

THE MINUTES OF THE COUNCIL MEETING HELD IN THE TUMUT ROOM 76 CAPPER STREET TUMUT, ON THURSDAY 12 DECEMBER 2019 COMMENCING AT 2.00pm.

PRESENT: Mayor James Hayes (Chair), Councillor Andrianna Benjamin, Councillor Cate Cross, Councillor Julia Ham, Councillor Margaret Isselmann, Councillor John Larter, Councillor Geoff Pritchard, Councillor Cor Smit, Councillor Bruce Wright.

IN ATTENDANCE: General Manager Matthew Hyde, Acting Director Assets and Infrastructure Heinz Kausche, Acting Director Internal Services Shelley Jones, and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by the Mayor James Hayes.

2. APOLOGIES

An apology was received from Acting Director Strategy, Community and Development Phil Stone.

M398/19 RESOLVED:

That the apology received from Acting Director Strategy, Community and Development Phil Stone be received and granted.

Cr Margaret Isselmann / Cr Cate Cross

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST

Cr Andrianna Benjamin declared a **pecuniary interest** in relation to report # 10.4 'MA No. 2019/0032 (Part Only) – 71 Wynyard Street Tumut – Change of use of existing hotel to medical centre – proposed reduction in carparking spaces' due to being project manager of the construction and will **leave** the room during discussion.

4. PUBLIC FORUM

Nil

5. CONFIRMATION OF MINUTES**M399/19 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 21 November 2019 be received.

Cr John Larter/Cr Bruce Wright

5.1 BUSINESS ARISING

Updates were provided on the Waste Grant, Roths Corner and Tumut Aerodrome funding.

6. CORRESPONDENCE/PETITIONS

Nil

7. NOTICE OF MOTION/NOTICE OF RESCISSION**7.1 NOTICE OF MOTION - ESTABLISH A PERMANENT FIRE BREAK WEST OF TUMUT - CR GEOFF PRITCHARD****M400/19 RESOLVED:
THAT COUNCIL:**

- a) In view of the imminent very serious fire season, we, where practical facilitate with relevant agencies the establishment of a permanent fire break west of Tumut, from the Tumut Golf Course towards the old rubbish tip in Boonderoo Road.
- b) Facilitate this type of measure in conjunction with relevant agencies for all communities within the local government area.

Cr Geoff Pritchard/Cr John Larter

CARRIED UNANIMOUSLY

8. MAYORAL MINUTE**8.1 JANUARY 2020 EXTRAORDINARY MEETING****M401/19 RESOLVED:**

THAT COUNCIL

1. Receive the Mayoral Minute to proceed with an Extraordinary Meeting on 28 January 2020 to:

- a. Review a submission to the Boundaries Commission;
- b. Appoint an independent Audit Risk and Improvement Committee member;
- c. Address any other urgent matters arising prior to the meeting.

Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY

9. GOVERNANCE AND FINANCIAL REPORTS

9.1 SNOWY REGION CONSTRUCTION & DEVELOPMENT CONFERENCE - 18 - 19 NOVEMBER 2019

**M402/19 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the Snowy Region Construction & Development Conference from the Mayor James Hayes and Councillors Isselmann and Wright.

Cr Cate Cross/Cr Bruce Wright

CARRIED UNANIMOUSLY

9.2 COUNCILLOR REQUEST TO ATTEND THE REGIONS RISING NSW FORUM 4 DECEMBER 2019

**M403/19 RESOLVED:
THAT COUNCIL:**

1. Endorse the approval under Section 7 of the Payment of Expenses and the Provision of Facilities to Mayor and Councillors Policy, the attendance of Councillor Julia Ham at the Regions Rising NSW Forum on 4 December 2019 in Sydney.

Cr Geoff Pritchard/Cr Bruce Wright

CARRIED UNANIMOUSLY

9.3 MODEL CODE OF CONDUCT COMPLAINTS STATISTICS REPORT - 2018-19**M404/19 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Code of Conduct Complaints Statistics Report – 2018-19
2. Note the Code of Conduct complaints statistics for the reporting period 1 September 2018 – 31 August 2019.

Cr Margaret Isselmann/Cr Bruce Wright

CARRIED UNANIMOUSLY**9.4 AUDIT, RISK AND IMPROVEMENT COMMITTEE CHAIR REPORT - UPDATE****M405/19 RESOLVED:**

THAT COUNCIL:

1. Receive the report Audit Risk and Improvement Committee Chair Report - Update
2. Examine and discuss the Audit Risk and Improvement Committee Chair Report - Update

Cr Cate Cross/Cr John Larter

CARRIED UNANIMOUSLY**9.5 STATEMENT OF INVESTMENTS - NOVEMBER 2019****M406/19 RESOLVED:**

THAT COUNCIL:

1. Receive the Statement of Investments as at 30 November 2019

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY**9.6 LATE REPORT - FINANCIAL REPORT - NOVEMBER 2019****M407/19 RESOLVED:**

THAT COUNCIL:

1. Receive the November Interim financial report.

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10. MANAGEMENT REPORTS**10.1 FOOTPATH, KERB AND ROAD VERGE POLICY - FEEDBACK FROM PUBLIC EXHIBITION****M408/19 RESOLVED:
THAT COUNCIL:**

1. Receive this report on the Draft Footpath, Kerb and Road Verge Policy – Feedback from Public from the Acting Director Assets and Infrastructure.
2. Note the one submission received for the Draft Footpath, Kerb and Road Verge Policy
3. Adopt the Footpath, Kerb and Road Verge Policy with changes aligning to our Disability Inclusion Action Plan.
4. Write to the submitter, thanking them for their input and advising them of the outcome to their submission.

Cr Bruce Wright/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY**10.2 NSW STATE LIBRARY FUNDING - STAGE TWO (2)****M409/19 RESOLVED:
THAT COUNCIL:**

1. Receive the report on NSW State Library Funding from Acting Director Strategy, Community & Development.
2. Make representation to the local State Member(s), Dr Joe McGirr and Mr Justin Paul Clancy, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
3. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.
4. Continue to take a leading role in lobbying for sustainable state government funding for libraries.
5. Endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

10.3 RADIO UPPER MURRAY SERVICE AGREEMENT

M410/19 RESOLVED:
THAT COUNCIL:

1. Receive the report on Radio Upper Murray Service Agreement from Acting Director Strategy, Community and Development.
2. That a three year contract be conditional upon Radio Upper Murray playing 50 hours of Council content per year.

Cr Cor Smit/Cr Bruce Wright

CARRIED UNANIMOUSLY

Cr Andrianna Benjamin left the meeting, the time being 02:54 PM.

10.4 LATE REPORT - MA NO. 2019/0032 (PART ONLY) – 71 WYNYARD STREET TUMUT – CHANGE OF USE OF EXISTING HOTEL TO MEDICAL CENTRE - PROPOSED REDUCTION IN CARPARKING SPACES

M411/19 RECOMMENDATION:
THAT COUNCIL:

1. Receive the report on Modification Application No. 2019/0032 on the proposed reduction of car parking spaces to be provided to the approved Development Application 2017/0138 for the change of use of existing Hotel to Medical Centre.
2. Determine a reduction in car parking spaces and that an Amended Notice of Determination of Modification of Development Consent be issued subject to proposed conditions of consent found in Appendix A.
3. Change the conditions of consent for item 3D to 'that Council permits the erection of a fence to the satisfaction of Council's designated officer' or authorises the General Manager to provide consent.

Motion put that Council defer this item to later in the Agenda.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

Motion was Put and Carried therefore it was;

M412/19 RESOLVED
THAT COUNCIL:
Defer this item to later in the Agenda.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

M413/19 RESOLVED that Council move into Committee of the Whole.

Cr Margaret Isselmann/Cr Julia Ham

CARRIED UNANIMOUSLY

M414/19 RESOLVED that Council move out of Committee of the Whole.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

Cr Andrianna Benjamin returned to the meeting, at 03:03 PM.

11. MINUTES OF COMMITTEE MEETINGS

11.1 MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE - 6 NOVEMBER 2019

M415/19 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Audit, Risk and Improvement Committee.
2. Note the Minutes of the Audit, Risk and Improvement Committee meeting held on 6 November 2019

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

11.2 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP MEETING - 28 NOVEMBER 2019

M416/19 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Disability Inclusion Access Reference Group meeting held 28 November 2019, from Acting Director Strategy, Community and Development.
2. Note the Minutes of the Disability Inclusion Access Reference Group meeting held on 28 November 2019.

Cr Julia Ham/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

11.3 MINUTES - LOCAL TRAFFIC COMMITTEE - 27 NOVEMBER 2019**M417/19 RESOLVED:
THAT COUNCIL:**

1. Receive this report on the Local Traffic Committee meeting.
2. Receive the Minutes of the Local Traffic Committee meeting held on Wednesday 27 November 2019.
3. Endorse the following recommendations of the Traffic Committee:
 - 4.1 Adelong Pre-School – Parking
 - 4.1.1 Receive the report on the Adelong Pre-School – Parking
 - 4.2 Rural Bus Stop Application – 660 Batlow Road, Tumbarumba
 - 4.2.1 Receive the report on the Rural Bus Stop application at 660 Batlow Road, Tumbarumba.
 - 4.3 Request for Rural Bus Stop – 4235 Batlow Road, TUMBARUMBA (2797MO)
 - 4.3.1 Receive the report on the request for a rural bus stop at 4235 Batlow Road, Tumbarumba.
 - 4.3.2 Approves the application for the rural bus stop located to be located at 4235 Batlow Road, Tumbarumba.
 - 4.4 Speed Zones – Snow Ridge Road/Tooma Road/Swampy Plains Road & The Elliott Way
 - 4.4.1. Receive the report on the review of speed zones along parts of the following roads: Snow Ridge Road; Tooma Road; Swampy Plains Road; Elliott Way
 - 4.5 Special Event Application – Colour Explosion Fun Run - Tumut
 - 4.5.1. Receive the Special Event Application – 2020 Colour Explosion Fun Run.
 - 4.5.2 Support the Special Event Application for the 2020 Colour Explosion Fun Run on 4 April, 2020 to enable the event to go ahead, subject to Council's standard conditions.
 - 4.6 Special Event Application – Batlow Ciderfest 2020
 - 4.6.1 Receive the Special Event Application – 2020 Batlow Ciderfest.
 - 4.6.2 Support the Special Event Application for the 2020 Batlow Ciderfest on 16 May, 2020 to enable the event to go ahead, subject to Council's standard conditions.

4.7 Special Event Application – 2020 Festival of The Falling Leaf

- 4.7.1 Receive the Special Event Application – 2020 Festival of the Falling Leaf.
- 4.7.2 Support the Special Event Application for the 2020 Festival of the Falling Leaf on 2 May, 2020 to enable the event to go ahead, subject to Council's standard conditions.

4.8 Special Event Application – 2019 Tumbarumba Community Christmas Carnival

- 4.8.1 Receive the report on Special Event Application – 2019 Tumbarumba Community Christmas Carnival.
- 4.8.2 Support the Special Event Application for the 2019 Tumbarumba Community Christmas Carnival to enable the event to go ahead, subject to Council's standard conditions.

4.9 Progress Report on the progress of items discussed at previous Local Traffic Committee Meeting

- 4.9.1 Receive the report on the progress of items discussed at previous Local Traffic Committee Meeting.

- 4. Note that consideration will be given to allocating funding for the delivery of the initiatives recommended by the Local Traffic Committee as part of the 2020/21 budget process

Cr Bruce Wright/Cr Cate Cross

CARRIED UNANIMOUSLY

11.4 MINUTES - BATLOW DEVELOPMENT LEAGUE - 6 NOVEMBER 2019

M418/19 RESOLVED:
THAT COUNCIL:

- 1. Receive the report on the Batlow Development League from Acting Director Strategy, Community and Development.
- 2. Note the Minutes of the Batlow Development League meeting held on 6 November 2019
- 3. Note the Annual General Meeting minutes held on 6 November 2019

Cr Cor Smit/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

11.5 MINUTES - SOFTWOODS WORKING GROUP COMMITTEE - 23 AUGUST 2019**M419/19 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the Softwoods Working Group August 2019 meeting from Acting Director Strategy, Community and Development.
2. Note the Minutes of the Softwoods Working Group meeting held on 23 August 2019.

Cr Bruce Wright/Cr Cate Cross

CARRIED UNANIMOUSLY

11.6 MINUTES - TALBINGO PROGRESS AND RATEPAYERS ASSOCIATION - 6 NOVEMBER 2019**M420/19 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Talbingo Progress and Ratepayers Association Committee
2. Note the Minutes of the Talbingo Progress and Ratepayers Association meeting held on 6 November 2019

Cr John Larter/Cr Cate Cross

CARRIED UNANIMOUSLY

12. CONFIDENTIAL**M421/19 RESOLVED:**

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10(2) of the Local Government Act 1993 for the reasons specified.

12.1 DESIGN AND CONSTRUCTION OF THE BATLOW LIBRARY

Item 12.1 is confidential under the Local Government Act 1993 Section 10A 2 (d)i as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Cr Cor Smit/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

At this stage, the time being 3.08pm Council went into Confidential.

M422/19 RESOLVED that Council move out of the Confidential Session at 3.12pm.

Cr Bruce Wright/Cr John Larter

CARRIED UNANIMOUSLY

12.1 DESIGN AND CONSTRUCTION OF THE BATLOW LIBRARY

M423/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the outcome of negotiations for the Design and Construction of the Batlow Library Project
2. Note the outcomes of the negotiations as detailed in this report and resolve to accept the proposal from Uniplan Group for the Design and Construction of the Batlow Library
3. Endorse the General Manager entering into a contract with Uniplan Group for the Design and Construction of the Batlow Library for the lump sum amount of \$742,733.18 excluding GST
4. Advise the unsuccessful contractors in writing

Cr Bruce Wright/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

M424/19 RESOLVED to resume item 10.4.

Cr Margaret Issleman/Cr Cate Cross

CARRIED UNANIMOUSLY

10.4 Cr Andrianna Benjamin left the meeting, the time being 03:14 PM.

10.4 LATE REPORT - MA NO. 2019/0032 (PART ONLY) – 71 WYNYARD STREET TUMUT – CHANGE OF USE OF EXISTING HOTEL TO MEDICAL CENTRE - PROPOSED REDUCTION IN CARPARKING SPACES

M425/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on Modification Application No. 2019/0032 on the proposed reduction of car parking spaces to be provided to the approved

Development Application 2017/0138 for the change of use of existing Hotel to Medical Centre.

2. Determine a reduction in car parking spaces and that an Amended Notice of Determination of Modification of Development Consent be issued subject to proposed conditions of consent found in Appendix A.
- 3 Change the conditions of consent for item 3D to 'that Council permits the erection of a fence to the satisfaction of Council's designated officer' or authorises the General Manager to provide consent.

APPENDIX A:

PROPOSED CONDITIONS

General:

1. The proposed 'Tenancy' room shall be used in association with the approved Medical Centre.
2. The development shall be in accordance with the plans, specifications and Statement of Environmental Effects bearing the Snowy Valleys Council approval stamp and any amendments marked in red or otherwise modified by conditions of consent. The plans referenced by this approval are as follows:

Sheet Description	Number	Date	Revision
Rendered front façade – finishes	-	-	-
Pathology Centre Fitout documentation set	DWG SH-1419-00 to SH-1419-16	1/10/2019	1
Medical Centre Fitout documentation set (excluding security fence)	DWG SH-1019-00 to SH-1019-24	01/06/2019	1
Proposed carpark	Project No. 190524 sheets C1 to C7	April 2019	E

In the event of any inconsistency between the conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

3. A Construction Certificate application shall be made for the proposed works in accordance with the Environmental Planning and Assessment Act 1979 and Regulations 2000. The Construction Certificate application shall address relevant conditions of development consent. In the event that Council is appointed to issue the Construction Certificate, it is recommended that a pre-application discussions be held with the appropriate Council staff.

A Construction Certificate can only be issued where the design and construction of the building is consistent with the development consent. Design amendments may require modification of the Development Consent.

3A. DELETED

3B. This consent does not provide for the construction of a retaining wall within the carpark over the existing sewer main.

REASON: To ensure access to council's infrastructure is maintained.

3C. The following external finishes are to be applied. Where any inconsistency between the approved plans and finishes detailed by this consent occur, the conditions of this consent prevail.

- a) All existing areas of unrendered and unpainted exposed brick on the Western elevation of the building adjoining the laneway are to remain and no finishes are to be applied;
- b) Tile pattern to be applied to the front façade is to be stretcher pattern also known as brickbond.
- c) Dulux 'Rouge' is to be applied to the external painted finishes that have been identified on the plans as being Dulux 'Harold' including the left hand side upper facade (with returns to lane and main building), ground floor bottom facade and rear facades.
- d) The main upper facade, balcony, upper verandah soffit & fascia and under awning soffit facing Wynyard Street to be "DULUX" Natural White;
- e) The Canopy/Awning fascia and first floor columns to be "DULUX" Domino, and
- f) New doors, windows and shopfront framing in 'powdercoat' Black.

ADVISORY NOTE: The submitted rendered drawing of the front façade shows a grid/stacker tile pattern and is not to be applied.

REASON: To ensure that the external finishes applied to the building are in keeping with the heritage conservation area and are consistent with those approved by council's Heritage Advisor.

3D. This consent does not provide for the erection of a security fence

REASON: Proposed security fence is not in keeping with the visual amenity of the area.

Prior to Approval of a Construction Certificate

4. Access for persons with disabilities Access and/or sanitary facilities for persons with disabilities must be provided to the premises/building in accordance with the requirements of the Premises Standards, the Building Code of Australia, and AS 1428.1. Details must be submitted with the Construction Certificate Application. The application must be prepared by a suitably qualified access consultant.
5. Access from the carpark to the entry in the northern elevation facing the carpark must be provided for people with disabilities in accordance with the

requirements of the BCA and Australian Standard 1428.1 – 2009. Details of this access must be provided in the Construction Certificate documentation.

Alternatively the owner may enter into an agreement with Council to exchange the ownership of the land associated with the proposed carpark for the provision by Council of compliant accessible carparking spaces for the development.

6. Prior to the approval of any Construction Certificate a water and sewer compliance certificate under Section 305 of the Water Management Act 2000 is to be obtained to show that the impact of the development upon the water and sewerage infrastructure has been fully addressed in accordance with Council's Developer Contribution Plan.

The applicant shall provide Council with an indication of the volume of water to be consumed and the volume sewerage to be released per annum, in kilolitres.

A headworks charge may apply for water / sewer and must be paid prior to issue of a construction certificate.

7. Pursuant to Clause 93 and 94 of the Environmental Planning and Assessment Regulation 2000, the existing building must be brought into partial conformity with the Building Code of Australia in respect to the provisions of the following details of which must be provided on the Construction Certificate documentation and plans:
 - a) Submission of an amended design for the accessible sanitary facility complying with AS1428.1 2009.
 - b) The affected parts of the building (pursuant to the Premises Standard 2010) must comply with the access requirements of AS1428.1-2009.
 - c) A report addressing Section J of Volume 1 of the National Construction Code 2016 must be provided with the Construction Certificate. The Construction Certificate plans and specifications must address the report requirements.
 - d) The inclusion of an ambulant compliant sanitary facility in the main bank of facilities.
 - e) The rear stairs from the carpark are to be upgraded to comply with the balustrade, handrail, colour contrast, slip resistance and ground surface indication requirements under the BCA and AS1428.1-2009.
 - f) The ramp and landing outside the door between the waiting room and the terrace must be extended to comply with the approach requirements of AS1428.1-2009.

- g) The doors and doorways on the street level floor are to be upgraded in direction of swing and the door furniture must comply with D2.20 and D.2.21 of the NCC.
 - h) The fresh air requirements for mechanical ventilation must be upgraded to AS1668.1-1998. Detailed plans and specifications must be provided with the Construction Certificate application.
 - i) Fire Hose Reels must be refurbished to comply with the AS2441-2005 standard to each floor level. An additional fire hose is to be provided to the basement level and on the upper floor to within 4m of the top of the rear exit stairs.
 - j) Portable Fire Extinguishers are required to cope with electrical equipment will be required to be provided throughout the building In accordance with AS2444 -2001
 - k) Smoke Hazard Management - General (E2.2): Automatic smoke detection and alarm system is required for the residential portion of the building to alert occupants of a fire event within the building in accordance with NCC Specification E2.2a.Clause 2 (a)(i)(C).
 - l) Emergency lighting is required to be provided within the building In accordance with AS2293.1 2005
 - m) Exit signs are required to be provided throughout the building in accordance with AS2293.1 -2005.
 - n) Note: Lightweight Construction between the ground floor and first floor is not required by this consent but as the applicant has advised that work may be undertaken on the first floor it is advisable to fire separate the upper floor and internal stairway with -/60/60 lightweight construction.
 - o) All openings for services through fire rated elements must be protected in accordance with the BCA. Details must be provided.
 - p) The path of travel to the front exit from the base of the internal stairs is to be fire protected from the adjacent uses if alterations are proposed to the upper floor. This is required to provide a secure path of travel in the event of a fire incident to the front of the building. It is advisable to undertake and document this work with the lower floor work to prevent re-work.
8. Under section 9 of the Plumbing and Drainage Act 2011, the prescribed fee shall be paid and a related Notice of Work shall be submitted for the required plumbing/sanitary drainage works. This notification shall be lodged a minimum of forty-eight (48) hours prior to starting any plumbing/drainage works. Plumbing and drainage shall be carried out by a Licensed Plumber and Drainer and be in accordance with the National Plumbing and Drainage Code.

9. Suitable and effective builder's refuse and waste storage facilities are to be provided on the development site for the duration of demolition works. At the completion of works, waste material shall be disposed of to a lawful Waste Management Centre.

General – Engineering

10. As Trade Waste will be discharged to Council's sewerage system, the owner of the premises prior to occupation must:
 - a) Install approved pre-treatment device/s, for example plaster arrestor, where pre-treatment of discharge is required under the Liquid Trade Waste Guidelines 2009, with pre installation approval sought in line with The Local Government Act 1993, Section 68.
 - b) Submit a Trade Waste discharge application, and enter into a written Trade Waste Services Contract with Council, where required, prior to occupation of the building.

Liquid trade waste means all liquid waste other than sewage of a domestic nature.

11. Any damage caused to the public road, footpath or street gutter as a consequence of the project shall be repaired at the owner's expense to the satisfaction of the Division Manager Assets, Planning and Design.
12. In order to minimise the impact of the development on the public domain, the applicant shall bear the cost of relocating any public utilities required as a consequence of development.
13. The applicant will be responsible to ensure that the footpath levels adjacent to the proposed entry are adjusted to comply with the requirements of AS1428.1 - Design for Access and Mobility.

Prior to Commencement

14. At least 2 days prior to any work commencing on site Council must be informed, by the submission of a Notice of Commencement in accordance with Section 81A of Environmental Planning & Assessment Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. The required form may be completed online at Council's website (www.snowyvalleys.nsw.gov.au) or hardcopies may be obtained from Council.
15. The Construction Certificate application must address drainage in accordance with AS/NZS 3500.3 - 2003, compliance with AS/NZ 2890.1:2004 Parking Facilities Part 1: off-street car parking, and AS/NZS 2890.2 -2002 Part 2: off-street commercial vehicle facilities, Aus-spec, Councils standards for Urban/Rural driveway construction and the Environmental Planning & Assessment Act 1979. The application shall be

submitted to Council prior to construction of the proposed works.

During Construction

16. Hours of construction for demolition and building work likely to cause annoyance due to noise shall be restricted to:

Monday – Friday:	7 a.m. to 6 p.m.
Saturday:	8 a.m. to 1 p.m.
Sundays & Public Holidays:	No construction work.

Prescribed Conditions

17. All work shall be carried out in accordance with the requirements of the Building Code of Australia
18. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

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

Prior to Occupation

19. An interim occupation certificate may be issued prior to the completion of the building work on receipt of an application for an interim occupation certificate provided that part of the development is safe and suitable for occupation, and an agreement regarding the process for completion of the project is entered into between the applicant and Council.
20. Final Occupation Certificate shall not be issued until such time as an application for Occupation Certificate is made and all conditions of this consent have been satisfied, and the development is constructed in accordance with the plans, specifications and Statement of Environmental Effects as approved under this development consent.
21. Prior to occupation of the building, the water service shall be provided with the appropriate cross connection prevention and/or backflow prevention devices, relative to the degree of hazard. The installation, servicing and maintenance of the devices shall comply with Council's policy - Backflow Prevention Policy.

- 22. Prior to occupation all trade waste requirements of Condition No. 10. must be satisfied.

On-going Town Planning

- 23. The proposed (Medical Centre) use is generally not restricted to specific hours of operation, however the business must be operated so as not to cause any nuisance to premises in the vicinity.

REASONS FOR CONDITIONS:

- 1. To ensure compliance with the Environmental Planning and Assessment Act 1979 and Building Code of Australia.
- 2. To ensure that the development complies with the provisions of relevant Environmental Planning Instruments and Council's Codes and Policies.
- 3. To minimise adverse environmental impact.
- 4. To maintain the amenity and character of the neighbourhood.
- 5. To ensure that the development does not conflict with the public interest.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

10.4 Cr Andrianna Benjamin returned to the meeting, at 03:25 PM.

There being no further business to discuss, the meeting closed at 3.26pm.