared by Ground Technologies (Ref GTE-468) dated 19 December 2014
- Integrated Management System – Health, Safety, Environment and Quality Plan prepared JR Richards & Sons dated 16.07.2010.

- (7) In the event of an inconsistency of detail between the relevant plans and elevations the details shown in the elevations shall take precedent.

- (8) For the life of the development, the operation shall not exceed the thresholds prescribed by Clause 34 Resource Recovery, Schedule 1 Scheduled Activities from Protection of the Environment Operations Act 1997 and Clause 32 Waste management facilities or works, Schedule 3 Designated Development from Environmental Planning and Assessment Regulations 2000.

- (9) Prior to the issue of any Occupation Certificate, all onsite refuse, waste products and the like shall be removed from the site.

Planning and Economy

- (10) Unless permitted by another condition of this consent, there shall be no tree clearing unless the vegetation is:
- (a) Within the footprint of an approved building, access driveway or other structure; or
 - (b) Within three (3) metres of the footprint of an approved building; or
 - (c) Preventing the achievement of the minimum asset protection zone requirements under the relevant planning for bushfire protection guidelines.

In this condition Tree Clearing has meaning as described in Clause 5.9(3) of Wollondilly Local Environmental Plan 2011.

- (11) Where any work associated with this consent has the potential to disturb neighbours through the generation of noise, dust, odour, vibration or through deliveries to the site the person with control over the works shall advise the occupants of all adjoining and potentially affected properties of the timing and duration of such works. The land owner has the ultimate responsibility for ensuring that anybody undertaking works under this development consent on their behalf is aware of this requirement and completes the task required by this condition.
- (12) This facility shall only process paper and cardboard materials, products and the like. At no time shall the facility process other waste products made of steel, plastic, rubber and like materials.
- (13) This facility is not permitted to receive paper and/or cardboard products for processing directly from the public. Only those paper and/or cardboard products collected by the persons having the benefit of this consent is permitted.

2. BUILDING DESIGN

These conditions have been imposed to ensure that the appearance/construction of building works complies with the aims and objectives of Council's relevant Development Control Plans, Policies and relevant Statutory Regulations.

All Stages

- (1) All materials and colours to be used in the external construction of the proposed building shall be consistent throughout the total development and/or match those of the existing development.
- (2) The building shall incorporate earthy colours. Pale or patterned brickwork or multi-coloured or bright reflective roofs shall not be used.

Planning and Economy

- (3) Highly contrasting coloured brickwork shall only be used on sills, window heads, string courses etc.
- (4) Any above ground water storage tanks shall be coloured or painted in earthy colours to blend with the natural environment or building immediately adjoining the water tank to reduce their visual impact.
- (5) The building shall comply with AS1428 – Design for access and mobility in respect of accessibility for people with a disability. Prior to the issue of any Construction Certificate a certificate certifying compliance with this condition prepared by a suitably qualified person must be provided to Council or the nominated Accredited Certifier.
- (6) An external open space area shall be provided onsite for use by all employees. The area shall be readily accessible and contain seating, solar access and shade in accordance with the requirements of Section 2.2.19 of the Wollondilly Development Control Plan 2011, Volume 5 Industrial and Infrastructure Uses. Details shall be provided to the Nominated Accredited Certifier for approval prior to the issue of any Building Construction Certificate.

3. CONSTRUCTION GENERAL

These conditions have been imposed to ensure that all construction work is undertaken to an approved standard and related approvals.

All Stages

- (1) Construction shall not commence on the site, including the placement of temporary buildings, site sheds, earthworks, site excavation, filling or other site preparation works (with the exception of site survey work), prior to the issue of a Construction Certificate by Council or a nominated Accredited Certifier.
- (2) All construction and building work shall be restricted to between 7:00am and 6:00pm Mondays to Fridays (inclusive), 8.00am and 1.00pm Saturdays and prohibited on Sundays and Public Holidays unless written approval to vary the hours of work is granted by Council.
- (3) Toilet facilities are to 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. These facilities are to be provided prior to the commencement of any works and:

Planning and Economy

- (a) Must be a standard flushing toilet; and**
- (b) Must be connected:**
 - (i) to a public sewer, or**
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.**

In this condition:

Accredited sewage management facility means a sewage management facility to which Division 4 of Part 2 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

Approved by the Council means the subject of an approval in force under Division 4 of Part 2 of the Local Government (General) Regulation 2005.

Sewage Management Facility has the same meaning as it has in the Local Government (General) Regulation 2005.

- (4) Prior to the issue of any construction certificate, sufficient information must be forwarded to Council or the nominated Accredited Certifier illustrating compliance with the relevant provisions of the Building Code of Australia. Where Council is to be the nominated Accredited Certifier Council's Building Services Section may be contacted between 8:00am and 10:00am Monday to Friday on 02 4677 1100 if further clarification is required.**
- (5) Any damage to the Council footway, road or other land shall be restored in accordance with Council's specifications prior to the issue of any Occupation Certificate for the development and for the life of the development.**
- (6) An appropriate fence preventing public access to the site shall be erected for the duration of construction works.**
- (7) All excavation and backfilling associated with the erection of demolition of a building must be executed safely and in accordance with appropriate professional standards.**

Planning and Economy

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

- (8) If the soil conditions require it:
- (a) Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided; and
 - (b) Adequate provision must be made for drainage.

(9) SUPPORT FOR NEIGHBOURING BUILDINGS

- (a) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (i) must preserve and protect the building from damage; and
 - (ii) if necessary, must underpin and support the building in an approved manner; and
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (b) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this condition, allotment of land includes a public road and any other public place.

(10) PROTECTION OF PUBLIC PLACES

- (a) If the work involved in the erection or demolition of a building:
 - (i) Is likely to cause pedestrian or vehicular traffic in a place to be obstructed or rendered inconvenient, or
 - (ii) Building involves the enclosure of a public place;

A hoarding or fence must be erected between the work site and the public place.

Planning and Economy

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

Any such hoarding, fence or awning is to be removed when the work has been completed.

4. ENGINEERING & CONSTRUCTION SPECIFICATIONS

These conditions have been imposed to ensure that developments within the Shire are of a standard which is both safe and acceptable to Council and members of the public:-

All Stages

- (1) All works are to be designed and constructed in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.
- (2) Engineering design plans and stormwater drainage calculations, for all car parking, manoeuvring and loading areas, access driveways, retaining walls and stormwater drainage, shall be submitted to the nominated Principal Certifying Authority. The plans must be approved prior to the issue of a Construction Certificate for any works associated with this development. All levels are to be reduced to Australian Height Datum. Road design parameters shall comply with the requirements of Council's Design Specifications.
- (3) A certified "Works as Executed" plan from a Chartered Professional Engineer or Registered Surveyor is to be submitted electronically, to the Principle Certifying Authority before the final inspection for the Certificate of Practical Completion. The "Works as Executed" details shall be shown on the approved plans and must certify that the works have been constructed in accordance with the approved drawings and to the levels specified.

The applicant shall provide of all new assets constructed within the public land as per Council's asset valuation sheet.

Where Council is the nominated Principal Certifying Authority, the spread sheet will be attached to the approved plans and is available from the Design Specifications on the Website.

Planning and Economy

- (4) A “Soil and Water Management Plan” (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be submitted to Principal Certifying Authority. The measures shall be in accordance with Council’s Construction specification and the Department of Housing’s “Blue Book”. The plan is to be approved by Principal Certifying Authority with the Engineering Plans.
- (5) A “Traffic Management Plan” that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Principal Certifying Authority. The safety precautions are to be in accordance with the requirements of the RTA’s “Traffic Control at Work Sites” manual. The plan is to be prepared and endorsed by a person with current RTA certification and provided to the Principal Certifying Authority before the issue of a Construction Certificate for development.
- (6) This consent authorises both engineering and building works to be undertaken. A separate Construction Certificate shall be issued for each category of works, that is, a separate Engineering Construction Certificate (for any on-site detention, inter-allotment drainage, public road works, etc) and a separate Building Construction Certificate (for all works relating to the erection and fit-out of a structure).

A CONSTRUCTION CERTIFICATE FOR THE CIVIL WORKS MUST BE ISSUED PRIOR TO THE ISSUE OF A BUILDING CONSTRUCTION CERTIFICATE WITH THE CERTIFIED PLANS OF THE CIVIL ENGINEERING WORKS ALSO INCORPORATED INTO THE BUILDING PLANS.

- (7) Certification by a qualified Structural Engineer on the structural design for all retaining walls shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.
- (8) Engineer’s Certification shall be provided to the Principal Certifying Authority for all civil works carried out within the private property prior to any occupation of the development or the issue of any Occupation Certificate.

5. DRAINAGE/STORMWATER

These conditions have been imposed to ensure drainage/stormwater is appropriately managed.

Planning and Economy

All Stages

- (1) Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- (2) All drainage works shall be carried out in accordance with the Plumbing and Drainage Act 2011 and Australian Standard AS/NZS 3500 except where otherwise provided in the Local Government Act 1993, or the Local Government (General) Regulation, 2005.
- (3) The ground surface around the development is to be graded and drained to direct surface water run-off away from the building.
- (4) The applicant shall ensure all drainage designs are performed in accordance with Council's Design Specifications and details of such is shown on the engineering plans for approval by the Principal Certifying Authority prior to issue of a Civil Construction Certificate.
- (5) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with the constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 10% AEP. Overland flow path within the site shall be provided to safely convey runoff from storm events up to the 1% AEP.
- (6) The applicant shall provide storm water drainage and pollution control devices as shown generally on the concept plan by Duggan & Hede Pty Ltd. Details of this shall be shown on the engineering plans for approval by the Principal Certifying Authority prior to issue of a Construction Certificate.

Drainage calculations are to be carried out in accordance with "Australian Rainfall and Runoff" published by the Institution of Engineers Australia, and are to include delineation of flow paths for storms of average recurrence interval of 1:100 years (1% AEP) where appropriate.

- (7) The applicant shall provide full hydraulic modelling of the stormwater drainage design. Modelling should include the hydraulic performance pollution control devices to determine the effects of head loss through the devices on the drainage system.

Planning and Economy

- (8) An Operation and Management Plan shall be prepared for the management and maintenance of the stormwater system including pollution control devices. The plan shall be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

6. PUBLIC ROADS

These conditions have been imposed to ensure all public road works required by the development are provided to an adequate standard.

All Stages

- (1) Provision shall be made for Vehicular Access to the site through the construction of a heavy duty layback gutter crossing as generally shown on the concept plan by Duggan & Hede Pty Ltd and in accordance with Council's Construction Specifications. All obsolete vehicular crossings must be reconstructed as kerb.

Note: Any adjustment to services shall be at the expense of the applicant and is additional to the contributions required by Council. Prior to the construction of the crossing, approval shall be obtained from Council's Works Section. A property entrance application shall be submitted to Council with payment of the current fees for the access construction.

- (2) In accordance with Section 138 of the Roads Act a 138 Consent Certificate must be obtained from Council's Infrastructure Planning Section a minimum 7 days prior to commencement of work. A fee is payable for issue of this Consent Certificate.
- (3) The person having the benefit of this consent shall undertake all reasonable efforts to protect the public road pavement from damage during the course of construction work. Restoration of any damaged road or footway shall be at the applicant's expense.

7. CARPARKING/LOADING/ACCESS

These conditions have been imposed to:

- (a) Ensure that adequate provision is made for off street parking, appropriate to the volume and turnover of traffic generated by the development.
- (b) Ensure that adequate manoeuvring space is provided for parking areas, loading bays and entry to facilities.

Stage 1 Only

- (1) The development is to be provided with a minimum of twelve (12) sealed car parking spaces and access thereto. Such spaces are to measure not less than 2.6m x 5.5m and are to be constructed and marked in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.
- (2) One (1) of the required car parking spaces shall be reserved for people with mobility impairment in accordance Australian Standard AS/NZS 2890.6. – Parking facilities – Off-street parking for people with disabilities. These spaces shall have dimensions as required by AS/NZS 2890.1 – Parking facilities – Off-street car parking and shall be appropriately signposted and marked on the pavement.

Stage 2 Only

- (3) The development is to be provided with an overall (17) sealed car parking spaces and access thereto. Such spaces are to measure not less than 2.6m x 5.5m and are to be constructed and marked in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.

All Stages

- (4) Concrete driveways, manoeuvring, loading and parking areas shall be provided as generally shown on the concept plan by Duggan & Hede Pty Ltd. Details of this shall be shown on the engineering plans for approval by the Certifying Authority prior to issue of a Construction Certificate.
- (5) The internal driveways, car parking spaces and manoeuvring areas are to be constructed using concrete. The dimensions, grades and finishes of all parking, driveway, loading area and manoeuvring spaces shall be shown on the engineering plans for approval by the Principal Certifying Authority prior to issue of a Construction Certificate. All works shall comply with relevant Standards. All dimensions are to be measured from the inside face of kerbs and edging to driveway, parking spaces and manoeuvring areas.

8. EROSION AND SEDIMENT CONTROL

These conditions have been imposed to minimise the impact of the Development on the environment and on adjoining properties.

Planning and Economy

All Stages

- (1) All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
- (2) Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.
- (3) Erosion and sediment control devices are to be installed prior to any construction activity on the site. These devices are to be maintained for the full period of construction and beyond this period where necessary.
- (4) Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.
- (5) The installation of the erosion and sediment control devices identified on the Soil and Water Management Plan shall be completed prior to any construction taking place on the site. These devices are to be maintained so as to prevent the discharge of silt into adjoining bays, rivers, creeks, streams, gutters or drains.
- (6) Stockpiles of construction and landscaping materials, and site debris are to be located clear of drainage lines and in such position that they are within the erosion containment boundary or are equivalently protected from erosion and do not encroach upon any footpath, natural strip or roadway.
- (7) All excess material shall be removed from the site. The spreading or stocking piling of excess material on site is not permitted.

9. INSPECTIONS

These conditions have been imposed to ensure that construction works are undertaken to an approved standard.

All Stages

- (1) Building works shall be inspected by the Principal Certifying Authority at critical stages of construction to ensure they comply with the Building Code of Australia and associated approvals. Where Wollondilly Shire Council is nominated as the Principal Certifying Authority these inspections shall include:

Planning and Economy

- Footings
 - Pier holes before pouring of concrete
 - Steel reinforcing before pouring of concrete
 - Wet area damp proofing and flashing before lining
 - Structural steel work before covering
 - Stormwater drainage before backfilling
 - Frame work before internal cladding or lining is fixed
 - Completion of the building work before occupation or use.
- (2) The engineering works shall be inspected by the Principal Certifying Authority at the following stages of construction to ensure they comply with Council's Construction Specification and associated approvals:
- Prior to commencement of any construction work on the site, after erosion and sediment control and traffic control measures are implemented
 - When drainage lines have been laid, jointed and bedded, prior to backfilling
 - Prior to pouring of the drainage pits, when the formwork and steel is in place
 - Prior to place of concrete, when formwork is in place
 - At completion of the preparation of all concrete layback gutter crossing subgrade
 - Prior to pouring vehicle crossing slabs, when formwork and steel is in place
 - At practical completion of works.
- Note:** It is the responsibility of the applicant or contractor to notify the Principal Certifying Authority when inspections are required. Failure to notify may lead to additional work being required prior to issue of inspection certificates. A minimum of 24 hours' notice is required for inspections where Council is the Principal Certifying Authority.
- (3) If the Principal Certifying Authority notifies the site manager or other contractor that a work or works are unsatisfactory for any reason all works on the site shall cease until the matter is resolved to the satisfaction of the PCA.

10. SERVICES

These conditions have been imposed to ensure that an adequate level of services are provided for the development:

Planning and Economy

All Stages

- (1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Co-ordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the development.

- (2) All liquid waste other than stormwater generated on the premises must be discharged to the sewer in accordance with the requirements of Sydney Water. This may require a Trade Waste Agreement to be obtained. Evidence shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate in this regard, if required.

11. WASTE MANAGEMENT

These conditions have been imposed to ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises:

All Stages

- (1) Disposal of construction and building waste material shall be undertaken in accordance with the Waste Management Plan submitted with Development Application 010.2015.00000028.001.
- (2) All waste and recyclable materials shall be kept separate from general waste receptacles in order to reduce any cross contamination between all waste streams.
- (3) Waste bins storage area shall be constructed with a smooth, durable floor and must be enclosed with a durable wall, fence and/or gate which extends to the height of any waste bins that are stored within the waste storage and control area(s).
- (4) Doors and gates to the waste and recycling area shall be constructed from durable materials.

Planning and Economy

- (5) Hot and cold water shall be made available to the waste and recycling storage areas and provided through a centralised mixing valve.

The hose cock must be protected from all waste containers and located in an easily accessible location for use.

- (6) Arrangements shall be in place for the regular maintenance and cleaning of the waste and recycling areas.

- (7) Signage shall be erected on the doors and/or gates to the waste and recycling area instructing that the doors and/or gates shall remain closed when not in use.

- (8) Signage shall be erected on the doors and/or gates to the waste and recycling area clearly describing the types or materials that can be deposited into the recycling bins and the general garbage bins.

- (9) Waste and recycling containers/bins shall only be washed in an area which has drains that convey water to the reticulated sewage system.

- (10) Litter control devices shall be installed throughout the site to prevent windblown litter.

12. OCCUPATION & USE

These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation:

All Stages

- (1) The structure shall not be occupied as a residence or domicile.
- (2) The premises shall be maintained in a clean and tidy state at all times.
- (3) The footpaths shall be kept clear of signs, fixtures and goods at all times.
- (4) The premises shall be constructed and operated in such a manner so as not to interfere with the amenity of the neighbourhood by reason of the emission of discharge of noise, fumes, vapour, steam, soot, ash, dust, waste water, waste water products, grit, oil or other harmful products of the industry.

Planning and Economy

- (5) The business shall be conducted between the following hours:
- Workshop: 6am to 10pm, Monday to *Saturday* (including Public Holidays) only
 - Truck Movements: 5am to 6pm, Monday to Saturday (including Public Holidays) only
 - Office: 7am to 6pm, Monday to Saturday (including Public Holidays) only.
- (6) Despite Condition 12(5), truck movements are permitted to occur seven days a week but only during emergency periods. That is, if public authorities require the persons having the benefit of this consent to assist in clean ups and the like.

In the event that complaints are received by Council regarding trucks entering and leaving the site outside of those hours permitted in Condition 12(5), the persons having the benefit of this consent shall keep accurate records of the emergency event/period, the weather conditions, the times of departure and arrival and the like should justification be required by Council in regards to the condition being breached.

- (7) The baler facility is only permitted to be used between 7am to 5pm, Monday to Saturdays only. The baler is not permitted to be used on Sundays and Public Holidays.
- (8) The premises shall be operated so that the use of the development, building services, equipment, machinery and ancillary fittings shall not give rise to an “offensive odour” as defined in the Protection of the Environment Operations Act, 1997.

Offensive odour means an odour:

- (a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances:
- (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- (b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.

Planning and Economy

- (9) All work shall be carried out inside the premises and not in adjacent forecourts, yards, accessways, car parking areas or on Council's footpath.
- (10) All raw materials, manufactured goods, and machinery shall be stored wholly within the factory building and not in adjacent forecourts, accessways, car parking areas or on Council's footpath.
- (11) The office shall be used in conjunction with the use of the premises and shall not be separately let or occupied.
- (12) The buildings shall not be occupied or used until an Occupation Certificate is issued by the nominated Principal Certifying Authority.
- (13) Cleaning and vermin control shall be carried out in accordance with a vermin management plan approved by the nominated accredited certifier.
- (14) At no time are the truck parking areas are to be used for the storage of any equipment, waste products or the like. Truck parking areas shall only be used for the parking of vehicles associated with the development.
- (15) At no time shall any area outside of any building (parking areas, accessways, forecourts and the like be used for the storage of any products, raw materials, manufactured good/items, machinery, waste bins, unregistered vehicles, building materials, scarp materials and the like.
- (16) All vehicles must enter and leave the site in a forward direction.
- (17) The lighting throughout the development related to the subject development shall be shielded and directed so as not to cause annoyance to the owners and/or occupiers of adjoining properties and/or cause any glare to motorists on adjoining or nearby roads.

Such lighting shall be consistent with Australian Standard AS4282 Control for Obtrusive Effects of Outdoor Lighting.

- (18) Installation of 3 star WELS rated water efficient showerheads, 6 star WELS rated water tap outlets, 5 star WELS rated urinals and 4 star WELS rated toilet cisterns are required for all amenities shall be installed throughout the development site.

Planning and Economy

- (19) Wherever possible, treated and/or recycled water should be used for toilet flushing, in wash bays, fire fighting and the like.
- (20) A plan of management shall be submitted to the nominated Accredited Certifier for approval prior to the issue of the Building Construction Certificate in regards to what measures, policies, controls, and the like will be implemented to ensure the development site is maintained in a tidy state throughout the life of the development, including removal of refuse, paper and products and the like in and around fences, the detention basin and the like.

13. SIGNS

These conditions have been imposed to ensure that signs are properly designed, located and maintained so as not to impact upon the existing streetscape.

All Stages

- (1) An application under the provisions of the Environmental Planning & Assessment Act, shall be submitted to and approved by Council prior to the erection and/or display of any advertising signs unless the sign is exempt development as defined by that Act.
- (2) No advertising flags or banners or the like are to be erected on or attached to Council's footpaths, street lights or telegraph poles.

14. HERITAGE

These conditions have been imposed to ensure that development is carried out in a manner sensitive to the heritage values in the locality.

All Stages

- (1) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with Section 146 of the Heritage Act 1977.
- (2) Should any Aboriginal relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service (NPWS) should be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.

16. LANDSCAPING

These conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.

All Stages

- (1) A detailed landscape plan, drawn to scale by a person with horticultural qualifications or similar (such qualifications must be endorsed on the plans) shall be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. This plan must include the following:
- (a) All existing and proposed site structures.
 - (b) All existing vegetation.
 - (c) Details of proposed earthworks including mounding, retaining walls and planter boxes.
 - (d) Location, number and type of proposed plant species.
 - (e) Details of planting procedure and maintenance.
 - (f) Details of drainage and watering systems.
 - (g) Provision of only native species that are endemic to the region.
 - (h) Details of compliance with the landscaping requirements of other conditions of this consent.

The landscape plan shall include the following:

- (i) Provision for automatic irrigation to ensure all landscaped areas are maintained for the life of the development. Irrigation supplies shall be wither connected to a rain water tank and/or to the detention basin to lessen dependence on potable water.
Edging is to be provided to retain mulch, enable mowing to limit any impacts of the landscaped areas from vehicular damage.
Provision shall be made for one shade tree per ten parking spaces.
Security fencing is to be located rearward of any front fencing so as to minimise the fence's visual impact.
- (ii) Where applicable, landscaping shall be of local species endemic to the local area. Refer to Tables 1 to 7 of Section 2.4 Landscaping from the Wollondilly Development Control Plan 2011 Volume 1 –General for more information in this regard.

Planning and Economy

NOTE: By resolution of Council on 19 July 2010 all plants used in landscaping must be native species endemic to the area and the planting of conifers is not permitted.

- (2) Landscaping is to be installed in accordance with the approved Plan prior to the release of the occupation certificate. The landscaping must be maintained in accordance with the details provided on that Plan at all times.

17. FENCING

These conditions are imposed to ensure that any fencing has a minimal effect on the landscape/streetscape/environment of the locality:

All Stages

- (1) Any proposed security fencing shall be located behind the landscaped area at the frontage of the site. Details for this fencing, including elevations, shall be provided to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.
- (2) Fencing shall not be greater than 1.8m high above Natural Ground Level.

18. SECTION 94 CONTRIBUTIONS

These conditions have been imposed to ensure the adequate provision of public facilities required as a result of the development.

- (1) A Section 94A Developer Contribution of \$26,490 shall be paid to Council. This contribution is calculated from Wollondilly Section 94 Contributions Plan, 2005 based on an estimated construction cost of \$2,649,000.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Wollondilly Development Contributions Plan 2011. The contribution is to be paid prior to the release of the Construction Certificate.

19. PRESCRIBED CONDITIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

These conditions are imposed as they are mandatory under the Act.

All Stages

(1) COMPLIANCE WITH BUILDING CODE OF AUSTRALIA AND INSURANCE REQUIREMENTS UNDER THE HOME BUILDING ACT 1989

- (a) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:**
- (i) that the work must be carried out in accordance with the requirements of the Building Code of Australia,**
 - (ii) 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, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.**
- (b) For the purposes of section 80A (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia .**
- (c) This clause does not apply:**
- (i) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or**
 - (ii) to the erection of a temporary building, other than a temporary structure to which subclause (b) applies.**
- (d) In this clause, 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:**
- (i) development consent, in the case of a temporary structure that is an entertainment venue, or**
 - (ii) construction certificate, in every other case.**

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

Planning and Economy

(2) SIGNS TO BE ERECTED ON BUILDING, SUBDIVISION AND DEMOLITION SITES

- (a) In accordance with Section 80A (11) of the Environmental Planning & Assessment Act, 1979, 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:**
- (i) Showing the name, address and telephone number of the Principal Certifying Authority for the work; and**
 - (ii) 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**
 - (iii) Stating that unauthorised entry to the work site is prohibited.**
- (b) 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.**
- (c) This Clause 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.**

ADVICES

All Stages

- (1) During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc., that require alterations shall be altered at the applicants expense and to the satisfaction of Council and the authority concerned.**
- (2) The following service providers should be contacted before commencement of construction to establish their requirements:**
- Dial before you dig (various services) 1100**
 - Telstra (telephone) 1 800 810 443**
 - Endeavour Energy (electricity) 131 081**
 - AGL (gas) 131 245**
 - Sydney Water (water & sewer) 132 092.**

Planning and Economy

- (3) This Consent does not permit the commencement of construction unless a Construction Certificate has been issued. For details about obtaining a Construction Certificate contact Council's Building Services Section for building works or Council's Infrastructure Planning Section for civil works.
- (4) The applicant is advised that Council reserves the right to restrict the days and hours of operation if considered necessary to prevent the emission of "offensive noise" as defined in the Protection of the Environment Operations Act, 1997.

Offensive noise means noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
- (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.
- (5) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.
- (6) The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to carry the following insurance, copies of which are to be produced to Council upon request:
- Motor Vehicle Insurance (comprehensive or property damage) for all self-propelled plant, as well as valid registration or RMS permit (Including CTP insurance). Primary producer's registration is not registration for use on Public Road construction work.
 - Workers Compensation Insurance.
 - Twenty Million Dollar Public Liability Insurance.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

- (7) **The land is subject to the provisions of Clause 5.9 of Wollondilly Local Environmental Plan, 2011 and Section 2.3 of Volume 1 of Wollondilly Development Control Plan 2011 with regard to the preservation of trees and vegetation. Under these plans consent may be required for tree clearing beyond the limits set by this consent. If you intend to remove any vegetation you should make yourself familiar with the provisions of both plans. The plans may be viewed on Council's website at www.wollondilly.nsw.gov.au or at Council's offices at 62-64 Menangle St, Picton.**
- (8) **Where practical, the development shall have regard to Water Sensitive Urban Design requirements. Details shall be provided to the Nominated Accredited Certifier for approval prior to the issue of a Construction Certificate.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

PE3 **Exhibition of a Draft Planning Agreements Policy** TRIM 115
263081

70/2015 **Resolved on the Motion of Crs B Banasik and Amato:**

1. **That Council agree to the exhibition of the Draft Planning Agreements Policy.**
2. **That Council consider another report on the matter following the completion of the public exhibition period.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

PE5 Draft Planning Proposal - West Tahmoor - Lot Size Amendment
235929 TRIM 8154

72/2015 Resolved on the Motion of Crs B Banasik and Terry:

That Council acknowledge the applicant's withdrawal of the proposal and undertake no further action in its regard.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

PE6 **Update on Sub-Regional Planning**
19

TRIM 8462

73/2015 **Resolved on the Motion of Crs M Banasik and Amato:**

That Council note the information and endorse the continued involvement of staff in the workshops for and preparation of a sub-regional planning strategy.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

PE7 **Local Development Performance Monitoring** TRIM 1127
19

74/2015 **Resolved on the Motion of Crs B Banasik and Amato:**

That the information in the report be noted.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan,
Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

PE8 **Badgery's Creek Airport - Proposal for Joint Peer Review of Environmental Impact Statement**
243773 TRIM 1806

75/2015 **Resolved** on the Motion of Crs Hannan and Landow:

1. That Council express an interest in being involved in further joint activities relating to the development of the Badgery's Creek Airport through the relevant ROC's.
2. That Council writes to the Mayor of Blacktown City Council and thank him for the invitation to attend the forums and participate in the proposed joint review of the Badgery's Creek Airport.
3. That the General Manager be authorised to enter into an Agreement for the expenditure of up to \$20,000 to participate in the joint independent review of the Badgery's Creek Airport EIS, as proposed by Blacktown City Council.
4. *That WSROC do procurement on cost only basis.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Planning and Economy

PE9 Greater Macarthur investigation Area - Impact on Current Planning Proposals
243773 TRIM 1806

76/2015 Resolved on the Motion of Crs Law and Terry:

1. That processing and public exhibition of the Biodiversity Certification Application for Macquariedale Road, Appin not commence until the final report on the Greater Macarthur Urban Release Investigation Area has been released.
2. That Council consider a further report regarding the assessment of the planning proposals that lie within the investigation area should the final report on the Greater Macarthur Urban Release Investigation Area not be completed in July 2015.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Governance

GOVERNANCE

GO1

Notice of Motion Status Report - May 2015

103

TRIM 5253

77/2015

Resolved on the Motion of Crs M Banasik and Hannan:

That Council note the May Notice of Motion Status Report.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Governance

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Governance

GO2 **Investment of Funds as at 31 March 2015** TRIM 1022-2
112

78/2015 **Resolved on the Motion of Crs M Banasik and Hannan:**

That the information and certification in relation to the investment of Council funds as at 31 March 2015 be noted.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Governance

Governance

GO4 Land Acquisition Purposes - Various Issues - Bargo TRIM 7392 & 7675-3
10845

80/2015 Resolved on the Motion of Crs Amato and Law:

1. That Council note the information in this report and the budget adjustment described in report G03 (Third Quarter Review of 2014/15 Operational Plan including the Quarterly Budget Review Statement for the period ended 31 March 2015) introducing \$25,000 to undertake the various investigation necessary for these land acquisition matters.
2. *That Wollondilly Council proceed with negotiations for the purchase of the land at 10 Avon Dam Road, Bargo being sold by the State Government for the purposes of the RFS building a new fire shed for the Bargo Brigade.*
3. *That once the negotiations are finalised an Extraordinary Meeting be called to deal with the matter where possible.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Environment

ENVIRONMENT

EN1 **Establishment of a National Park for Bargo River Gorge** TRIM 1255
225

81/2015 **Resolved on the Motion of Crs M Banasik and Terry:**

1. That Council acknowledges that the area has important biodiversity and scenic amenity and should be protected through options available to Council through planning and land management activities.
2. That Council review the possibility of embellishing Planning instruments such as the DCP with the aim of applying a buffer for environmental protection along the Bargo River Gorge Area as planning proposals are assessed.
3. That Council consider these buffers in any current and future planning proposals that adjoin these areas in the Bargo River Gorge Area.
4. That Council considers that the Bargo River Gorge Area be listed for National Heritage through the Federal Government's Department of Sustainability, Environment, Water, Population and Communities.
5. That the National Parks Association be advised of this response.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Environment

EN2 **Argyle Street - London Plane Trees**
225

TRIM 260

82/2015 **Resolved on the Motion of Crs Hannan and Law:**

That a stakeholder consultation process be undertaken to garner views on the three acceptable options, i.e. Option 1 - Retain and Increase maintenance and monitoring, Option 2 - Remove and Replace with more suitable species and Option 3 - Remove and not replace; with the results of the consultation being reported to council for a final determination on this matter.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Environment

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Environment

EN3 **Review of Street Sweeping Services Contract 2009/09** TRIM 8501
266878

Crs Law, Terry and Amato left the meeting at 7.29pm due to previously declared Conflicts of Interest in the matter.

83/2015 **Resolved on the Motion of Crs Landow and Hannan:**

1. That a total of \$50,000 be introduced, from the Legal Claims Restricted Cash Account, to fund a review of the Suction Street Sweeping Services contract; \$15,000 in 2014/15 and \$35,000 in 2015/16.
2. That a Contract Review Board (the Sweeping Services Contract Review Board) be formed, consisting of Monica Kelly as Chair, a Procurement Specialist from Local Government Procurement NSW and a Waste/Sweeping Services advisor (a local government manager from a non-contiguous local government area) to undertake the review of the Suction Street Sweeping Services Contract.
3. That the Sweeping Services Contract Review Board be delegated, in accordance with Section 377 of the Local Government Act 1993, to undertake the review of the Suction Street Sweeping Service contract and determine, on Council's behalf, whether to extend the contract by the optional two (2) years, or part thereof, or terminate the contract at the end of the contract term.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs B Banasik, M Banasik, Mitchell, Hannan, Gibbs and Landow

Crs Law, Terry and Amato returned to the meeting at 7.31pm.

Notice of Motion/Rescission

NOTICE OF MOTION/RESCISSION

TRIM 6416-5

RES1 Rescission Motion No. 1 submitted by Cr B Banasik on 20 April 2015 regarding Development Application No. 010.2014.00000502.001 - Demolition and the Construction and Subdivision of two Dual Occupancies (three new dwellings)

Moved on the motion of Crs B Banasik and Terry:

RESCISSION MOTION

That Council rescind the resolution of the Ordinary Meeting held on 20 April 2015 as listed below.

RESOLUTION

- 54/2015 a) *That Council undertake a review of the appropriate application of Clause 4.1A of Wollondilly Local Environmental Plan 2011. The review will include a Councillor Workshop and further report to a future Ordinary Meeting.*
- b) That Development Application 010.2014.00000502.001 for a three (3) stage residential subdivision and dual occupancy development, creating an additional three (3) dwellings each on a separate allotment (four (4) lots in total), landscaping and demolition of a shed and slab of a shed at Lot 15 Section 4 DP 759094, at 2 Wonson Street, Wilton be approved subject to the following conditions:

1. COMPLIANCE

These conditions are imposed to ensure that the development is carried out in accordance with the conditions of consent and the approved plans to Council's satisfaction.

All Stages

- (1) Development Consent is granted for development being undertaken in three (3) stages, being: demolition of outbuildings, construction of two (2) dual occupancies, four (4) lot Torrens title subdivision of and associated works and landscaping at Lot: 15 Sec: 4 DP: 759094, No. 2 Wonson Street WILTON.

Notice of Motion/Rescission

- (2) The applicant is informed that this approval shall be regarded as being otherwise in accordance with the endorsed plans prepared by Urban Simplicity, Job No. 14-070, dated 22 January 2015, Sheets 1-23, Issue B, lodged as part of Development Application No. 010.2014.00000502.001 received on 20/08/2014 except where varied by the following conditions of consent.

- (3) The development shall be undertaken in the following stages:

Stage 1:

Two (2) lot Torres title subdivision of Lot 15 in DP 759094 in accordance with the Stage 1 Subdivision Plan, prepared by Urban Simplicity, Job No. 14-070, Sheet 03-23, Issue B, dated 22/01/2015.

Associated works, including: kerb, gutter and driveway construction and demolition of existing slab of outbuilding.

Stage 2

Construct dual occupancy on Lot 151.

Two (2) lot Torrens title subdivision of Lot 151 in accordance with the Stage 2 Subdivision Plan (Subdivision of Lot 151 created in Stage 1), prepared by Urban Simplicity, Job No. 14-070, Sheet 04-23, Issue B, dated 22/01/2015.

Associated works, including: tree removal, landscaping, and driveway construction to new dwelling constructed as part of Stage 2.

Stage 3

Construct dual occupancy on Lot 152.

Two (2) lot Torrens title subdivision of Lot 152, in accordance with the Stage 3 Subdivision Plan (Subdivision of Lot 152 created in Stage 1), prepared by Urban Simplicity, Job No. 14-070, Sheet 05-23, Issue B, dated 22/01/2015.

Associated works, including: demolition of existing slab of outbuilding, tree removal, landscaping and construction of driveways to dwellings proposed in Stage 3.

- (4) Stage 1 shall be completed and the subdivision registered prior to the release of any construction certificate for Stage 2.
- (5) The construction of the dwelling in Stage 2 must be completed and Occupation Certificates issued for the dwelling prior to the release of any Subdivision Certificate for the corresponding sub stage of Stage 3.

Notice of Motion/Rescission

- (6) Unless permitted by another condition of this consent, there shall be no tree clearing unless the vegetation is:
- (a) Within the footprint of an approved building, access driveway or other structure; or
 - (b) Within three (3) metres of the footprint of an approved building; or
 - (c) Preventing the achievement of the minimum asset protection zone requirements under the relevant planning for bushfire protection guidelines.

In this condition Tree Clearing has meaning as described in Clause 5.9(3) of Wollondilly Local Environmental Plan 2011.

- (7) Where any work associated with this consent has the potential to disturb neighbours through the generation of noise, dust, odour, vibration or through deliveries to the site the person with control over the works shall advise the occupants of all adjoining and potentially affected properties of the timing and duration of such works. The land owner has the ultimate responsibility for ensuring that anybody undertaking works under this development consent on their behalf is aware of this requirement and completes the task required by this condition.

2. CONSTRUCTION GENERAL

These conditions have been imposed to ensure that all construction work is undertaken to an approved standard and related approvals.

All Stages

- (1) Construction shall not commence, nor any earthworks or placement of site sheds, prior to the issue of a Construction Certificate by Council or a nominated Accredited Certifier.
- (2) Prior to the issue of any construction certificate, sufficient information must be forwarded to Council or a nominated Accredited Certifier illustrating compliance with the relevant provisions of the Building Code of Australia. Where Council is to be the PCA, Council's Development Services Section may be contacted between 8:00am and 10:00am Monday to Friday on 02 4677 1100 if further clarification is required.
- (3) All construction and building work shall be restricted to between 7:00am and 5:00pm Mondays to Saturdays (inclusive) and prohibited on Sundays and Public Holidays unless written approval to vary the hours of work is granted by Council.

Notice of Motion/Rescission

- (4) Toilet facilities are to 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. These facilities are to be provided prior to the commencement of any works and:
- (a) Must be a standard flushing toilet; and
 - (b) Must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

In this condition:

Accredited sewage management facility means a sewage management facility to which Division 4 of Part 2 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

Approved by the Council means the subject of an approval in force under Division 4 of Part 2 of the Local Government (General) Regulation 2005.

Sewage Management Facility has the same meaning as it has in the Local Government (General) Regulation 2005.

- (5) Any damage to the Council footway, road or other land shall be restored in accordance with Council's specifications prior to the issue of any Subdivision Certificate for the development.
- (6) An appropriate fence preventing public access to the site shall be erected for the duration of construction works.
- (7) There shall be no burning of builders rubble, felled trees or other material on site.
- (8) All excavation and backfilling associated with the development must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Notice of Motion/Rescission

3. DEMOLITION

These conditions have been imposed to ensure that the demolition of buildings is carried out with regard to public and environmental safety.

All Stages

- (1) All demolition works shall be undertaken by a licensed demolisher who is registered with Work Cover NSW. Details shall be submitted to Council or a nominated Accredited Certifier prior to the commencement of demolition works.
- (2) Any demolition works involving asbestos removal must comply with all legislative requirements including the How to Safely Remove Asbestos – Code of Practice (December 2011- WorkCover NSW & Safe Work Australia), WorkCover Authority of NSW and NSW Environment Protection Agency (EPA) requirements.
- (3) Any work involving lead paint removal must not cause lead contamination of air or ground.
- (4) All demolition material shall be disposed of in accordance with the Waste Management Plan prepared by Rein Warry and Co Pty Ltd submitted with the Development Application, approved by the Principal Certifying Authority in response to a condition of this consent.
- (5) Demolition works shall not create general nuisance by reason of inadequate dust, noise or environmental controls.
- (6) All demolition works should be carried out in a way that ensures that waste is managed in a manner consistent with the “NSW Waste Avoidance and Resource Recovery Strategy 2014-21” (copies can be obtained from the EPA website at <http://www.epa.nsw.gov.au/warr/index.htm>).
- (7) Care should be taken when demolishing building structures likely to have been treated with pesticides to avoid contact with the top 10-20mm of soil. The top layer of soil should not be left exposed where children or other sensitive individuals may come into contact with it.
- (8) Demolition shall be carried out to Australian Standard AS2601 – The Demolition of Structures and the WorkCover Authority of NSW publication “Demolition work code of practice July 2014” including provision for:
 - Appropriate security fence or builders hoarding shall be installed to prevent public access to the demolition works

Notice of Motion/Rescission

- Induction training for onsite personnel
 - Management of asbestos, contamination and other hazardous materials
 - Dust control
 - Disconnection of gas and electrical supply
 - The demolition shall not hinder pedestrian or vehicle mobility in the locality
 - Control of water pollution and leachate, including the cleaning of vehicle tyres in accordance with the Protection of the Environment Operations Act, 1997.
- (9) Fire fighting services onsite shall be maintained at all times during demolition works.
- (10) The demolition by induced collapse, the use of explosives or onsite burning is not permitted.
- (11) During demolition works all materials and equipment shall be kept entirely within the site and not on adjoining property, footpaths and roads.
- (12) All demolition work shall be restricted to between the hours of 7:00am and 5:00pm Mondays to Saturdays (inclusive) and prohibited on Sundays and Public Holidays unless written approval to vary the hours of work is granted by Council.
- (13) Certification is to be provided by the Demolition Contractor that the demolition work has been carried out in accordance with the above conditions. Such certification is to be provided to Council or the nominated Accredited Certifier within fourteen (14) days of the completion of demolition.

4. BUILDING DESIGN

These conditions have been imposed to ensure that the appearance/construction of building works complies with the aims and objectives of Council's relevant Development Control Plans, Policies and relevant Statutory Regulations.

All Stages

- (1) All materials and colours to be used in the external construction of the proposed dwellings shall be consistent throughout the total development and/or match those of the existing development.
- (2) The dwellings shall incorporate earthy colours. Pale or patterned brickwork, or multi-coloured or bright reflective roofs shall not be used.

Notice of Motion/Rescission

- (3) Highly contrasting coloured brickwork and finishes shall only be used on sills, window heads, string courses etc.
- (4) Any above ground water storage tanks shall be coloured or painted in earthy tones to blend with the natural environment or building immediately adjoining the water tank to reduce their visual impact.

5. ENGINEERING & CONSTRUCTION SPECIFICATIONS

These conditions have been imposed to ensure that developments within the Shire are of a standard which is both safe and acceptable to Council and members of the public:

All Stages

- (1) All works are to be designed and carried out in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.
- (2) Engineering Design Plans for the kerb and gutter, road shoulder, drainage and vehicle footway crossing are to be submitted to and approved by Council or the nominated Accredited Certifier. The plans must be approved prior to the issue of a Construction Certificate for any works associated with this development. All levels are to be reduced to Australian Height Datum.
- (3) Prior to the commencement of any work, a Construction Certificate shall be issued by Council or a nominated Accredited Certifier for the development.
- (4) Where Council's Construction Specification require that density tests, beam tests or CBR tests be undertaken, the results shall be forwarded to Principal Certifying Authority within 7 days. A NATA registered laboratory shall carry out the tests. When testing for density, the Standard Compaction testing method is to be used.

Failure to submit test results may result in Council refusing to issue completion certificates and hence may result in additional works being required.

- (5) A defects liability period of twelve (12) months will apply from the date of the issue of the certificate of practical completion by Council or, in the case of a public road, twelve (12) month from the registration of the road as a public road. A 10% maintenance bond or a minimum of \$1,000, whichever is greater, is to be lodged in accordance with Council's construction specification for work that is to become the property of Council.

Notice of Motion/Rescission

- (6) A certified "Works as Executed" plan from a Chartered Professional Engineer or Registered Surveyor is to be submitted to Principal Certifying Authority before the final inspection for the Certificate of Practical Completion. The "Works as Executed" plan must certify that the works have been constructed in accordance with the approved drawings and to the levels specified.
- (7) A "Soil and Water Management Plan" (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be submitted to Council or a nominated Accredited Certifier. The measures shall be in accordance with Council's Construction specification and the Department of Housing's "Blue Book". The plan is to be approved by Council or a nominated Accredited Certifier with the Engineering Plans.
- (8) A "Traffic Management Plan" that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Council or a nominated Accredited Certifier. The safety precautions are to be in accordance with the requirements of the RMS's "Traffic Control at Work Sites" manual. The plan is to be prepared and endorsed by a person with current RMS certification and provided to the Council or a nominated Accredited Certifier before the issue of a Construction Certificate for development. Where it is proposed to restrict speeds, the RMS requires that all applications for Directions to Restrict Speed (DTR) for work on any Council road by developers and their contractors be submitted to the RMS.
- (9) This consent authorises both engineering and building works to be undertaken. A separate Construction Certificate shall be issued for each category of works, that is, a separate Engineering Construction Certificate (for any on-site detention, inter-allotment drainage, public road works, etc) and a separate Building Construction Certificate (for all works relating to the erection and fit-out of a structure).

A CONSTRUCTION CERTIFICATE FOR THE CIVIL WORKS MUST BE ISSUED PRIOR TO THE ISSUE OF A BUILDING CONSTRUCTION CERTIFICATE WITH THE CERTIFIED PLANS OF THE CIVIL ENGINEERING WORKS ALSO INCORPORATED INTO THE BUILDING PLANS.

6. DRAINAGE/STORMWATER

These conditions have been imposed to ensure drainage/stormwater is appropriately managed.

Notice of Motion/Rescission

All Stages

- (1) Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- (2) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 10% AEP. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP. Design details shall be shown on the engineering plans for approval by Council or the nominated Accredited Certifier prior to the issue of Construction Certificate.
- (3) Where it is necessary to convey collected stormwater runoff from one lot through another in order to facilitate suitable disposal, an interallotment drainage easement not less than 1.5m wide is to be acquired that confers appropriate drainage rights.

Stage 1

- (4) The applicant shall design and construct street drainage as generally shown in the concept plans by Rein Warry and Co. File No 7234, Edition A dated 14/08/14 prior to the release of any subdivision certificates for Stage 1. Design details shall be shown on the engineering plans for approval by Council or the nominated Accredited Certifier prior to the issue of Construction Certificate.
- (5) The applicant shall ensure that all existing adjacent drainage structures such as table drains and pipe culvert crossings discharge into the new piped drainage system. Adjustments to the structures shall be undertaken by the applicant at no cost to Council.

7. PUBLIC ROADS

These conditions have been imposed to ensure all public road works required by the development are provided to an adequate standard.

All Stages

- (1) Provision of Vehicular Access to the site through the construction of 3.0m wide concrete vehicle footpath crossing at all locations where vehicles cross the footway. Design details shall be shown on the engineering plans for approval by Council or a nominated Accredited Certifier prior to the issue of Construction Certificate.

Notice of Motion/Rescission

Note: Any adjustment to services shall be at the expense of the applicant and is additional to the contributions required by Council. Prior to the construction of the crossing, approval shall be obtained from Council's Works Section. A property entrance application shall be submitted to Council with payment of the current fees for the access construction.

- (2) In accordance with Section 138 of the Roads Act 1993 a 138 Consent Certificate must be obtained from Council's Infrastructure Planning Section a minimum 7 days prior to commencement of work. A fee is payable for issue of this Consent Certificate.

Stage 1

- (3) The applicant shall provide 150mm barrier profile kerb and gutter and sealed road from the edge of existing bitumen to the lip of the gutter along the full frontage of the proposed development in Wonson Street and Peel Street, including associated drainage works prior to the release of the subdivision certificate for Stage 1.
- (4) The Kerb and Gutter alignment in Wonson Street shall provide for a 6.0 metre verge with a minimum 6.5 metre carriageway. Peel Street alignment shall provide for an 8.8 metre verge with a minimum 6.5 metre half road width prior to the release of the subdivision certificate for Stage 1.
- (5) Provision of vehicular access to the site through the construction of vehicular crossings within the new kerb and gutter at all locations adjacent to proposed concrete footpath crossings. Design details shall be shown on the engineering plans for approval by Council or a nominated Accredited Certifier prior to the issue of the Construction Certificate.
- (6) A street light shall be placed on the existing power pole at the intersection of Peel Street and Wonson Street adjacent to the proposed development prior to the release of the subdivision certificate for Stage 1.
- (7) The street lighting identified in Condition 8(6) above shall be provided using LED LIGHTING to comply with the current Australian Standard and certified by an Endeavour Energy approved design consultant.

8. EROSION AND SEDIMENT CONTROL

These conditions have been imposed to minimise the impact of the Development on the environment and on adjoining properties.

Notice of Motion/Rescission

All Stages

- (1) All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
- (2) Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.
- (3) Erosion and sediment control devices are to be installed prior to any construction activity on the site. These devices are to be maintained for the full period of construction and beyond this period where necessary.
- (4) The installation of the erosion and sediment control devices identified on the Soil and Water Management Plan shall be completed prior to any construction taking place on the site. These devices are to be maintained so as to prevent the discharge of silt into adjoining bays, rivers, creeks, streams, gutters or drains.
- (5) Kikuyu will not be permitted to be used for turfing of any disturbed area.
- (6) The installation of the erosion and sediment control devices identified in the Soil and Water Management Plan as per Condition 6(7) shall be completed prior to any construction taking place on the site.
- (7) The installation of the erosion and sediment control devices identified in the Soil and Water Management Plan shall be completed prior to any construction taking place on the site.

These devices are to be maintained so as to prevent the discharge of silt into adjoining bays, rivers, creeks, streams, gutters or drains.

- (8) Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.

9. EARTH FILL

These conditions have been imposed to ensure the safe disposal of fill:

All Stages

- (1) All filling on the site, including footpath areas, shall be compacted to not less than 95% Standard Compaction.
- (2) There shall be no encroachment onto adjoining lands by fill placed near boundaries.

Notice of Motion/Rescission

- (3) There shall be no loss of support or encroachment of fill onto adjoining lands as a result of excavation or filling within the site.
- (4) Notice shall be provided to Council one or two business days prior to the commencement of land filling works and within two business days of the completion of such works.
- (5) Surface stormwater shall be controlled in such a manner that no significant alterations to existing flows onto adjoining properties occur.

10. INSPECTIONS

These conditions have been imposed to ensure that construction works are undertaken to an approved standard.

All Stages

- (1) The engineering works shall be inspected by the Principal Certifying Authority at the following stages of construction to ensure they comply with Council's Construction Specification and associated approvals:
 - Prior to commencement of any construction work on the site, after erosion and sediment control and traffic control measures are implemented
 - When drainage lines have been laid, jointed and bedded, prior to backfilling
 - Prior to pouring of the drainage pits, when the formwork and steel is in place
 - Prior to pouring of the road drainage culverts, when the formwork and steel is in place
 - When roadworks have been excavated to subgrade, prior to placing of pavement
 - When subsoil drainage lines have been excavated and drainage pipe laid prior to placing filter material
 - After shaping and prior to topsoil/turf placement of overland flow paths
 - During the roller test, which is to be carried out using a three point roller or approved equivalent
 - At sealing
 - At completion of the preparation of kerb and guttering subgrade
 - At completion of the preparation of all concrete layback gutter crossing subgrade
 - Prior to pouring concrete to driveway/car park slabs, when formwork and steel is in place
 - At practical completion of works
 - At final completion of works (minimum of 12 months after date of issue of practical completion certificate).

Notice of Motion/Rescission

Note: It is the responsibility of the applicant or contractor to notify the Principal Certifying Authority when inspections are required. Failure to notify may lead to additional work being required prior to issue of inspection certificates. A minimum of 24 hours' notice is required for inspections.

- (2) If the Principal Certifying Authority notifies the site manager or other contractor that a work or works are unsatisfactory for any reason all works on the site shall cease until the matter is resolved to the satisfaction of the Principal Certifying Authority.

Stage 2 and 3

- (3) Building works shall be inspected by the Principal Certifying Authority at critical stages of construction to ensure they comply with the Building Code of Australia and associated approvals. Where Wollondilly Shire Council is nominated as the Principal Certifying Authority these inspections shall include:

- Footings
- Pier holes before pouring of concrete
- Steel reinforcing before pouring of concrete
- Wet area damp proofing and flashing before lining
- Stormwater drainage before backfilling
- Bearers and joist inspection before flooring is fixed
- Frame work before internal cladding or lining is fixed
- Completion of the building work before occupation or use.

- (4) Prior to the issue of any construction certificate for this development, the following is to be paid to Wollondilly Shire Council, if not paid at Development Application stage:

- (i) Payment of Road Damage Inspection Fee (if development cost >\$5,000).
- (ii) Payment of a Road Opening Fee.

The amount to be paid shall be in accordance with Wollondilly Shire Council's adopted fees and charges at the time of payment.

11. SERVICES

These conditions have been imposed to ensure that an adequate level of services are provided for the development:

Notice of Motion/Rescission

All Stages

- (1) Electricity supply is to be made available to all proposed lots in accordance with the requirements of Endeavour Energy. In this regard, written confirmation from Endeavour Energy that suitable arrangements have been made shall be submitted to the Principal Certifying Authority prior to the release of the Subdivision Certificate.
- (2) Provision is to be made for the supply of telephone services to all proposed lots in accordance with the requirements of Telstra. In this regard, written confirmation from Telstra Australia that arrangements have been made shall be submitted to the Principal Certifying Authority prior to the release of the Subdivision Certificate.
- (3) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the development.

- (4) All power and services within the site shall be underground.
- (5) Every dwelling (existing and new) approved in this consent must be connected to the reticulated sewerage system prior to the release of the Occupation Certificate.
- (6) Letter boxes shall be provided to each dwelling to the satisfaction of Australia Post prior to the release of any Occupation Certificate.
- (7) Clothes lines shall be provided for each dwelling at the rate of 12 lineal metres of line and shall not be visible from a public place. The clothes line shall be installed prior to the release of any Occupation Certificate.

12. WASTE MANAGEMENT

These conditions have been imposed to ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises:

Notice of Motion/Rescission

All Stages

- (1) Disposal of demolition, construction and building waste material shall be undertaken in accordance with the Waste Management Plan prepared by Rein Warry and Co Pty Ltd submitted with the Development Application, approved by the Principal Certifying Authority in response to a condition of this consent.
- (2) Disposal of construction and building waste material shall be undertaken in accordance with the Waste Management Plan approved by the Principal Certifying Authority in response to a condition of this consent.

13. HERITAGE

These conditions have been imposed to ensure that development is carried out in a manner sensitive to the heritage values in the locality.

All Stages

- (1) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with Section 146 of the Heritage Act 1977.
- (2) Should any Aboriginal relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service (NPWS) should be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.

14. TREE REMOVAL

These conditions are imposed to ensure that the removal of trees is undertaken in a safe and environmentally sensitive manner.

All Stages

- (1) Any vegetation to be felled as part of this consent shall be mulched and reused onsite. The burning of the felled vegetation is not permitted. Trees that are to be retained must not be impacted by stockpiled material.

Notice of Motion/Rescission

15. FENCING

These conditions are imposed to ensure that any fencing has a minimal effect on the landscape/streetscape/environment of the locality:

Stage 2

- (1) Fencing is to be installed to the boundary of proposed Lot 153 and to the full length of the northern side boundary of proposed Lot 154. The proposed fencing is to be lapped and capped 1.8m high in accordance with the approved plans. The fencing shall be installed prior to the release of any Occupation Certificate for the dwellings proposed on the Lots 153 and Lot 154.

Stage 3

- (2) Fencing is to be installed to the full length of the eastern side boundary of proposed Lot 155 and to the full length of the eastern side boundary of proposed Lot 156. The proposed fencing is to be lapped and capped, 1.8m high in accordance with the approved plans. The fencing shall be installed prior to the release of any Occupation Certificate for the dwellings proposed on the Lots 155 and Lot 156.

16. LANDSCAPING

These conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.

Stage 2

- (1) Landscaping is to be installed in accordance with the approved Landscape Plan (Stage 2), prepared by Urban Simplicity, Job No. 14-070, Sheet 19-23, Issue B, dated 22/01/2015 lodged in relation to DA010.2014.00000502.001 prior to the release of the Occupation Certificate for each dwelling proposed in Stage 2. The landscaping must be maintained in accordance with the details provided on the Landscape Plan at all times.

Stage 3

- (2) Landscaping is to be installed in accordance with the approved Landscape Plan (Stage 3), prepared by Urban Simplicity, Job No. 14-070, Sheet 20-23, Issue B, dated 22/01/2015 lodged in relation to DA010.2014.00000502.001 prior to the release of the Occupation Certificate for each dwelling in Stage 3. The landscaping must be maintained in accordance with the details provided on that Landscape Plan at all times.

Notice of Motion/Rescission

17. SALINITY MANAGEMENT

These conditions have been imposed in response to the NSW State Governments' best management practices for the management of urban salinity.

Stage 2 and 3

- (1) The concrete slab for each new dwelling proposed shall be constructed using Class 32 mpa (N32) concrete or a sulphate resisting type SR cement with a water to cement ratio of 0.5. Salt resistant concrete which has been mixed, laid and cured is less permeable to water and therefore salt. Details verifying compliance with this condition shall be submitted to the Principal Certifying Authority after placement of the concrete and prior to any further building work.

18. OCCUPATION & USE

These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation:

All Stages

- (1) The proposed new dwellings shall not be occupied until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) Under clause 97A(2) of the Environmental Planning and Assessment Regulation, 2000, it is a condition of this development consent that all the commitments listed in the relevant BASIX Certificate are fulfilled.

In this condition:

- a) relevant BASIX Certificate means
 - i) a BASIX Certificate that was applicable to the development when this consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development consent when this consent is modified); or
 - ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX certificate; and
- b) BASIX Certificate has the meaning given to the term in the Environmental Planning and Assessment Regulation, 2000.

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Notice of Motion/Rescission

19. SECTION 94 CONTRIBUTIONS

These conditions have been imposed to ensure the adequate provision of public facilities required as a result of the development.

Stage 1

- (1) Payment of a Contribution for one (1) additional lot in accordance with the Wollondilly Section 94 Contribution Plan 2011, the cost of which will be determined and payable at the time of the release of the Subdivision Certificate.

The current amount payable is:

(i)	Open Space, Sport & Recreation (Shire)	\$ 275
(ii)	Open Space, Sport & Recreation (Precinct)	\$ 6,534
(iii)	Library & Community Facilities (Shire)	\$ 1,301
(iv)	Library & Community Facilities (Precinct)	\$ 1,716
(v)	Transport & Traffic (Roads & Intersections)	\$ 4,668
(vi)	Transport & Traffic (Cycleways)	\$ 365
(vii)	Bushfire Protection	\$ 33
(x)	Plan Administration	\$ 745
	TOTAL	\$14,892

Notice of Motion/
Rescission

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Notice of Motion/Rescission

Stage 2

- (2) Payment of a Contribution for one (1) additional dwelling in accordance with the Wollondilly Section 94 Contribution Plan 2011, the cost of which will be determined and payable at the time of the release of the Subdivision Certificate.

The current amount payable is:

(i)	Open Space, Sport & Recreation (Shire)	\$ 160
(ii)	Open Space, Sport & Recreation (Precinct)	\$ 3,794
(iii)	Library & Community Facilities (Shire)	\$ 755
(iv)	Library & Community Facilities (Precinct)	\$ 996
(v)	Transport & Traffic (Roads & Intersections)	\$ 4,668
(vi)	Transport & Traffic (Cycleways)	\$ 212
(vii)	Bushfire Protection	\$ 19
(x)	Plan Administration	\$ 530
	TOTAL	\$11,134

Stage 3

- (3) Payment of a Contribution for one (1) additional dwelling in accordance with the Wollondilly Section 94 Contribution Plan 2011, the cost of which will be determined and payable at the time of the release of the Subdivision Certificate.

The current amount payable is:

(i)	Open Space, Sport & Recreation (Shire)	\$ 160
(ii)	Open Space, Sport & Recreation (Precinct)	\$ 3,794
(iii)	Library & Community Facilities (Shire)	\$ 755
(iv)	Library & Community Facilities (Precinct)	\$ 996
(v)	Transport & Traffic (Roads & Intersections)	\$ 4,668
(vi)	Transport & Traffic (Cycleways)	\$ 212
(vii)	Bushfire Protection	\$ 19
(x)	Plan Administration	\$ 530
	TOTAL	\$11,134

Notice of Motion/
Rescission

Notice of Motion/Rescission

These figures are reviewed quarterly in accordance with the provisions of the Contributions Plan and an updated figure must be obtained from Council at the time of payment.

20. SUBDIVISION PLANS

These conditions have been imposed to ensure to outline the minimum development standards and provide design guidelines for the subdivision of land in the Shire.

All Stages

- (1) A letter from a Registered Surveyor shall be submitted to Council certifying that no services of Public Utility or waste water disposal presently connected to existing buildings straddle proposed boundaries after subdivision.
- (2) Submission to Council of the Linen Plan of Subdivision together with nine (9) copies suitable for certification by the General Manager and lodgement at the Lands Titles Office. A fee for the release of the Subdivision Certificate applies.
- (3) The development shall be completed in accordance with the relevant plans and conditions of consent prior to the release of the Subdivision Certificate.

Stage 2

- (4) The subdivision certificate for Stage 2 shall not be released until after the Occupation Certificate has been issued for the new dwelling.

Stage 3

- (5) The subdivision certificate for Stage 3 shall not be released until after the occupation certificate has been issued for both new dwellings.

21. PRESCRIBED CONDITIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

These conditions are imposed as they are mandatory under the Act.

- (1) COMPLIANCE WITH BUILDING CODE OF AUSTRALIA AND INSURANCE REQUIREMENTS UNDER THE HOME BUILDING ACT 1989
 - (a) For the purposes of section 80A(11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

Notice of Motion/Rescission

- (i) that the work must be carried out in accordance with the requirements of the Building Code of Australia.
 - (ii) 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, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- (b) For the purposes of section 80A(11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia.
- (c) This clause does not apply:
- (i) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187(6) or 188(4), or
 - (ii) to the erection of a temporary building, other than a temporary structure to which subclause (1)(b) applies.
- (d) In this clause, 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:
- (i) development consent, in the case of a temporary structure that is an entertainment venue, or
 - (ii) construction certificate, in every other case.

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

(2) SIGNS TO BE ERECTED ON BUILDING, SUBDIVISION AND DEMOLITION SITES

- (a) In accordance with Section 80A (11) of the Environmental Planning & Assessment Act, 1979, 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:
 - (i) Showing the name, address and telephone number of the Principal Certifying Authority for the work; and

Notice of Motion/Rescission

- (ii) 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
 - (iii) Stating that unauthorised entry to the work site is prohibited.
- (b) 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.
- (c) This Clause 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.
- (3) NOTIFICATION OF HOME BUILDING ACT 1989 REQUIRMENTS
- (a) For the purposes of Section 80A (11) of the Act, the requirements of this condition are prescribed as conditions of a Development Consent for development that involves any residential building work within the meaning of the Home Building Act 1989.
- (b) 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:
- (i) in the case of work for which a principal contractor is required to be appointed:
 - (aa) the name and licence number of the principal contractor; and
 - (ab) the name of the insurer by which the work is insured under Part 6 of that Act.
 - (ii) in the case of work to be done by an owner-builder:
 - (aa) the name of the owner-builder; and
 - (ab) if the owner-builder is required to hold an owner-builder permit under the Act, the number of the owner-builder permit.
- (c) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under sub-condition (2) becomes out of date, further work 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 updated information.

Notice of Motion/Rescission

- (4) Under clause 97A(2) of the Environmental Planning and Assessment Regulation, 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. 609842S_02, 609875S_02 and 6098757S_02 are fulfilled. If a replacement BASIX Certificate accompanies any subsequent application for a Construction or Occupation Certificate, the replacement BASIX Certificate shall apply.

22. ADVICES

- (1) During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc., that require alterations shall be altered at the applicants expense and to the satisfaction of Council and the authority concerned.
- (2) The following service providers should be contacted before commencement of construction to establish their requirements:
- Telstra (telephone) 1 800 768 396
 - Endeavour Energy (electricity) 131 081
 - AGL (gas) 131 245
 - Sydney Water (water & sewer) 132 092.
- (3) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.
- (4) The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to carry the following insurance, copies of which are to be produced to Council upon request:
- Motor Vehicle Insurance (comprehensive or property damage) for all self-propelled plant, as well as valid registration or RTA permit (Including CTP insurance). Primary producer's registration is not registration for use on Public Road construction work.
 - Workers Compensation Insurance.
 - Ten Million Dollar Public Liability Insurance.

Notice of Motion/Rescission

- (5) The land is subject to the provisions of Clause 5.9 of Wollondilly Local Environmental Plan, 2011 and Section 2.3 of Volume 1 of Wollondilly Development Control Plan 2010 with regard to the preservation of trees and vegetation. Under these plans consent may be required for tree clearing beyond the limits set by this consent. If you intend to remove any vegetation you should make yourself familiar with the provisions of both plans. The plans may be viewed on Council's website at www.wollondilly.nsw.gov.au or at Council's offices at 62-64 Menangle St, Picton.
- (6) This Consent does not permit the commencement of construction unless a Construction Certificate has been issued. For details about obtaining a Construction Certificate contact Council's Development Services Section.
- (7) The applicant is advised that Council reserves the right to restrict the days and hours of operation if considered necessary to prevent the emission of "offensive noise" as defined in the Protection of the Environment Operations Act, 1997.
- (8) The applicant is advised that Council reserves the right to restrict the days and hours of operation if considered necessary to prevent the emission of "offensive noise" as defined in the Protection of the Environment Operations Act, 1997.

Offensive noise means noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
 - (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.
- (9) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.

Notice of Motion/Rescission

- (10) A Road Opening Permit must be obtained from Council before trenching or other excavation work is undertaken within the public road reserve. It is the responsibility of each contractor and/or subcontractor to obtain such a permit. The permit must be held on site and produced when requested by a Council Officer.

This Consent does not permit the commencement of construction unless a Construction Certificate has been issued. For details about obtaining a Construction Certificate contact Council's Development Services Section.

ALTERNATE MOTION

1. That Development Application 010.2014.00000502.001 for a three stage residential subdivision and dual occupancy development, creating an additional three dwellings each on a separate allotment (four lots in total), landscaping and demolition of a shed and slab of a shed at Lot 15 Section 4 DP759094, 2 Wonson Street, Wilton be refused for the following reasons:
 - a) The Wollondilly Local Environmental Plan 2011 contains a zone objective for the R2 Low Density Residential zone which seeks to "provide for the housing needs of the community within a low density residential environment". The need for small lot residential development has been catered for at the nearby Bingara Gorge development.
 - b) The development would be contrary to clause 4.1A of Wollondilly Local Environmental Plan 2011 as the development would result in the proposed dual occupancy (detached) development in Stage 3 being located on a lot (Lot 152) with an area less than 975m².
 - c) The development is contrary to the existing density and subdivision pattern in this part of Wilton. The development, if approved, would create an undesirable precedent and will detract from the quality and amenity of the public domain in this locality.
 - d) The form and external appearance of the proposed development does not present an appropriate scale. In particular, the side boundary setback to Peel Street and lot widths fronting Wonson Street are not consistent with the existing streetscape character in this locality.
 - e) The site is not suitable for the residential density proposed by this development, given the functional nature of the reticulated sewer system in Wilton.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Notice of Motion/Rescission

- f) The development would be contrary to the public interest and taking into consideration the submissions made in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.
2. *That Council undertake a review of the appropriate application of Clause 4.1A of Wollondilly Local Environmental Plan 2011. The review will include a Councillor Workshop and further report to a future Ordinary Meeting.*

On being put to the meeting the rescission motion was declared LOST.

Vote For: Crs Terry, Law, B Banasik and M Banasik
Vote Against: Crs Mitchell, Landow, Hannan, Amato and Gibbs

Council resolution No. 54/2015 of the Ordinary Meeting held on 20 April 2015 therefore remains valid.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Notice of Motion/Rescission

TRIM 6416-5

NOM1 Notice of Motion No. 1 submitted by Cr Mitchell on 28 April 2015 regarding Financial Assistance Grants to Local Government

B Banasik left the meeting at 7.58pm and returned at 8.00pm

84/2015 Resolved on the Motion of Crs Mitchell and M Banasik:

- 1. That Council acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council services and infrastructure and that Wollondilly will receive \$3,431,629 in 2014/15.**
- 2. That Council write to our Federal Members of Parliament, Mr Angus Taylor MP and Mr Russell Matheson MP, drawing attention to the impact on Wollondilly of the Financial Assistance Grants indexation freeze, seeking support for the restoration of the indexation of the grants; and**
- 3. That Council ensures that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.**
- 4. *That this matter be raised at the NSW Local Government conference.***

On being put to the meeting the motion was declared CARRIED.

Vote: Crs B Banasik, Law, Terry, Amato, M Banasik, Mitchell, Gibbs, Hannan and Landow

Notice of Motion/
Rescission

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Notice of Motion/Rescission

TRIM 6416-5

NOM2 **Notice of Motion No. 2 submitted by Cr Hannan on 12 May 2015 regarding Oakdale Phone Booth**

This Notice of Motion was withdrawn.

Notice of Motion/
Rescission

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Notice of Motion/Rescission

TRIM 6416-5

NOM3 **Notice of Motion No. 3 submitted by Cr Mitchell on 13 May 2015 regarding alternate Councilor Reps on the JRPP**

85/2015 **Resolved on the Motion of Crs Mitchell and Hannan:**

1. That Council nominate Councillors Crs B Banasik, Law, Terry, Amato, M Banasik, Mitchell, Gibbs, Hannan and Landow to be the Mayor's nominated alternates on the Sydney West Joint Regional Planning Panel.
2. That the JRPP Secretariat be advised of this resolution.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, Amato, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 May 2015, commencing at 6.30pm

Closing

CLOSING

There being no further business, the Mayor declared the Ordinary Meeting closed at 8:01 pm.

This and the preceding 86 pages are the Minutes of the Ordinary Meeting of Council held on Monday 18 May 2015 and were confirmed in the subsequent meeting held on Monday 15 June 2015.

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Mayor