



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

APPLICATION DETAILS

Application No.:	DA20/0121
Modification No.:	N/A
Council File No.:	D/2020/0121
Date of Lodgement:	10/03/2020
Applicant:	Essential Energy 21 Hampden Park Road BATHURST NSW 2795 Sue Bloomfield
Proposal:	Undercover canopy and alteration and additions to storage shed
Description of Modification:	N/A
Development Cost:	\$370900
Assessment Officer:	Sam Robins
Determination Body:	Officer Delegation 7.39
Other Approvals	Nil
Type of Application:	Development Application
Concurrence Required:	No
Referrals:	Internal
Adjoining Owners Notification:	16/3/20 - 30/3/20
Advertising:	N/A
Owner's Consent Provided:	Yes
Location:	The subject site is located on the northern side of Hammond Avenue opposite the junction with Nesbitt Street.

SITE DETAILS

Subject Land:	59-87 Hammond Ave EAST WAGGA WAGGA NSW 2650 Lot 5 DP 1192937
Owner:	Essential Energy

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the following:

- 24m x 18.3m x 7.8m high pitched roof extension to the existing shelter attached to the western elevation of the main building. The structure will be 1.45m off the western side boundary. The area is used for vehicle parking. The awning will be

- enclosed along the western side elevation.
- Works to the existing truck and storage shed as follows:
 - o Enclose the existing shed with four roller doors and sheet metal
 - o Installation of a personnel door
 - o Division of the shed with a partition
 - o Relocation of the live line room
- 12.6m x 15.1m x 6m high pitched roof Transformer Store located immediately north of the existing storeroom.

The development will not result in any changes to the current operations of the site.

THE SITE & LOCALITY

The Subject site being lot 5 DP 123762, 59-87 Hammond Avenue is located on the northern side of Hammond Avenue opposite the junction with Nesbitt Street. The site is the Essential Energy regional offices and depot site and has been fully developed. The site is flat, generally void of vegetation and considered flood prone. Access to the site is off Hammond Avenue. The site is bound by Marshalls Creek on the eastern boundary, the Murrumbidgee River to the north, residences and industrial premises to the west and Hammond Avenue to the South.

An inspection of the site was not able to be undertaken but photos were viewed and off site inspections from the levee bank and surrounding sites were undertaken.

SUMMARY OF MAIN ISSUES

Nil

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 (LEP 2010)

The following provisions of the LEP 2010 apply:

Land Use Table

Under the provisions of the WWLEP2010, the subject site is zoned SP2 - Infrastructure Zone (Electricity Generating Works).

The objectives of the SP2 - Infrastructure Zone are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

Development for the purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose is permissible in the zone.

The site is identified as “*Electricity Generating Works*”. The definition in the WWLEP 2010 is as follows:

electricity generating works means a building or place used for the purpose of making or generating electricity

The proposed development is for an extension to an awning, alterations to a storage shed used specifically for the maintenance of the electricity supply network and the construction of a Transformer Store. It is considered that this development is ordinarily incidental or ancillary to the existing use and is therefore permissible with consent.

Part 4 - Miscellaneous Provisions

5.12 Infrastructure development and use of existing buildings of the Crown

(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007

(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

The proposal is permissible with consent.

Part 7 - Additional Local Provisions

7.1A Earthworks

(1) The objectives of this clause are as follows:

(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

(b) to allow earthworks of a minor nature without requiring separate development consent.

(2) Development consent is required for earthworks unless:

(a) the work is exempt development under this Plan or another applicable environmental planning instrument, or

(b) the work is ancillary to other development for which development consent has been given.

(3) Before granting development consent for earthworks, the consent authority must consider the following matters:

(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,

- (b) the effect of the proposed development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.

The site is relatively flat with minor earthworks proposed under this application. In terms of the controls under this clause, no issues are raised given the flat nature of the site.

7.2 - Flood Planning

(1) The objectives of this clause are as follows:

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

(2) This clause applies to:

- (a) land that is shown as "Flood planning area" on the Flood Planning Map, and*
- (b) other land at or below the flood planning level.*

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard of the land, and*
- (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the*

community as a consequence of flooding.

The subject site is considered flood prone and therefore this section of the LEP applies. The proposed works are minor and considering the existing development on site, will have negligible impact on flood waters. The proposal raises no issues with regards to flooding impacts.

7.5 - Riparian Lands and Waterways

This clause applies to all of the following:

- (a) land identified as "Water" on the Water Resource Map*
- (b) land identified as "Waterway" on that map,*
- (c) all land that is within 40 metres of the bank or shore (measured horizontally from the top of the bank or shore) of each waterway on land identified as "Waterway" on that map.*

Marshalls Creek runs along the north eastern boundary of the site. However, the proposed works are a substantial distance from any waterway or bank of a waterway and given the small scale of the development will have negligible impact on these waterways. The proposal would therefore comply with this clause.

7.6 -Groundwater vulnerability

This clause applies to land identified as "Groundwater" on the Water Resource Map. The alterations and additions would be subject to assessment under this clause. Given that the application is simply for minor works on an already developed site the proposal will have negligible impact on the groundwater.

The proposal is therefore not considered to be detrimental to any of the issues under this section of the LEP 2010 and therefore complies with this section of the LEP 2010.

Clause 7.9 - Primacy of Zone B3 Commercial Core

Development consent must not be granted to development on any land unless the consent authority is satisfied that the development maintains the primacy of Zone B3 Commercial Core as the principal business, office and retail hub of Wagga Wagga.

The development is for alterations and additions in association with Essential Energy operations. The use is not of a type that would be appropriate or could be reasonably housed in the CBD. Therefore, it is considered that the development is unlikely to impact on the primacy of the B3 Commercial Core zone of the city.

State Environmental Planning Policies

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development

The proposed works would not be considered a Hazardous and or Offensive development. Conditions of consent and industry standards will ensure the

development does not unreasonably impact on the environment or surrounding properties.

State Environmental Planning Policy No. 55

Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land. Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use.

Clause 7 states the following:

7 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and***
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and***
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.***

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

- (a) land that is within an investigation area,***
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,***
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital-land:***

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and

(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The subject site is listed on Councils potentially contaminated land register given its use as a depot for Essential Energy. A site visit confirmed that the location of the proposed works are hardstand and currently used for storage of goods. The proposed works will not alter the use of the site. Given the current use of the site and the minor nature of the works involved in this development along with the fact that it will only be used in conjunction with the current operations, Council is satisfied that the site is suitable in its current state for the proposed development to be approved without the need for any further reports.

State Environmental Planning Policy (Infrastructure) 2007

Division 5 Electricity transmission or distribution

Whilst this division of the SEPP applies there are no specific sections to address.

Division 14 Public administration buildings and buildings of the Crown

Whilst this division of the SEPP applies as the development is a 'building of the crown' there are no specific sections to address.

Division 17 Roads and Traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

101 Development with frontage to classified road

(1) The objectives of this clause are:

(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and

(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

(a) where practicable, vehicular access to the land is provided by a road other than the classified road, and

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:

- (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The proposed development is on an existing site that has an existing access off the Sturt Highway. The access will not be altered as part of this application. The proposed alterations and additions will not raise any traffic concerns. The development is not sensitive to the impacts from the highway. The proposal would raise no issues under this section of the SEPP and was not required to be referred Transport for NSW.

(a)(ii) - The provisions of any draft environmental planning instrument

Draft local environmental plans

N/A

Draft state environmental planning instruments

Draft State Environmental Planning Policy - Remediation of Land

The Draft SEPP was placed on exhibition until 31 March 2018. The SEPP will replace SEPP 55. The Explanation of Intended Effects outlines that the key operation framework of SEPP 55 will remain. Changes in the SEPP relate primarily to land undergoing remediation work. Therefore, for a development such as this, little will change between SEPP 55 and the Remediation of Land SEPP.

(a)(iii) - Any development control plan

Wagga Wagga Development Control Plan 2010

The relevant controls of the DCP have been addressed below.

2.1 Vehicle access and movements

The proposal will have no impact on the current entrance and exit from the site and given its location within the service yard it will not impact on the movement throughout the parking area.

2.2 Off-street parking

The site was upgraded under DA13/0550 to increase the car parking to 114 spaces. The total required spaces for the site is 33, the site is therefore adequately supplied for parking bays. The awning extension and alterations to the storage shed relate to the use of vehicles associated with the operations of Essential Energy and therefore would not require additional parks regardless.

2.3 Landscaping

The location of the works is currently hardstand. It would be unreasonable to require additional plantings in this instance.

2.5 Safety and Security

The proposal will raise no additional safety and security concerns on site.

2.6 Erosion and Sediment Control Principles

Given the location of the proposed works minimal impacts are expected from construction. However, recommended conditions of consent will ensure appropriate measures are put in place during the construction phase.

Section 3 Heritage Conservation

The subject site adjoins Wagga Waterworks which is a Local Heritage Item and therefore the following section of the DCP applies:

3.2.4 Development in the vicinity of a heritage item

The controls relate to ensuring that any works proposed respect and compliment the heritage item. In this instance the works are so minor and appropriately separated that there would be no impact on the heritage item. The proposal therefore complies with this section of the DCP.

Section 4 Environmental Hazards and Management

4.2 Flooding

The site is considered a critical utility and therefore required by this section of the DCP to be located above the PMF. In this instance the facility already exists and the proposal is simply minor alterations and additions to house existing uses. It is unreasonable and unnecessary to require the additions to be located above the PMF.

The proposed works will be required to be certified to ensure they are structurally sound in a PMF year event.

Section 5 Natural Resource and Landscape Management

5.4 Environmentally sensitive land

As mentioned under part 7 of the LEP the works would have minimal impact on the biodiversity, waterways and groundwater of the area given their location and compliance with any conditions of consent.

Given the land is zoned Special Uses no further assessment is required under the DCP.

(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 agreement has been entered into under section 7.4.

(a)(iv) - any matters prescribed by the regulations

Matters prescribed by the *Environmental Planning and Assessment Regulation 2000* have been satisfied

(b) - The likely impacts of the development

Context and setting

The proposed works are minor and are appropriate in context and setting.

Access, transport and traffic

As mentioned previously the existing access arrangements off the Highway will not be altered. There will be no impact to the parking area and the service yard is large enough for the works not to impact unreasonably on vehicle movements.

Utilities

The site has all required services. The stormwater system is an open channel that runs to the rear of the site and into the river. The works will cover existing hard standing area so cause no additional impact.

Heritage

As mentioned, the site is located in close proximity to a heritage item. Given the minor nature of the works involved and the distance to the heritage item no impacts are expected.

Waste

Conditions of consent will ensure that the site is kept in an appropriate state during construction.

Water

As discussed above, the site is identified as flood prone and identified as groundwater on the Water Resource Map. These issues have been discussed above and it is considered that the proposal would have negligible impact on the flood waters or ground waters if constructed and operated in accordance with conditions of consent.

Noise and vibration

Minimal issues are expected given the location within the industrial precinct. Any noise issues will be controlled via conditions of consent.

Safety, security and crime prevention

Minimal issues expected. The site is secured outside of operating hours.

Social and economic impacts

The proposal will result in a positive economic impact through the employment of local trades to undertake the works.

Air and Microclimate

No issues are expected given the nature of the development and the zone in which it is proposed.

Man Made Hazards

N/A

Soils

Given the site is already hardstand and the works are relatively minor there would be negligible impact on soils. No issues are expected.

Natural Hazards

The site is located within flood prone land this has been discussed in detail above and the impacts considered acceptable.

Flora and fauna

The subject site is void of substantial vegetation. There is no requirement for additional planting in this instance and there are no expected impacts on flora or fauna.

Site Design and internal design

As mentioned, minimal changes are proposed, the works will take up a small portion of the service yard and have negligible impacts. The proposal is acceptable.

The Principles of Ecologically Sustainable Development

The following are principles of ecological sustainability:

1 The precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
- (b) an assessment of the risk-weighted consequences of various options.*

The principle requires decision-making to give the environment the benefit of the doubt.

2 Intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations (that is, a partnership among all of the generations that may use or expect to benefit from the nation's resources).

3 Conservation of biological diversity and ecological integrity

Conservation of biological diversity and ecological integrity should be a fundamental consideration.

4 Improved valuation, pricing and incentive mechanisms

Environmental factors should be included in the valuation of assets and services:

(a) polluter pays (that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement), and

(b) the users of goods and services should pay prices based on the full cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, and

(c) environmental goals having been established should be pursued in the most cost-effective way by establishing incentive structures, including market mechanisms which enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

The proposed development would result in minimal alterations and additions to an existing developed site. The impacts are negligible.

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

Suitability of the site in terms of the likely impacts identified under (b)

The site is currently zoned special purpose and is fully developed with buildings and car parking, the site is considered suitable for the alterations and additions. Compliance with conditions of consent will overcome concerns making the site suitable in terms of the impacts identified under section b.

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

Referrals

Internal

Notification

In accordance with the Council's advertising and notification provisions outlined in

Section 1.10 of the WWDCP the application was notified for a period of 14 days on the following dates 16/03/20 to 30/03/20 and referred surrounding tenancies. No submissions were received.

Advertising

N/A

Public Submissions and those from public authorities

None received

(e) - the public interest**Federal, state and local government interests and general community interests**

It is considered that this application will not have a detrimental effect on the public interest.

Other Legislative Requirements**Section 5AA 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.

Section 733 of the *Local Government Act 1993*

Section 733 of the *Local Government Act 1993* provides that Councils will not incur liability for decisions or omissions concerning flood liable land or land subject to the risk of bushfire. Where required, a risk assessment has been completed and Council will be able to demonstrate that it has acted appropriately in its decision making when defending claims in liability or in circumstances where administrative decisions are challenged.

Flooding Risk Assessment

The development has been considered against the relevant provisions of the WWLEP2010 and DCP. Although the site is identified as being prone to flood no further risk assessment is required as the development can be appropriately conditioned to ensure that the structural soundness of the building is designed to withstand the force of flood in this location.

Bush Fire Risk Assessment

The development has been considered against the relevant provisions of the WWLEP2010 and DCP. A risk assessment is not required as the development is not mapped as being on Bushfire Prone Land.

Environmental Planning and Assessment Act 1979

Part 4, Division 4.6 - Crown Development

In assessing the proposed development the following matters pursuant to the provisions of *Section 4.33 of the Environmental Planning and Assessment Act 1979*, have been taken into consideration.

Section 4.33 of the Act states that:

(1) A consent authority (other than the Minister) must not:

- (a) refuse its consent to a Crown development application, except with the approval of the Minister, or*
- (b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.*

Section 4.32 of the *Environmental Planning and Assessment Act 1979* states that:

"Crown development application" means a development application made by or on behalf of the Crown.

(2) A reference in this Division to the Crown:

- (a) includes a reference to a person who is prescribed by the regulations to be the Crown for the purposes of this Division, and*
- (b) does not include a reference to:*
 - (i) a capacity of the Crown that is prescribed by the regulations not to be the Crown for the purposes of this Division, or*
 - (ii) a person who is prescribed by the regulations not to be the Crown for the purposes of this Division.*

Section 226(1)(c) of the Environmental Planning and Assessment Regulations 2000 states:

(1) The following persons are prescribed for the purposes of Division 4 of Part 4 of the Act (as referred to in section 88 (2) (a) of the Act :

- (a) **a public authority (not being a council),**
- (b) a public utility,
- (c) an Australian university within the meaning of the Higher Education Act 2001
- (d) a TAFE establishment within the meaning of the Technical and Further Education Commission Act.

The application was lodged by Essential Energy and is therefore considered Crown Development. Matters in relation to the assessment of and the imposition of conditions will be followed in accordance with Section 4.33 of the *Environmental Planning and Assessment Act 1979*.

Prior to the final report being issued a copy of the draft conditions was sent to the applicant for their approval.

Council Policies

N/A

Comments by Council's Officers and/or Development Assessment Team

Council's other relevant officers have reviewed the application in accordance with Council's processing procedures.

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

Section 7.11/7.12 contribution

Section 7.12 does not apply to developments of the crown of this nature.

Section 64 of the Local Government Act 1993, Section 306 of the Water Management Act 2000 as well as the City of Wagga Wagga's Development Servicing Plan for Stormwater 2007 and/or City of Wagga Wagga Development Servicing Plan for Sewerage 2013 enable Council to levy developer charges based on the increased demands that new development will have on sewer and/or stormwater.

Section 64 stormwater contribution

The proposed works do not increase the hard stand area on the site and therefore no charge applies.

Sewer

The proposed works do not increase the impact on the sewer network and therefore no charge applies.

Other Approvals

Nil

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.

RECOMMENDATION

It is recommended that application number DA20/0121 for Undercover canopy and alteration and additions to storage shed be approved, subject to the following conditions:-

CONDITIONS OF CONSENT FOR APPLICATION NO.

A. SCHEDULE A – Reasons for Conditions

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

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

B. SCHEDULE B – Deferred Commencement Conditions

N/A

C. SCHEDULE C – Conditions

Approved Plans and Documentation

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

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
-	Statement of Environmental Effects	RPS	4	5/8/20
1905-DA1	Site and Locality Plan	Noel Thomson Architecture	A	27/7/20

1905-DA2	Shelter roof and floor plan	Noel Thomson Architecture	A	27/7/20
1905-DA3	Shelter elevations and section	Noel Thomson Architecture	A	27/7/20
1905-DA4	Shed floor plan existing	Noel Thomson Architecture	B	4/8/20
1905-DA5	Shed roof plan existing	Noel Thomson Architecture	A	27/7/20
1905-DA6	Shed elevations existing	Noel Thomson Architecture	A	27/7/20
1905-DA7	Shed floor plan new	Noel Thomson Architecture	B	4/8/20
1905-DA8	Shed elevations new	Noel Thomson Architecture	B	4/8/20
1905-DA9	Shed section new	Noel Thomson Architecture	B	4/8/20
1905-DA10	Transformer Shed Details	Noel Thomson Architecture	B	4/8/20

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 4.55 of the Environmental Planning and Assessment Act, 1979.

Requirements before the commencement of any works

- C.2 A Section 68 Approval must be obtained by a Licensed Plumber and Drainer prior to any sewer or stormwater work being carried out on the site. Plans must be supplied for assessment and approval as part of the s68 application and must indicate that pipe and pit sizing meets the requirements of AS3500 and the Plumbing Code of Australia.

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

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

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

- C.3 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:-

- Development Control Plan 2010 (Section 2.8 and Appendix 2)
- Erosion and Sediment Control Guidelines for Building Sites; and
- Soils and Construction Volume 1, Managing Urban Stormwater

Prior to commencement of works, a plan illustrating these measures shall be

submitted to, and approved by, Council.

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

- C.4 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.

NOTE 3: The suitable container for the storage of rubbish must be retained on site until completion of the building works.

Requirements during construction or site works

- C.5 The demolition must be carried out in accordance with the provisions of Australian Standard AS2601-2001: The Demolition of Structures.

Within fourteen (14) days of completion of demolition, the following information shall be submitted to Council for assessment and approval:

- a) an asbestos clearance certificate prepared by a competent person; and
- b) a signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with any Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

NOTE 1: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

NOTE 2: Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".

NOTE 3: Competent Person (as defined under Safe Removal of asbestos 2nd Edition [NOHSC: 2002 (2005)]) means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.

NOTE 4: A licence may be required for some of the tasks described in the document entitled Safe Removal of Asbestos 2nd Edition as requiring a competent person.

- C.6 The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. All reasonable steps must be taken to minimise dust generation during the demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.
- C.7 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.

- C.8 All building work must be carried out in accordance with the requirements of the Building Code of Australia.
- C.9 All excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.

Requirements prior to operation

- C.10 A final inspection must be carried out upon completion of plumbing and drainage work and prior to operation of the development, prior to the issuing of a final plumbing certificate Council must be in possession of Notice of Works, Certificate of Compliance and Works as Executed Diagrams for the works. The works as Executed Diagram must be submitted in electronic format in either AutoCAD or PDF file in accordance with Council requirements.

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

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

- C.11 Prior to the operation of the buildings a Water Plumbing Certificate from Riverina Water County Council shall be submitted to Council.

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

General requirements

- C.12 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.

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

N/A

E. SCHEDULE E – Prescribed Conditions

N/A

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

N/A

Report Prepared & approved by:  Sam Robins Senior Town Planner Date: 27/8/20	Report Reviewed by:  Cameron Collins Development Assessment Coordinator Date: 26/8/2020
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