

JOINT REGIONAL PLANNING PANEL (Southern Region)

JRPP No	2013STH034
DA Number	DA13/0660
Local Government Area	Wagga Wagga
Proposed Development	Multi Purpose Stadium and Ancillary Development
Street Address	150 Copland Street WAGGA WAGGA. Lots 21 DP1161836
Applicant/Owner	Applicant: Wagga Wagga City Council Owners: Wagga Wagga City Council
Number of Submissions	None
Regional Development Criteria (Sched 4A of the Act)	Southern Joint Regional Planning Panel under Schedule 4a of the Environmental Planning and Assessment Act 1979, as amended. The Panel is authorised to exercise the consent authority functions of Council as the development is a Council development that exceeds 5 million dollars capital investment.
List of All Relevant s79C(1)(a) Matters	State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No 64 – Advertising and Signage Wagga Wagga Local Environmental Plan 2010 Wagga Wagga Development Control Plan 2010
Recommendation	Approval with Conditions
Report by	Sam Robins, Town Planner

Assessment Report

DESCRIPTION OF DEVELOPMENT

The applicant seeks permission for a large multipurpose sports stadium to be constructed at the Equex Centre adjoining the existing netball amenities building. The stadium will measure approximately 3744m², be approximately 11m in height and be constructed using block work walls with timber cladding. The application proposes to stage the development as follows:

Stage 1 - construction of building and all internal works

Stage 2 - construction of drop off/pick up area to the front of the building.

The building will consist of the following:

- Three full size netball/basketball courts, three offices, male and female amenities, umpires rooms, combined uniform and laundry room, four storage rooms, stairs to tiered seating, cleaners room, first aid room, control room, entry lobby, function area, signage.

The works will not impact on the existing courts or playing fields. The location of the building will require minor alterations to the existing internal road network and the relocation of a sewer pump station and associated easements.

The applicant has proposed that the stadium be operational between the hours of 7am - 12 midnight. No additional parking has been proposed and the existing access arrangements off Copland Street remain.

The Statement of Environmental Effects mentions upgrades to the existing Netball amenity building. This does not form part of this application.

THE SITE & LOCALITY

The site being Lot 21 DP 1161836 is part of a number of lots that make up the Equex Centre. The stadium is proposed to be located south of the existing netball amenities building on this lot.



The site is bound by Copland Street to the north, Koorlingal Road to the west and Marshalls Creek to the east. The site is flat, generally void of vegetation and contains three amenity/club house buildings that service the sporting activities that take place on the site. The site has a number of playing fields, netball courts and associated lighting and car parking.

Access to the netball centre is off Copland Street through an unnamed road. Access to the rugby league fields is also off Copland Street via Lisa Lane that is approximately 70m east of the unnamed intersection.

The site is surrounded in the main by industrial land to the north and rural land to the south. However the Cemetery, Christian College and residential areas are in close proximity to the south west.

The subject site is flood prone.

A site visit was undertaken on 19/12/13

SUMMARY OF MAIN ISSUES

Impact on character of the area

Traffic issues

Flooding considerations

MATTERS FOR CONSIDERATION PURSUANT TO SECTION 79C(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 79C(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 LEP the site is zoned RE1 - Public Recreation

The objectives of the zone that would be considered relevant are;

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect and enhance the natural environment generally and to assist in ensuring that areas of high ecological, scientific, cultural or aesthetic values are maintained or improved.*

Recreation Facility (indoor) are permissible with consent in the RE1 Zone under the provisions of the LEP 2010. The proposed facility would provide an additional public facility for recreational purposes and would therefore meet the listed objectives for the zone.

Part 7 - Additional Local Provisions

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.

(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's Floodplain Development Manual published in 2005, unless it is otherwise defined in this clause.

The site is subject to flooding in a 1:100 year event. The proposal is therefore required to be assessed against this section of the LEP. The application includes a flood study that concludes the impact over the site will be less than 15mm in a 1% AEP flood event. Council's information suggests that the 1:100 year event would cause approximately a 1m maximum flood height at the proposed location of the building, a height of 182.35 AHD. Given the large open area around the proposed building any displacement will be negligible. Council has no reason to disagree with the findings of the flood study.

Conditions of consent will require the building to be raised to the same Finished Floor Level (FFL) as the existing netball amenity building, being 182.4 AHD and require engineers sign off that the building will be structurally sound in a 1:100 year event. Given the nature of the use, the location of the building and compliance with conditions of consent the building will have negligible impacts of flood waters and would meet the objectives of this section of the LEP.

7.3 - Biodiversity

The site contains areas identified on the Terrestrial Biodiversity Map. The biodiversity areas identified on the map are not in the proposed location of the building or any associated works. The proposal will only result in the removal of grassed areas and the impact on biodiversity will be negligible.

7.5 - Riparian lands and waterways

As the application site falls within a defined 'waterway' area on the Water Resource Map, the building would be subject to assessment under this clause.

Marshalls Creek is identified as a waterway on the above mentioned map. Marshalls Creek bounds the site to the east and is partially located on the lot the subject of the application. However the building and associated infrastructure is more than 200m from the Creek and will have no impact on the water quality of habitat associated with the creek. The proposal therefore raises no issues under this section of the LEP.

7.6 - Groundwater Vulnerability

As the application site falls within a defined 'Groundwater' area on the Water Resource Map, the building would be subject to assessment under this clause.

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

- (a) is unlikely to adversely impact on existing groundwater sources, and*
- (b) is unlikely to adversely impact on future extraction from groundwater sources for domestic and stock water supplies, and*
- (c) is designed to prevent adverse environmental impacts, including the risk of contamination of groundwater sources from on-site storage or disposal facilities.*

The proposal would not impact on the groundwater systems in the vicinity given the proposed form of construction and the intended use of the building/site for indoor recreational activities.

The proposal is therefore not considered to be detrimental in relation to any of the issues under this section of the LEP 2010.

State Environmental Planning Policies

State Environmental Planning Policy (Infrastructure) 2007

Under Division 12 Parks and other public reserves, the recreational facility (indoor) would require the consent of Council. By the lodging of this application the applicant has addressed this section of the SEPP.

Under Division 17 Roads and traffic, the development could be considered 'Traffic Generating Development' under Schedule 3 given it is a recreation facility with the potential to receive 200 or more motor vehicles. The application has been referred to the RMS as per the requirements of this division and will be assessed against the following sections:

(3) Before determining a development application for development to which this clause applies, the consent authority must:

- (a) give written notice of the application to the RTA within 7 days after the application is made, and*
- (b) take into consideration:*
 - (i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - (ii) the accessibility of the site concerned, including:*
 - (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - (iii) any potential traffic safety, road congestion or parking implications of the development.*

The applicant submitted a traffic report as part of the submission documents. The report makes assumptions regarding numbers and people per vehicle that Council are comfortable with. The traffic counts are up to date and provided by Council. The use of SIDRA 6 is accepted by Council and the findings show that the intersections will continue to be acceptable with the additional traffic associated with the stadium.

The report identifies that the management of the facility and traffic will be important in ensuring an acceptable level of performance of the existing intersections during larger events. Therefore a condition of consent will require a management plan to be submitted prior to the operation of the facility to ensure large scale events are appropriately managed.

The RMS provided a response on 23 December 2013. The RMS raised no objection to the proposal but requested that Council consider the following issues:

- Currently the onsite traffic arrangements and internal road network allow for egress from the site by both driveways without the need for vehicles to move through designated parking areas. The revised layout will allow access to the car park between the two roads from both roads but not a direct through route. The RMS have recommended that the access to the car park from Lisa Lane be relocated to line up with the access from the internal road to provide a clear through route and limit conflict and confusion.
- The proposed pedestrian crossing should be relocated towards the stadium so that it does not cross the path of traffic that is exiting the car park areas.
- Given the nature of the use and the potential for volumes of pedestrians mixing with vehicles within the subject site, consideration should be given to traffic calming devices being implemented along the internal network.
- To aid navigation through the site appropriate directional signage and line marking should be installed throughout the site.
- A traffic management plan should be in place for major sporting events
- Car parks should be designed in accordance with Austrian Standards

These comments have been taken into consideration and conditions of consent will be included addressing the relevant issues.

State Environmental Planning Policy No 64 - Advertising and Signage

The SEPP provides a series of objectives and assessment criteria against which signage must be assessed, with consent only to be granted if the development is consistent with these. This assessment is as follows:

Clause 3 - Aims and objectives of the policy

(1) This Policy aims:

(a) to ensure that signage (including advertising):

(i) is compatible with the desired amenity and visual character of an area, and

(ii) provides effective communication in suitable locations, and

- (iii) *is of high quality design and finish, and*
 - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
 - (c) *to provide time-limited consents for the display of certain advertisements, and*
 - (d) *to regulate the display of advertisements in transport corridors, and*
 - (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*
- (2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

The proposal is for a building identification sign that is located on the front elevation of the building facing Copland Street that states 'Wagga Wagga Multipurpose Stadium'. The sign will not raise any concerns with the aims and objectives listed above.

Clause 6 - Signage to which this Policy applies

- (1) *This Policy applies to all signage:*
- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
 - (b) *is visible from any public place or public reserve, except as provided by this Policy.*

Note. Public place and public reserve are defined in section 4 (1) of the Act to have the same meanings as in the Local Government Act 1993.

- (2) *This Policy does not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, or that is exempt development under this Policy.*

The State Environmental Planning Policy applies to this development application.

Clause 7 - Relationship with other environmental planning instruments

In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency.

The State Environmental Planning Policy prevails over the Wagga Wagga Development Control Plan 2010.

Clause 8 - Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

The proposed sign is considered consistent with clause 3(1)(a) and has been assessed against the assessment criteria specified in Schedule 1 below.

Schedule 1 - Assessment criteria

1 Character of the area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

2 Special areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

3 Views and vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

4 Streetscape, setting or landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

5 Site and building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

6 Associated devices and logos with advertisements and advertising structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

7 *Illumination*

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew*

8 *Safety*

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*

The sign is a simple building identification sign that is of a size that reflects the size of the building and will have no detrimental impact on the character of the area. Conditions of consent will ensure the sign is structurally sound. The sign raises no issues.

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

Draft local environmental plans

N/A

Draft state environmental planning instruments

N/A

(a)(iii) - Any development control plan

Wagga Wagga Development Control Plan 2010

The relevant controls of the DCP have been addressed below.

2.2 Vehicle access and movements

As discussed above, the vehicles access and movements to and from Copland Street have not been altered and are considered acceptable.

Internally the existing access road off Copland Street to the netball courts and parking facility will only service this facility and associated parking. The link from Lisa Lane to the internal access road and left onto Copland Street will be removed. This will become a service road for the stadium that ends in a turning head.

As discussed above the RMS has made some suggestions regarding the layout of the car park and location of walkways. The suggestions are relatively minor and will improve the flow of the car park. Recommended conditions of consent will require these changes to be made.

2.3 Off-street parking

The development has not proposed any additional parking associated with the stadium. The DCP has no specific controls for Recreational Facilities indoor. The

closest development type would be Gymnasium, health and fitness centre at 1 space/16m² GFA. The development has a GFA of 3744.15m² which would equate to 234 spaces.

The applicant has stated that the parking requirements of all Development Applications previously approved on the site have been met and that in 2011 Council constructed an additional parking area containing 254 spaces on the eastern side of the existing internal road under State Environmental Planning Policy (Infrastructure) 2007. This parking area would be more than adequate for the stadium requirements.

2.5 Signage

The building identification signage has been discussed above and considered acceptable. The proposal raises no issues under this section of the DCP.

2.6 Safety and Security

The proposal raises no issue under this section of the DCP. The entry is clearly visible, the site has adequate lighting and will be secure outside hours of operation.

2.7 Changing the landform - cut and fill

Although this section relates in the main to residential developments, a number of the objectives remain relevant, they are as follows:

- 01 *Encourage site responsive development and protect the amenity of adjoining land.*
- 02 *Avoid excessive earthworks and minimise changes to the natural landform.*
- 05 *Avoid inappropriate fill being introduced to sites*
- 06 *Ensure adequate provision for drainage in relation to cut and fill practices*

The proposal requires approximately 1m of fill to bring the site up to the level of the existing building and reduce the flood risk. This increase in height will have no impact on the surrounding land uses or drainage patterns and conditions of consent will ensure all imported fill is clean.

2.8 Erosion and Sediment Control Principles

Conditions of consent will ensure the appropriate erosion and sediment control measures are put in place during construction. No issues are expected during operation.

Section 4 Environmental Hazards and Management

4.2 Flooding

The site is located on flood prone land and is subject to the provisions of this section of the DCP.

A recreational facility is only required to have a finished floor level 225mm above the ground level. The proposal has a FFL of 182.4 which is approximately 1m above natural ground level and above the 1:100 year level for this site. As identified earlier in this report, conditions of consent will require engineer's certification that the

building will be structurally sound in a 1:100 year event. The proposal would be complaint with this section of the DCP.

Section 5 Natural Resource and Landscape Management

5.4 Environmentally sensitive land

As mentioned under part 7 of the LEP, the works would have no additional impact to the groundwater sources, waterways or biodiversity in the area.

Section 12 Specific Uses and Developments

12.3 Development on Land zoned for public recreation

Objectives

- O1 Protect and enhance areas of public recreation.*
- O2 Ensure proposals adequately address potential impacts on public recreation areas including existing and likely future needs of the community.*

Controls

- C1 Applications for development in public reserves and parks are to demonstrate that there is a need for the proposed use or facility.*
- C2 Developments are to consider the need for public recreation areas to serve the immediately adjoining area, taking into consideration any changing demographics of the area.*
- C3 Design to complement the public recreation area and adjoining land uses.*
- C4 All works to be consistent with any Plan of Management or public recreation strategy.*

The submitted information includes a Preliminary Business Case prepared by Coffey Sport and Leisure dated March 2013. This report put forward a business case for the development of additional sports stadiums within Wagga based of the Wagga Wagga Recreation and Open Space Strategy 2005 that identified the present provision of two multi-purpose courts at Bolton Stadium was inadequate to service the population of over 50,000 people. The report clearly demonstrated the need for Wagga to provide additional indoor facilities.

Equex is a large complex that caters for a number of sports year round, servicing the whole community. The addition of a Multi-purpose hall will increase the sport and leisure options available to the community at an existing recreational complex.

The design of the building is simple and although large, the building will have negligible impact on the public recreation area. The size of the site and the distance to boundaries means the building will have no direct impact on the surrounding land uses. As discussed the building will result in an increase in traffic in the area but the road network is more than capable of adequately handling the additional impacts.

Council has no Plan of Management for this site. A condition of consent will require one to be developed prior to its operation. As mentioned above, the Wagga Wagga Recreation and Open Space Strategy 2005 indentified the need for additional facilities therefore this application would be considered consistent with this document.

(a)(iia) - any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

No planning agreement has been entered into under section 93F.

(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 use is considered appropriate in the zone. Equex, as mentioned, is a public recreation site where a number of sporting activities take place. Although large the building is located in proximity to industrial buildings and schools and would not result in a significant visual impact in the area. Locating a Multi-purpose Stadium here would be in keeping with the context and setting.

Access, transport and traffic

As mentioned, only minor alterations would take place to the existing operation of the car park and ingress/egress and these would be internal. The proposal raises no access, transport or traffic issues.

Noise and vibration

During works noise and vibration issues will be controlled via conditions of consent.

Given the proposal is for an indoor centre, the site is a substantial distance from the surrounding premises and surrounded in the main by industrial uses. Noise impacts are not expected during operation.

Water

The impact on ground water in the area has been discussed above and considered acceptable. The building will have some impact on flood waters but given the size of the structure in comparison to the site and the distance to neighbouring properties the impact will be negligible.

Given the nature of the use no pollution of waterways is expected. As mentioned conditions of consent will require the appropriate erosion and sedimentation control measures to be in place during construction to ensure there are no issues during construction.

Soils

The building will have negligible impact on the soil quality in the area.

Air

The applicant has stated that no air quality data was available for the study, however due to the nature of the proposed development; it is considered that it would not have any significant potential for air quality impacts. Council agrees with this statement.

Energy

The building has been designed to make use of natural light through extensive skylights to the sports hall and strip highlight windows, protected by eaves, to the amenities. The sports hall has been designed with natural ventilation, with low intake louvers on the south elevation and wind turbines on the roof. These features will help to minimise the use of evaporative cooling and air conditioning systems.

Social impacts

The proposed development will provide state of the art facilities not only for residents and visitors to Wagga but the surrounding catchment. Additional recreational facilities provide more opportunities for persons to get involved in sporting and recreational activities within the Wagga Community.

Economic impacts

The proposed development will result in positive economic impacts during both the construction phase and the operation, creating short and long term employment for the Wagga area. The construction of a state of the art facility also provides Wagga with the opportunity to hold state wide carnivals in a number of fields attracting people to the region, having a flow on effect with people staying in local hotels, eating in local restaurants and spending money in local shops.

Safety, security and crime prevention

No issues are raised.

Services

Sewer and stormwater infrastructure exist on site. However the proposed location of the hall will require existing infrastructure, including a pump station to be relocated. All services are proposed to be relocated within the existing site and will have no impacts outside of this application.

Water, electricity and communications all exist on the site and will be connected to the proposed building.

Natural Hazards

The site is subject to flooding. The issues surrounding this impact have been discussed in the body of this report and are acceptable.

Waste

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

Flora and fauna

No vegetation will be removed as part of this application.

The application includes a landscape plan proposing an additional 30 drought and salt tolerant trees and shrubs. The landscape plan would be considered acceptable

for this development. Conditions of consent will ensure the species are selected from Council's landscape guidelines.

Hours of operation

The hours of operation proposed are as follows:

- 7am - 12 midnight 7 days a week.

Given Council would consider 24 hour operation in the industrial zone these hours would raise little concern given the location of the site in close proximity to the industrial zone and the nature of the use. No condition will be placed on the consent limiting hours as it is likely that some events/activities will require an extension of these hours.

Site Design and internal design

The site design and internal design raise very little concern.

Internally the building has been designed around budget, BCA requirements and most importantly the requirement of users. This relates to features such as court dimensions, run off areas, spaces for required officials and seating.

The building is able to be opened up with a number of doorways around the perimeter, which allow for flexible use and a strong connection between indoor and outdoor space.

On the site the building has been located in close proximity to the existing netball amenities to enable it to be used in conjunction with this facility. The location was also chosen as it allows for future expansion to the east and easy connection to existing access points and car parking.

Cumulative impacts

The impacts addressed above would be acceptable individually with compliance with the conditions of consent and also when cumulatively assessed. The nature of the use in this location is appropriate given the impacts assessed.

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 impacts assessed above have concluded that the development would be acceptable with minimal impact on the environment.

(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 recreation and contains a large sporting facility containing a number of netball courts, playing fields, equestrian facility and associated kiosk and amenities. The site is considered suitable for a use of this nature and the works proposed considered acceptable. 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 referrals

Mayor and General Manager (development cost >\$1 million)
Manager Waste and Stormwater Services
Manager Infrastructure Planning
Manager Community Services
Manager Economic Development

External referrals

Roads and Maritime Services
Essential Energy
Riverina Water

Notification and advertising

In accordance with the Council's advertising and notification provisions outlined in Section 1.10 of the WWDCP the application was notified and advertised for a period of 14 days on the following dates 13/12/13 to 06/01/14 and referred surrounding tenancies. No submissions were received

Public Submissions and those from public authorities

Public Authorities

RMS

Comments were provided to Council on 23 December 2013. The RMS raised no objection to the proposal. Their comments have been addressed in the body of this report.

(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 5A ("Seven Part Test" - Threatened Species)

The following factors must be taken into account in making a determination under this section:

- (a) in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,*
- (b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,*
- (c) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:*
 - (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
 - (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*
- (d) in relation to the habitat of a threatened species, population or ecological community:*
 - (i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and*
 - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and*
 - (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality,*
- (e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),*

(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,

(g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

The application is for a recreational facility (indoor) on a site that is not identified as having any threatened species in the vicinity. No further assessment is required under this section.

Section 79B(3)

As mentioned above there is unlikely to be significant impact and a species impact statement is not required. Therefore concurrence is not required from the Director General of National Parks and Wildlife.

Council Policies

N/A

Comments by Council's Officers

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

Development Contributions

The project is identified within the City of Wagga Wagga s94/s94A Levy Contributions Plan 2006 and as such no contributions are required under s94a.

Section 64 of the Environmental Planning and Assessment Act 1979, 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 20013 enable Council to levy developer charges based on the increased demands that new development will have on sewer and/or stormwater. A Section 64 contribution of \$31,045.95 for sewer and \$12,758.68 for stormwater is payable for this development as a source of funding towards infrastructure within the urban area.

S64 sewer

There is no standard ET figure under the Water Directorate Guidelines for Recreational Facility (indoor). Therefore Council must consider on a case by case basis. It is considered that the most appropriate way for calculating the ET's would be to use Public amenities block at 0.63 per shower and WC and then give a discounted rate based on the estimated use of the facility. Given the facility will very rarely be utilised at capacity a 50% reduction can reasonably be argued. Further to this the facility will only be used at this rate during evenings and on weekends in the most part. This use would equate to approximately 5 days a week at 50% rather than 7.

The calculation is as follows:

$$39 \times 0.63 \times 3538 = 86,928.66$$

$$86,928.66 / 2 = 43,464.33$$

$$43,464.33 / 7 \times 5 = 31,045.95$$

S64 drainage

$$\frac{3744.15 \times 1 \times 1721 \times 102.8}{800 \times 0.74 \times 87.7} = 12,758.68$$

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, the Building Code of Australia and Councils Policies. No objections to the proposal were received.

RECOMMENDATION

It is recommended that the Southern Joint Regional Planning Panel approve Development Application DA13/0660 for Exhibition Centre Expansion: Clubhouse Additions, New Multi-purpose Indoor Courts & Ancillary Development, Exhibition Centre 150 Copland St EAST WAGGA WAGGA NSW 2650 , Lot 21 DP 1161836 in accordance with the following conditions:-

CONDITIONS

Approved Plans and Documentation

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

Plan/Doc. No.	Plan/Doc. Title	Prepared by	Issue	Date
DA00	Site Analysis Plan	Architectus	1	29/11/13
DA01	Ground Floor	Architectus	1	29/11/13
DA02	Level 1	Architectus	1	29/11/13
DA03	Roof Plan	Architectus	1	29/11/13
DA04	Elevations - sheet 1	Architectus	1	29/11/13
DA05	Elevations - sheet 2	Architectus	1	29/11/13
DA06	Sections - sheet 1	Architectus	1	29/11/13
DA07	Sections - sheet 2	Architectus	1	29/11/13
DA01	Landscape Plan	WWCC	1	25/11/13

-	Statement of Environmental Effects	GHD	-	December 2013
-	Addendum to Statement of Environmental Effects	GHD	-	6 Jan 2014

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

- Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

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.

- Prior to the issue of the Construction Certificate for stage 1 the applicant must demonstrate that the building complies with the requirements of the Commonwealth Disability Discrimination Act 1992, the NSW Anti-Discrimination Act 1977 and the relevant provisions of the Disability (Access to Premises - Buildings) Standards 2010.

NOTE 1: The Disability Discrimination Act 1992 and the Anti-Discrimination Act 1977 provide that it is an offence to discriminate against a person in a number of different situations. IT IS THE OWNER'S RESPONSIBILITY TO ENSURE THAT THE BUILDING COMPLIES WITH THIS LEGISLATION.

NOTE 2: Guidelines in respect of disabled access and produced by the Human Rights and Equal Opportunity Commission, are available from the Commission or from Council's Planning Directorate. The applicant must ensure that these matters

are addressed in the plans and specifications submitted with the application for a Construction Certificate.

REASON: It is in the public interest that access to the building be provided for persons with disabilities. Section 79C (1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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

NOTE: The applicant must ensure that these matters are addressed in the plans and specifications submitted with the application for the Construction Certificate for stage 1.

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

5. Prior to the issue of the Construction Certificate for stage 1 details of all structural concrete and structural steelwork shall be submitted to the Principal Certifying Authority for approval, all such details shall be certified by a practising Structural Engineer.

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

6. Prior to the release of the Construction Certificate for stage 1 a geo-technical report must be submitted to the Principal Certifying Authority that demonstrates that the foundation upon which a footing/slab is to be located is classified in accordance with Part 3.2.4 "Site Classification", of the Building Code of Australia and AS 2870 Residential Slabs and Footings.

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

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

7. Prior to the release of Construction Certificate for stage 1 the applicant is to obtain a compliance certificate under s306 of the Water

Management Act 2000 in respect of the development relating to water management works that may be required in connection with the development.

NOTE1: 'Water management work' is defined in s283 of the Water Management Act to mean a 'water supply work', 'drainage work', 'sewage work' or 'flood work'. These terms are defined in that Act.

NOTE 2: Riverina Water is responsible for issuing compliance certificates and imposing requirements relating to water supply works for development in the Council's area - please contact Riverina Water to ascertain compliance certificate water supply related requirements. A copy of such a compliance certificate is required prior to release of Construction Certificate.

NOTE 3: The Council is responsible for issuing compliance certificates and imposing requirements relating to sewerage, drainage and flood works for development in its area.

NOTE 4: Under s306 of the Water Management Act 2000, Riverina Water or the Council, as the case requires, may, as a precondition to the issuing of a compliance certificate, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply, sewerage, drainage or flood works.'

NOTE 5: The Section 64 Sewer contribution required is \$31,045.95

NOTE 6: The Section 64 Stormwater contribution required is \$12,758.68

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

REASON: It is in the public interest that Council maintain the ability to provide adequate water and sewer reticulation services. Section 79C(1)(c) and (e) of the Environmental Planning and Assessment Act 1979, as amended).

- 8. Prior to the issue of a Construction Certificate for stage 1 the applicant shall submit and have approved a revised site plan showing the following:**

- **The entrance to the car park from Lisa Lane relocated to be in line with the entrance from the internal access road.**
- **The pedestrian crossing is to be relocated to the southern section of the car park.**

REASON: This work is necessary to enable adequate means of pedestrian and vehicle access to the proposed development. Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 9. Prior to the issue of the Construction Certificate for stage 1 detailed plans and elevations of the kitchen/canteen area shall be required. Plans shall include but not be limited to the ceiling, wall and flood coverings, coving, exhaust hoods, personal/chemical storage area.**

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

- 10. Prior to the issue of the Construction Certificate for stage 1, details/plans shall be submitted demonstrating compliance with Part C2 and specification C1.1 of the Building Code of Australia in regard to the distance between the multipurpose stadium to the existing netball office building being less than 3 metres apart.**

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.

- 11. Prior to the issue of a Construction Certificate for stage 1 a compliance certificate must be received and approved by the certifying authority.**

The compliance certificate shall be from an accredited certifier who is a qualified structural/civil engineer stating that the building if constructed in accordance with the plans and specifications to which the construction certificate relates, will not sustain structural damage from the force of flowing floodwaters or from impact of debris associated with the floodwaters in a 1:100 year flood event.

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

- 12. The applicant shall submit a detailed revised landscape plan and legend to be approved prior to the release of the Construction Certificate for stage 1.**

(1) Landscape plan shall be in accordance with Council's Landscape Guidelines and Landscape Application Checklist.

(2) A Plant Schedule indicating all plant species, pot sizes, spacings and numbers to be planted within the development shall be submitted with the Landscape Plan. Plant species are to be identified by full botanical name. All plants proposed in the landscape plan are to be detailed in the plant schedule.

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

Prior to Commencement of Works

13. Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a) a standard flushing toilet connected to a public sewer, or**
- b) if that is not practicable, an accredited sewage management facility approved by Council, or**
- c) if that is not practicable, any other sewage management facility approved by Council.**

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

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

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

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

14. The applicant must obtain 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.

- 15. Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind blown. The enclosure shall be approved by Council and be retained on site at all times prior to the disposal of rubbish at Council's 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: The applicant must retain weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited. 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.

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

- a) Development Control Plan 2010 (Section 2.8 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.

- 17. Prior to the commencement of works, an application is required to be lodged for both an Activity Approval under Section 68, Part B - 4, 5 and 6, of the Local Government Act 1993 for any public infrastructure sewer /**

stormwater works and a Construction Certificate for all other subdivision works. These two applications should be lodged concurrently.

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

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

- 18. Any unforeseen sewer or stormwater works resulting from the development are to meet the requirements of the AS3500 and the Plumbing Code of Australia. Where works are required, it will be necessary to contact a Licensed Plumber and Drainer.**

A Section 68 Approval must be obtained from Council prior to any sewer or stormwater work being carried out on the site. Further, a final inspection must be carried out upon completion of plumbing and drainage work prior to occupation/use of the development.

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

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

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

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

- 20. 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: It is in the public interest that adequate safety measures are provided. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 21. The applicant is to submit to Council, at least two (2) days prior to the commencement of any works, the attached 'Notice of Commencement of Building or Subdivision Works and Appointment of Principal Certifying Authority'.**

REASON: Because it is in the public interest that Council receive notification in accordance with the provision of the *Environmental Planning and Assessment Act 1979*, as amended. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

During works

- 22. Any proposed site fill must be of clean material only, free from organic matter, and compacted in horizontal layers not more than 250mm thick to 95% of the standard maximum dry density of the soil. A validation certificate shall be provided to Council verifying that the material to be used is free of contaminants and fit for purpose and re-use in residential, commercial or industrial use, prepared by a qualified Geotechnical Engineer. All such works are to comply with Wagga Wagga City Council's Guideline for Subdivision and Developments.**

NOTE: Soil density tests from a NATA registered laboratory, and conducted in accordance with Australian Standard 1289, will be required, prior to the issue of a Construction Certificate for the erection of a building or the issue of a Subdivision Certificate.

REASON: To ensure that any fill is correctly placed and compacted. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 23. If the Council is appointed as the Principal Certifying Authority the applicant must obtain a Compliance Certificate pursuant to Section 109C of the *Environmental Planning and Assessment Act 1979*, as amended, from Council or an accredited certifying authority, certifying compliance with the Building Code of Australia for the stages of construction listed in Column 1. For the purposes of obtaining the Compliance Certificate the works must be inspected by the accredited certifying authority at the times specified in Column 2.**

COLUMN 1	COLUMN 2
Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
Slab	When reinforcement steel has been placed

	in position in any concrete slab, whether or not the slab is suspended, on the ground, or on fill.
Roof frame	When external roof covering has been installed and prior to the installation of the ceiling lining and eaves soffit lining.
Wet areas	When the flashing to all wet areas, including the plinth under the bath, the bathroom, laundry, water closet, ensuite and shower recess have been completed.
Final	Required prior to occupation of the building

NOTE 1: A Final Occupation Certificate in relation to the building cannot be issued by Council or an accredited certifying authority until all Compliance Certificates required by this condition have been issued by, or registered with Council. The Applicant shall ensure that prior to or at the time of the application for Occupation Certificate that the application for "Occupation Certificate" form attached to the Council issued Construction Certificate must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate application form will result in an inability for Council to book and subsequently undertake occupation certificate inspection.

NOTE 2: The above Compliance Certificates are required whether or not the work has been inspected by a Structural Engineer, a lending authority or any other person. If the Compliance Certificates are not issued Council may refuse to issue a Building Certificate under Section 149A of the *Environmental Planning and Assessment Act 1979*, as amended.

NOTE 3: Submission of the bracing plan and the Truss and Frame Certificate is required seven (7) working days before the frame inspection.

REASON: It is in the public interest that Compliance Certificates be issued for these components of the development, and Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

24. The Builder must at all times maintain, on the job, a legible copy of the plan and specification approved with the Construction Certificate.

REASON: It is in the public interest that a copy of the Construction Certificate plans are available, and Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

Excavations must be undertaken in accordance with the terms and conditions of Section 2.7 of the Wagga Wagga Development Control Plan 2010.

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

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

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

- 27. 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.

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

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

- 29. Sewer mains must be extended to the site, at full cost to the developer, in accordance with Council's Guidelines for Subdivision and Developments and policies. The works must be carried out by Council or a licensed approved contractor under Council supervision via a Section 68 (Public) approval.**

REASON: To ensure that the development is serviced by a reticulated sewerage system. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 30. The development must be constructed to ensure that all floor levels are 182.4 AHD. The applicant must obtain a Compliance Certificate, pursuant to Section 109C of the *Environmental Planning and Assessment Act 1979* from Council or an accredited certifying authority certifying the FFL are this level.**

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

- 31. The building must be designed and constructed in such a manner and of such materials as to minimise the likelihood of damage to the building in the event of flooding.**

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

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

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

- 33. The applicant must obtain a Compliance Certificate from Council for the plumbing and drainage work identified in Column 1 at the times specified in Column 2.**

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

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

- 34. 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

- 35. 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.

- 36. Prior to the issue of an Occupation Certificate for stage 1 the applicant is to submit and have approved a Traffic Management Plan for major events for the subject site.**

REASON: To minimise impacts associated with the development. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

- 37. Prior to the issue of Occupation Certificate for stage 1, the building must comply with the Fire Safety Schedule, attached.**

NOTE: The Fire Safety Schedule supersedes any earlier Fire Safety Schedule and will cease to have effect when any subsequent Fire Safety Schedule is issued.

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

- 38. Prior to the issue of an Occupation Certificate for stage 1, 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.

- 39. Prior to the issue of an Occupation Certificate for stage 1, the building shall be suitably protected from a fire by the installation of a fire hydrant and fire hose reel system.**

NOTE: A fire hydrant and fire hose reel system is required to be installed to protect the proposed premises. The details of the system must be compiled by a suitably qualified person and must be sufficient to demonstrate that the installation of

the fire hydrant and fire hose reel system has been thoroughly investigated. These details may include the results of flow rate and pressure tests, any assumptions made or concessions applied from Australian Standard 2419.1. 2005 and a scaled drawing of the proposed system. The drawing may include the type and diameter/s of all pipes, the location of the proposed system on the site and the type of water meter installed or to be installed.

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

- 40. Prior to the issue of the Occupation Certificate for stage 1 and two (2) days prior to the premises opening, the Applicant must contact Council's Environmental and Community Services Directorate for a Health Inspection and registration of the premises in accordance with the Food Act 2003 and the Food Regulations 2010, Food Safety Standards Code.**

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

- 41. Prior to the release of the Occupation Certificate for stage 1 the applicant is required to notify the Food Business Premise and current Food Safety Supervisor with NSW Food Authority.**

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

- 42. 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.**

In order to obtain this, the "Final Occupation Certificate" form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

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

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

- 43. 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.

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

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

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

General

- 45. Dust suppression techniques are to be employed where and when necessary to ensure there is no unacceptable dust impacts from the stock piled fill material on neighbouring properties. This may include watering or covering of stock piles.**

REASON: To minimise impacts associated with the development. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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

- 47. This approval is for a development to be undertaken in 2 Stages, namely:-**

- (1) Construction of the Multi-Purpose Hall (Stage 1);**
- (2) Construction of the drop off pick up area to the front of the Multi-Purpose Hall (Stage 2);**

In accordance with the approved plan (refer to Condition 1).

Stage 1 must be completed prior to any other Stage.

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

REASON: So that the development proceeds in a planned manner in accordance with the approved plans. Section 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979*, as amended.

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

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