



Report of Development Application Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979

APPLICATION DETAILS

Application No.:	DA17/0533
Modification No.:	DA17/0533.01
Council File No.:	D/2017/0533
Date of Lodgement:	24/03/2020
Applicant:	Beedee Bags Pty Ltd 7 Norton St EAST WAGGA WAGGA NSW 2650
Proposal:	Additional Warehouse
Description of Modification:	Amendment to Floor Height and Associated Access Ramps, Alteration of Car Parking, Turning Areas, and Entry/Exit - Amend Conditions 1 and 12. Insert Condition 19A.
Development Cost:	\$370000
Assessment Officer:	Steven Cook
Determination Body:	Officer Delegation 7.39
Other Approvals	Nil
Type of Application:	Section 4.55(1A) Modification
Concurrence Required:	No
Referrals:	Internal
Adjoining Owners Notification:	NA
Advertising:	NA
Owner's Consent Provided:	24/3/20
Location:	Western side of Norton St, approximately 225m south of Hammond Ave

SITE DETAILS

Subject Land:	12-16 Norton St EAST WAGGA WAGGA NSW 2650 Lot B DP 159199, Lot 1 DP 580574
Owner:	XS Dicker

REPORT

DESCRIPTION OF DEVELOPMENT

DA17/0533 for 'Additional Warehouse (27.5 x 45)' was approved by Council on 19/10/17.

An application has now been received to modify the consent, pursuant to s4.55(1A) of the Act. The modification seeks to:

- Increase to floor level by 900mm.
- Inclusion of ramps to access building.
- Decrease in floor area of warehouse from 1,216m² to 1,161m².
- Include a concrete path around warehouse.
- Change to access/egress, vehicle movement/turning areas and carparking layout, including increasing width of driveway crossover.
- Minor changes to building elevations, including:
 - Removal of roller door, and relocation of doorway from northern elevation.
 - Relocation of roller door and doorway on eastern elevation.

It is noted that the warehouse dimensions in the original description are now incorrect, and it is recommended that this be removed from the description of the development.

It is further noted that the original plans incorrectly overstated the floor area of the existing buildings on the site as being 2838m². This has now been confirmed as being 2574m².

THE SITE & LOCALITY

The site, being Lot B DP 159199, 12-16 Norton St, East Wagga Wagga, is located on the western side of Norton St, approximately 225m south of Hammond Ave. The lot is approx. 5400m² in area and is generally rectangular in shape with a frontage of 95m to Norton Street. The lot is flat, with no apparent fall across the site. Other than the subject warehouse, which has now been erected, there are two other warehouses on the lot, with a combined floor space of 2574m².

Easements and Covenants

A Right of Way easement runs along the southern boundary to provide access to the property to the rear (Lot 10 DP 1138244). The proposed development does not impede on the right of way.

Previous Development Consents

DA10/0219: Additional warehouse. The proposed warehouse subject of this application is constructed immediately to the south of the previously constructed warehouse.

SUMMARY OF MAIN ISSUES

Nil

MATTERS FOR CONSIDERATION PURSUANT TO SECTION 4.55 OR 4.56

For the purpose of determining this application to modify consent, the following matters pursuant to the provisions of Section 4.55 or 4.56 of the Environmental Planning and Assessment Act 1979, have been taken into consideration.

Section 4.55(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact.
The modifications are relatively minor, and are considered to not significantly alter the impacts of the development.

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).
The development remains almost entirely the same as that originally approved, with some minor changes to the building dimensions, openings, floor height, and access and carpark.

(c) it has notified the application in accordance with:
i. the regulations, if the regulations so require, or
ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent.

Applications under Section 4.55(1A) are not required to be notified.

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

No submissions were received.

Note: In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application.

MATTERS FOR CONSIDERATION PURSUANT TO SECTION 4.15(1)

For the purpose of determining this development application, the following matters that are of relevance to the development have been taken into consideration pursuant to the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act, 1979.

(a)(i) - The provisions of any environmental planning instrument (EPI)

Local Environmental Plan

Wagga Wagga Local Environmental Plan 2010

Overall, the nature of the modifications to lot layout are such that the compliance of the development with the Wagga Wagga Local Environmental Plan 2010 will remain unchanged and the previous assessment remains valid.

State Environmental Planning Policies

The nature of the modifications are such that the compliance of the development with any State Environmental Planning Policies will remain unchanged and the previous assessment remains valid.

(a)(ii) - The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

The nature of the modifications are such that the compliance of the development with any draft State Environmental Planning Policies will remain unchanged and the previous assessment remains valid.

(a)(iii) - Any development control plan

Wagga Wagga Development Control Plan 2010

The nature of the modification is such that the compliance of the development with the Wagga Wagga Development Control Plan 2010 plans will remain largely unchanged and the previous assessment remains valid. The following matters are noted for further discussion:

2.1 Vehicle Access and Movement

The original application was approved with plans showing that a 12m truck was able to enter and exit the site in a forward direction. The amended plans have also demonstrated that such a vehicle can turn within the site and enter and exit in a forward direction. The development therefore continues to comply with 2.1 of the WWDGP 2010.

2.2 Off Street Parking

The modifications propose a reduction in the total number of parking spaces on the site from 15 to 13. However, as noted in the description of the development section of this report, there was an over-estimation of the floor area of the existing buildings on

the site in the original application. Furthermore, the proposed warehouse has reduced in size. The result of this is as follows:

Carparking requirement for warehouses - 1 space per 300m²

Original Calculation

Existing Buildings - 2838m²

Proposed Buildings - 1216m²

Total Building Area - 4054m²

Carparking Requirement - 4054/300

= 13.51 spaces (14 rounded up)

Revised Calculation

Existing Buildings - 2574m²

Proposed Building - 1161m²

Total Building Area - 3735m²

Carparking Requirement - 3735/300

= 12.45 spaces (13 rounded up)

Therefore the development continues to comply with the WWDCP 2010 with regard to the required parking spaces for the development.

It is noted that the amended plans propose the removal of some trees from the carparking area, however, sufficient trees are still proposed within the site to ensure compliance with C9 of Section 2.2. of the WWDCP 2010.

2.3 Landscaping

Landscaping is proposed to be amended under this modification. The amended landscaping plan is considered acceptable.

4.2 Flooding

The proposed development increases the floor level of the development to 900mm, which ensure continued compliance with the minimum floor level control of Section 4.2 for buildings in this precinct of 225mm. It is noted, however, Condition 12 of the consent requires a floor level 225mm above existing ground (as opposed to a minimum 225mm floor level). It is recommended that this condition be amended to only require a minimum 225mm floor level to accommodate the proposed 900mm floor level.

11.2 Siting and Setbacks

C2 of 11.2 of the WWDCP 2010 requires a minimum 15% of the front setback area to be landscaped. This equates to around 182m² of landscaping. The development only proposes approximately 120m² of landscaping or 10% of the front setback area.

A variation to this control is considered acceptable in the circumstances, as the premises is located at the terminus of Norton Street, in an area of limited landscaping.

(a)(iia) - any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No planning agreements have been entered into in relation to the subject land.

(a)(iv) - the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

It is considered that the matters prescribed by the Environmental Planning and Assessment Regulation 2000 have been satisfied.

(b) - the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The nature of the modification is such that the impacts of the development will remain largely unchanged and the previous assessment remains valid. The changes to the building, the car park areas, and the access arrangements are considered unlikely to significantly impact on the context and setting of the area, and are unlikely to adversely impact on traffic and access.

(c) - The suitability of the site for the development

The site has been previously assessed as being suitable for the proposed development. Nothing in these proposed modifications is considered to alter this previous assessment.

(d) - any submissions made in accordance with this Act or the Regulations

No submission were received.

(e) - the public interest

The public interest was assessed under the original application. There is nothing in these proposed modifications is considered to alter the previous assessment.

Other Legislative Requirements

Section 1.7 and Part 7 of the *Biodiversity Conservation Act 2016* (Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats)

On 21st November 2017, certain zones of the WWLEP 2010 achieved Biodiversity Certification under the *Biodiversity Conservation Act 2016*, including all Business, Industrial, Residential and Special Infrastructure Zones that were in place at the time of the making of the *Biodiversity Conservation Act 2016*. The subject site falls within an area subject to the Biodiversity Certification Order.

The effect of the Biodiversity Certification, as set out by Section 8.4 of the *Biodiversity Conservation Act 2016* is that:

An assessment of the likely impact on biodiversity of development on biodiversity certified land is not required for the purposes of Part 4 of the Environmental Planning and Assessment Act 1979.

A consent authority, when determining a development application in relation to development on biodiversity certified land under Part 4 of the Environmental Planning and Assessment Act 1979, is not required to take into consideration the likely impact on biodiversity of the development carried out on that land.

Therefore, no further consideration of these matters is required.

Council Policies

No additional Council policies apply to this development.

Comments by Council's Officers

Council's other relevant officers have reviewed the application in accordance with Council's processing procedures. Relevant comments or requirements are available on the file.

Development Contributions - Section 7.11/7.12 & Section 64 Local Government Act, 1993 and Section 306 Water Management Act, 2000

Contributions were calculated under the original Development Application.

s7.12 applications remain unaltered as a result of this development.

s64 sewer contributions were not levied on the original development and thus remain unaltered by the modifications to the building.

s64 stormwater contributions were calculated in the assessment report for the original development, however, the condition appears to have been omitted in error. Following the decision in *1643 Pittwater Road Pty Ltd v Pittwater Council*, a 4.55 modification does not open the way for Council to revisit this matter, with only matters relevant to the modification able to be conditioned.

Other Approvals

No other approvals have been sought.

Conclusion

The development is considered to be satisfactory based on the foregoing assessment. The proposal complies with the requirements of the *Environmental Planning and Assessment Act 1979* and Councils Policies. No objections to the proposal were received.

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RECOMMENDATION

It is recommended that application number DA17/0533.01 to modify Development Consent DA17/0533 for Additional Warehouse - Amendment to Floor Height and Associated Access Ramps, Alteration of Car Parking, Turning Areas, and Entry/Exit be approved subject to the following conditions:-

CONDITIONS OF CONSENT FOR APPLICATION NO.

Approved Plans and Documentation

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

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
-	Statement of Environmental Effects	Allen C Thompson Pty Ltd	-	6/09/17
1725-1	Site Plan Analysis	Allen C Thompson Pty Ltd	-	08/17
	DELETED			
	DELETED			
1725-2C	Site Plan As Proposed	Allen C Thompson Pty Ltd	-	Dec 2019
1725-3C	Floor Plan	Allen C Thompson Pty Ltd	-	Dec 2019
	Statement of Environmental Effects - Modified Consent Application	NGH Consulting	Final 1.1	11/5/20
	Letter "Additional Information DA19/0470 Additional Warehouse 12-16 Norton Street, East Wagga Wagga" and Attachment	Lizzie Olesen-Jensen		11/5/20

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below.

NOTE: Any modifications to the proposal shall be the subject of an application under Section 96 of the Environmental Planning and Assessment Act, 1979.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

Prior to release of Construction Certificate

- 2. Prior to the issue of the Construction Certificate a revised site plan shall be submitted to the Principal Certifying Authority for approval that indicates;**
- i) The stormwater connecting to the existing stormwater system on site or directly to Council stormwater mains**
 - ii) The finished paving levels demonstrating that the stormwater overland flow path is directed towards the street or an alternative appropriate point of discharge.**
 - iv) A stormwater plan indicating pipe and pit levels, inverts and sizes. This plan shall also show existing and proposed surface contours within the site and along its boundaries with immediately adjacent properties, and shall define overland flow paths for storms which exceed a 1 in 10 year event.**

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

Prior to Commencement of Works

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTE: This condition does not apply to:

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

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

During works

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

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

10. Any upgrades or alterations to existing Council infrastructure required as a result of the development shall be at the full cost of the applicant. Contact Council's Development Engineer to confirm what approval is required prior to commencing work on any Council infrastructure. Such work includes (but is not limited to) upgrade or connection to sewer or stormwater mains, and alteration of stormwater pits and sewer manhole levels.

REASON: It is in the public interest that all costs associated with upgrading Public Infrastructure as a result of the development are borne by the applicant. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 11. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated “spoil” material.**

REASON: To ensure that building and development works do not have adverse impact on the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

- 12. Floor levels must be a minimum 225mm above existing ground level.**

NOTE 1: The applicant may undertake actions to ensure that approved residential development is built at 500mm above the 1:100 year flood event, subject to a separate development application approval.

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

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

COLUMN 1	COLUMN 2
Stormwater Drainage	When all external stormwater drainage work is installed and prior to concealment.
Final	Prior to occupation of the building or structure.

REASON: It is in the public interest that plumbing work is certifying as complying with AS/NZS 3500.2015 and Plumbing Code of Australia.

- 14. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).**

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

Prior to release of Occupation Certificate / Prior to Operation

- 15. The applicant must obtain an Occupation Certificate, pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.**

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

REASON: It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- 16. Prior to the issue of Occupation Certificate, the paving of all vehicular movement areas must be either a minimum of 150mm thick flexible pavement and sealed or 150mm thick reinforced concrete.**

REASON: To provide all weather vehicular movement and to minimise nuisances to adjoining development from noise and dust. Section 79C(1)(b) and (c) of the Environmental Planning and Assessment Act 1979, as amended.

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

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

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

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

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

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

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

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

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

- 19. Prior to the issue of Occupation Certificate, signs must be erected that clearly indicate to drivers of vehicles, both on and off the subject land, the driveway by which they are to enter or leave the subject land.**

REASON: To ensure the entrance and exit function in the proper manner and to minimise the likelihood of accidents occurring. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.



- 19A. A minimum of 13 car parking spaces must be made available on site at all times. The car park and all associated facilities must be laid out in accordance with Australian Standards AS2890.1.2004, AS2890.2 2002 and AS/NZS2890.6.2009. Prior to the release of the Occupation Certificate, the sealing of all parking areas, and all line marking associated with the car parking areas must be completed.**

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

General

- 20. The owner must submit to Council and the NSW Fire Brigade an Annual Fire Safety Statement, each 12 months, commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.**

REASON: It is in the public interest that the development provides an Annual Fire Safety Statement and that the building is provided with an adequate level of fire protection. Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, as amended and Part 9 of the Environmental Planning Regulation 2000.

<p>Report Prepared & approved by:</p>  <p>Steven Cook Senior Town Planner</p> <p>Date: 25/6/20</p>	<p>Report Reviewed by:</p>  <p>Amanda Gray Senior Town Planner</p> <p>Date: 25.6.2020</p>
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