



***DRAFT***

**MINUTES  
ORDINARY MEETING OF COUNCIL**

***held on***

**WEDNESDAY, 8 NOVEMBER 2023**

**PRESENT**

Councillors Craig Davies (Mayor and Chair), Dawn Collins (Deputy Mayor), Les Lambert, Casey Forrester, Diane Beaumont, Ewen Jones and Mrs Jane Redden (General Manager), Mr Phil Johnston (Director Community & Economic Development), Mr Barry Bonthuys (Director Finance & Corporate Strategy), Mrs Marion Truscott (Director Governance), Mrs Melanie Slimming (Director Infrastructure and Engineering Services) and Mrs Sally McDonnell (Minute Taker).

**WELCOME**

The Chair welcomed those present and declared the meeting open at 5.30pm.

**PRAYER**

The Lord's Prayer was taken by those present.

**ACKNOWLEDGEMENT OF COUNTRY**

The Acknowledgement to Country was made by the Chair.

**STATEMENT OF ETHICAL OBLIGATIONS**

The Statement of Ethical Obligations was made by the Chair.

**APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

**RESOLVED** Crs Lambert/Jones that the apology of Cr Hoey and Cr Roberts be noted and leave of absence be granted.

**2023/212**

**CONFIRMATION OF MINUTES**

**RESOLVED** Crs Collins/Beaumont that the Minutes of the Ordinary Meeting held on 11 October 2023 be adopted.

**2023/213**

**DISCLOSURES OF INTERESTS**

Nil

**MAYORAL MINUTE**

**1.    MAYORAL DIARY**

**RESOLVED** Crs Lamberts/Collins that the information be noted.

**2023/214**

**2.    DEPUTY MAYORAL DIARY**

**RESOLVED** Crs Collins/Forrester that the information be noted.

**2023/215**

**MAYORAL MINUTE (Cont'd)**

**3.    BIPARTISAN SUPPORT – PARLIAMENTARY INQUIRY INTO CRIME, LAW AND ORDER IN REGIONAL NSW**

**RESOLVED** Crs Lambert/Jones that Council endorse the following recommendations listed in the Country Mayors Association of NSW report into Crime, Law and Order and call on our Local Member, The Hon Dugald Saunders, MP to support the establishment of a Parliamentary Inquiry with the suggested terms of reference in the document.

1. That Council call on all members of the NSW Parliament to commit to bipartisan support to establish a Parliamentary Inquiry into and report on the rate of crime in all categories reported on by the Bureau of Crime Statistical and Research (BOCSAR) in Regional, Rural and Remote New South Wales, specifically focussing on the inequity between Metro and Regional Local Government areas.
2. That Council calls on all members of the NSW Parliament to commit to bipartisan support to increase spending on the NSW police force to increase front line policing numbers in Regional, Rural and Remote regions most at need.
3. That Council call on the NSW Government to commit to the minimum staffing agreements (known in the NSW Police Force as First Response Agreements) for non-24 hour police stations, all of which are located in Regional, Rural and Remote Local Government areas.
4. That Council calls on the NSW Government to review the current formula used to assess staffing levels including the universally agreed outdated current model for those Local Government areas that do have a First Response Agreement in place.

**2023/216**

**REPORTS OF COMMITTEES**

**1.    REPORT OF THE NARROMINE AERODROME COMMITTEE**

**RESOLVED** Crs Jones/Beaumont that the recommendations from the minutes of the Narromine Aerodrome Committee Meeting held on 10 October 2023 be adopted.

**2023/217**

**2.    REPORT OF THE NARROMINE SHOWGROUND AND RACECOURSE ADVISORY COMMITTEE**

**RESOLVED** Crs Beaumont/Lambert that the report of the Narromine Showground and Racecourse Advisory Committee and the recommendations from the minutes of the Meeting held on 19 October 2023 be adopted.

**2023/218**

**REPORTS TO COUNCIL - GENERAL MANAGER**

**1.     **TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL****

**RESOLVED** Crs Lambert/Forrester that Council approves the allocation of funds from the TGO Community Fund as follows:

- Narromine Community Kitchen Generocity Church – Purchase food for the Community Kitchen – \$3,000.
- Narromine Hospital Auxiliary – Medical Simulator and Associated Software - \$15,000.
- Narromine Jets RLFC and Narromine Gorillas RUFC – Commercial Dishwasher for Cale Oval Grandstand Kitchen - \$8,000.
- Trangie District Campdraft Association – Power, Lights and PA System at the Trangie Showground - \$15,000.
- Trangie Central School P&C Association – Playground Improvements – \$4,708.
- Western Rural Connect Inc. – Harvest Cut Out Ball New Years Eve Dinner Event - \$5,000.
- Narromine Community Skills – Venetian Carnival and Community Christmas Party – \$5,730.

**2023/219**

**2.     **CODE OF CONDUCT STATISTICS REPORT****

**RESOLVED** Crs Lambert/Collins that the Code of Conduct Statistics Report for 1 September 2022 to 31 August 2023 be noted.

**2023/220**

**3.     **CROWN ROAD ADJOINING LOT 39 DP 755121 AND LOT 11 DP 755125****

**RESOLVED** Crs Collins/Beaumont;

1. That in order to formalise the occupation over unformed road adjoining Lot 39 DP 755121 and Lot 11 DP 755125, Council requests transfer of the management from Department of Planning and Environment – Crown Lands to Narromine Shire Council.
2. That upon transfer, Council closes the unformed road and vests it in Council.

**2023/221**

**4.     **EXTRAORDINARY COUNCIL MEETING****

**RESOLVED** Crs Lambert/Beaumont that an Extraordinary Council Meeting be held on 27 November 2023, commencing at 5.30 pm, to present the audited financial reports.

**2023/222**

**REPORTS TO COUNCIL - FINANCE & CORPORATE STRATEGY**

**1.    INVESTMENT REPORT AS AT 31 OCTOBER 2023**

**RESOLVED** Crs Jones/Beaumont;

1. That the report regarding Council's Investment Portfolio be received and noted;
2. That the certification of the Responsible Accounting Officer is noted and the report adopted.

**2023/223**

**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**1.    DEVELOPMENT APPROVALS**

**RESOLVED** Crs Collins/Beaumont that the information be noted.

**2023/224**

**2.    CONTRIBUTIONS PLAN (7.12) PROJECTS REVIEW**

**RESOLVED** Crs Lambert/Forrester that Council:

1. Note the projects completed under the Contributions Plan (2019) to date and omit these items from the Plan.
2. Adopt the updated projects and proceed to place a notice on the website for 14 days to publish the intention to amend the Narromine Shire Council Section 7.12 Contributions Plan 2019 with an updated Appendix 1: Works Schedule at the completion of the period.

**2023/225**

**Cr Davies called for a division on the planning matter. The vote was unanimous.**

**3.    GRANT FUNDING – LOCAL ROADS COMMUNITY INFRASTRUCTURE FUNDING  
ROUND 4**

**RESOLVED** Crs Collins/Beaumont that the grant funding report be noted.

**2023/226**

**4.    PLANNING PROPOSAL FOR DWELLING ENTITLEMENT 211 CERES SIDING ROAD,  
NARROMINE (LOT 2 DP826750)**

**RESOLVED** Crs Jones/Lambert that Council proceed with exhibition and consultation in line with the requirements of the Gateway Determination for planning proposal additional Permitted Use for a dwelling house at Lot 2 DP826750, 211 Ceres Siding Road, Narromine (Department Ref: PP-2023-746).

**2023/227**

**Cr Davies called for a division on the planning matter. The vote was unanimous.**

REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT (Cont'd)

5.     **PLANNING PROPOSAL – GENERAL AMENDMENT**

**RESOLVED** Crs Lambert/Beaumont that Council:

1.    Endorse the Planning Proposal General Amendment for the administrative changes outlined in the attached Proposal, and
2.    Submit the Planning Proposal to the Department of Planning and Environment for a gateway determination; and
3.    Advise the Department of Planning and Environment that the amendment category is “basic” in accordance with their guidelines and as such, Council is requested to be the local plan making authority for this amendment.

**2023/228**

**Cr Davies called for a division on the planning matter. The vote was unanimous.**

6.     **DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE**

**RESOLVED** Crs Lambert/Jones that Council determine to approve the Development Application DA2023/38 pursuant to section 4.16 of the EP&A Act, subject to the receipt of an updated BASIX Certificate with a valid date and subject to conditions outlined in Annexure A.

**Annexure A**

## GENERAL CONDITIONS

Condition					
<b>1</b>	<b>Approved plans and supporting documentation</b>				
	Development of the <b>Alterations and Additions to Dwelling</b> must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.				
	<b>Plan No.</b>	<b>Ref No.</b>	<b>Plan Title.</b>	<b>Drawn By.</b>	<b>Dated.</b>
	Sheet 1/5	Issue E	Existing Floor Plan 167 Dandaloo Street, Narromine Andrew Dixon  Prepared by Avalon Drafting	NT	23.08.2023
	Sheet 2/5	Issue E	Proposed Floor Plan 167 Dandaloo Street, Narromine Andrew Dixon  Prepared by Avalon Drafting	NT	23.08.2023

Condition				
Sheet 3/5	Issue E	Elevations 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
Sheet 4/5	Issue E	Site Plan 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
Sheet 5/5	Issue E	BASIX Commitments and Typ Section 167 Dandaloo Street, Narromine Andrew Dixon Prepared by Avalon Drafting	NT	23.08.2023
Document Title.	Certificate No.	Prepared By.	Dated.	
BASIX Certificate Project: <i>(Insert TBC)</i>	<i>TBC</i>	<i>TBC</i>	<i>TBC</i>	
<p>In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.</p> <p><b>NOTE:</b> an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.</p> <p>Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>				

## BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition	
<b>2</b>	<p><b>Design amendments</b></p> <p>Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council and are in accordance with the approval conditions.</p> <p style="padding-left: 40px;">a. Plans are required that demonstrate compliance with the BASIX commitments and note use of flood compatible materials up to the Flood Planning Level (FPL).</p> <p>Condition Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development &amp; to ensure the amenity for occupants has been addressed through appropriate design.</p>

Condition	
<b>3</b>	<p><b>Flood Planning Level</b></p> <p>The dwelling addition is to be constructed so that the finished floor level of the habitable rooms is no lower than the existing floor level. The additions are to have flood compatible building components below the Flood Planning Level (FPL). This level should be determined in accordance with Council's Flood Policy and the Narromine Floodplain Risk Management Study &amp; Plan 2021. At the time of this consent a FPL of <b>239.15 metres AHD</b> is applicable to the land. The FPL at the time of construction should be confirmed in writing by Council prior to any works starting to account for any updates to the Flood Study and apply updated data to determine the relevant FPL.</p> <p>Condition Reason: The land falls within a known flood affected area and design is to be compatible with the flood behavior and hazard for the location.</p>
<b>4</b>	<p><b>Payment of building and construction industry long service levy</b></p> <p>Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy to be calculated based on a cost estimate prepared by a suitably qualified person to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier. The cost estimate and proof of payment is required to be provided to the certifier prior to issue of construction certificate.</p> <p>From 1 January 2023 the levy rate will be 0.25% of the cost of building and construction works and will only be payable if the cost of works is \$250,000 and above (inclusive of GST). This payment can be made directly to the Long Service Levy Corporation. All benefits and requirements are determined by the <i>Building and Construction Industry Long Service Payments Act 1986</i>.</p> <p>Based on the supplied value (\$120,000) the current levy payable is <b>\$0</b> (An updated Cost Estimate maybe required prior payment). This payment can be made directly to the Long Service Corporation. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. Refer to the website for information on where to pay <a href="https://www.longservice.nsw.gov.au/bci/levy/paying-the-levy/where-to-pay-the-levy">https://www.longservice.nsw.gov.au/bci/levy/paying-the-levy/where-to-pay-the-levy</a></p> <p>Condition Reason: To ensure the long service levy is paid.</p>



Condition									
<b>5</b>	<p><b>Payment of section 7.12 contributions</b></p> <p>Pursuant to section 7.12 of the Environmental Planning and Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is to be levied in accordance with the Narromine Shire Council Section 7.12 Contributions Plan 2019, adopted on 29 January 2020.</p> <p>Contribution amounts are to be calculated by Council upon the receipt of a cost estimate prepared by a suitably qualified person. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS).</p> <p><b>NOTE:</b> Contribution amounts will be adjusted by Council each quarter. The current amount payable based</p> <table border="1"> <thead> <tr> <th>Contribution Type</th> <th>Proposed Cost of Development</th> <th>Levy Payable (%)</th> <th>Total Payable</th> </tr> </thead> <tbody> <tr> <td>Section 7.12 Contribution</td> <td>\$120,000</td> <td>0.25%</td> <td><b>\$300</b></td> </tr> </tbody> </table> <p>Condition Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.</p>	Contribution Type	Proposed Cost of Development	Levy Payable (%)	Total Payable	Section 7.12 Contribution	\$120,000	0.25%	<b>\$300</b>
Contribution Type	Proposed Cost of Development	Levy Payable (%)	Total Payable						
Section 7.12 Contribution	\$120,000	0.25%	<b>\$300</b>						
<b>6</b>	<p><b>Location of Switchboards/meters</b></p> <p>Switchboards for gas, electricity, etc must not be attached to the front or street facing elevations of the building.</p> <p>Condition Reason: Visual amenity has been addressed through appropriate design.</p>								
<b>7</b>	<p><b>Erosion and sediment control plan</b></p> <p>Before the issue of a construction certificate the applicant is to ensure that an erosion and sediment control plan is prepared in reference to the following documents:</p> <ul style="list-style-type: none"> <li>• Council's development control plan, and</li> <li>• The guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book).</li> </ul> <p>The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.</p> <p>Condition Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>								

Condition	
<b>8</b>	<p><b>Other approvals pursuant to LG Act</b></p> <p>Prior to the issue of a construction certificate, an approval pursuant to Section 68 of the Local Government Act 1993 is required to be issued by Council for all plumbing and drainage work, and discharge point to the street system.</p> <p>Condition Reason:                      To ensure all drainage, house sewer and plumbing work is carried out in accordance with the relevant requirements and the Local Government Act, 1993.</p>

**BEFORE BUILDING WORK COMMENCE**

Condition	
<b>9</b>	<p><b>Hazardous material</b></p> <p>An assessment of the parts of the building to be demolished shall be undertaken to determine if there is any asbestos material present. If asbestos is found to be present, works must be undertaken by a licensed contractor and waste disposed of at an appropriately licensed facility.</p> <p>Condition Reason:                      To ensure waste is appropriately classified and managed in accordance with legislative requirements.</p>
<b>10</b>	<p><b>Erosion and sediment controls in place</b></p> <p>Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, are in place, and remain until the site is rectified (at least 70% ground cover achieved over any bare ground on site).</p> <p>Condition Reason:                      To ensure runoff and site debris do not impact local stormwater systems and waterways.</p>
<b>11</b>	<p><b>Signs on site</b></p> <p>A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:</p> <ul style="list-style-type: none"> <li>a) showing the name, address and telephone number of the principal certifier for the work, and</li> <li>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</li> <li>c) stating that unauthorised entry to the work site is prohibited.</li> </ul> <p>Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.</p> <p><b>NOTE:</b> This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.</p> <p>Condition Reason:                      Prescribed condition EP&amp;A Regulation, clause 70.</p>

Condition	
<b>12</b>	<p><b>Compliance with Home Building Act</b></p> <p>In the case of residential building work for which the <i>Home Building Act 1989</i> requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.</p> <p>Condition Reason: Prescribed condition EP&amp;A Regulation, clause 69.</p>
<b>13</b>	<p><b>Home Building Act requirements</b></p> <p>Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information –</p> <p>a) In the case of work for which a principal contractor is required to be appointed—</p> <ol style="list-style-type: none"> <li>1. the name and licence number of the principal contractor, and</li> <li>2. the name of the insurer by which the work is insured under Part 6 of that Act,</li> </ol> <p>b) In the case of work to be done by an owner-builder—</p> <ol style="list-style-type: none"> <li>1. the name of the owner-builder, and</li> <li>2. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.</li> </ol> <p>If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.</p> <p>Condition Reason: Prescribed condition EP&amp;A Regulation, clause 71.</p>
<b>14</b>	<p><b>Damage to Public Assets</b></p> <p>The developer or his agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing assets.</p> <p>Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense. Any damage to Council's infrastructure that occurs as a result of the development must be repaired immediately to Council's satisfaction and at no cost to Council.</p> <p>Condition Reason: To establish and document the conditions of property and public land for comparison as building work progresses and is completed.</p>

Condition	
<b>15</b>	<b>Existing Services</b>
	Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
	Condition Reason: To ensure relevant utility service providers requirements can be met.
<b>16</b>	<b>Avoid Services</b>
	Structures are to be located at least 1500mm away from the centre line of any sewer or stormwater pipe and such, that they do not encroach into any existing or required easement.
	Condition Reason: To protect Council infrastructure.

**DURING BUILDING WORK**

Condition	
<b>17</b>	<b>Surveys by a registered surveyor</b>
	While building work is being carried out, a registered surveyor survey is required to measure and mark the positions of the following and provide them to the principal certifier —
	<ul style="list-style-type: none"> <li>a) A Survey Certificate building set out survey must be submitted at the completion of the building work certifying the location of the building in relation to boundaries of the allotment.</li> <li>b) At other stages of construction – any marks that are required by the principal certifier.</li> </ul>
	Condition reason: To ensure buildings are sited and positioned in the approved location.
<b>18</b>	<b>Hours of work</b>
	The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:
	7:00am to 6:00pm on Monday to Friday 8:00 am to 1pm on Saturday
	The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency. Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.
	<b>NOTE:</b> Any variation to the hours of work requires Council's approval.
	Condition Reason: To protect the amenity of the surrounding area.

Condition	
<b>19</b>	<p><b>Section 138 Roads Act</b></p> <p>Under Section 138 of the Roads Act 1993, should any work on the verge, footpath, or public road reserve be required, a separate Section 138 Roads Act Approval will need to be obtained from Council. The conditions of a s138 approved by Council are to be complied with prior to works commencing in the road reserve.</p> <p>Condition Reason: To ensure compliance with the Roads Act and Council policy</p>
<b>20</b>	<p><b>Stormwater Disposal</b></p> <p>The guttering, downpipes and stormwater system is to be installed and connected to a rainwater tank and/or the approved disposal point in consultation with Council, as soon as the roof sheeting is positioned to prevent erosion of the site from roof water. Proposed stormwater work is to be subject to an approval pursuant to s68 of the Local Government Act. Drainage works are to be designed and constructed in accordance with AS/NZS 3500.3.2 – Stormwater drainage and the Building Code of Australia.</p> <p>Condition reason: To assist in the prevention of erosion of the site from storm water.</p>
<b>21</b>	<p><b>Compliance with the Building Code of Australia</b></p> <p>Building work must be carried out in accordance with the requirements of the BCA.</p> <p>Condition reason: Prescribed condition - EP&amp;A Regulation clause 69.</p>
<b>22</b>	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate</p> <p>Condition reason: To require approval to proceed with building work following each critical stage inspection.</p>
<b>23</b>	<p><b>Implementation of the site management measures</b></p> <p>While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by site management conditions and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of this plan is kept on site at all times and made available to Council officers upon request.</p> <p>Condition reason: To ensure the required site management measures are implemented during construction.</p>
<b>24</b>	<p><b>Implementation of BASIX commitments</b></p> <p>While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent.</p> <p>Condition reason: While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent.</p>

Condition	
<b>25</b>	<p><b>Construction noise</b></p> <p>While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.</p> <p>Condition reason: To protect the amenity of the neighbourhood.</p>
<b>26</b>	<p><b>Responsibility for changes to public infrastructure</b></p> <p>While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).</p> <p>Condition reason: To ensure payment of approved changes to public infrastructure.</p>
<b>27</b>	<p><b>Shoring and adequacy of adjoining property</b></p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense —</p> <ul style="list-style-type: none"> <li>a) Protect and support the building, structure or work from possible damage from the excavation, and</li> <li>b) Where necessary, underpin the building, structure or work to prevent any such damage.</li> </ul> <p>This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.</p> <p>Condition reason: Prescribed condition - EP&amp;A Regulation clause 74.</p>

Condition	
<b>28</b>	<p><b>Uncovering relics or Aboriginal objects</b></p> <p>While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.</p> <p>In this condition:</p> <ul style="list-style-type: none"> <li>• “relic” means any deposit, artefact, object or material evidence that: <ul style="list-style-type: none"> <li>(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and</li> <li>(b) is of State or local heritage significance; and</li> </ul> </li> </ul> <p>“Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.</p> <p>Condition reason: To ensure the protection of objects of potential significance during works.</p>
<b>29</b>	<p><b>Cut and fill</b></p> <p>While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>a) All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ul> <p>Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.</p>
<b>30</b>	<p><b>Ground Levels</b></p> <p>Finished ground levels are to be graded away from the buildings and adjoining properties must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to the stormwater drainage system.</p> <p>Condition reason: To ensure runoff does not impact neighbouring properties and buildings.</p>

6. DEVELOPMENT APPLICATION DA2023/38 PROPOSED RESIDENTIAL ALTERATIONS AND ADDITIONS, 167 DANDALOO STREET NARROMINE (Cont'd)

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

	Condition
<b>31</b>	<p><b>Works-as-executed plans (drainage diagram)</b></p> <p>Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:</p> <ul style="list-style-type: none"> <li>a) All stormwater drainage systems and storage systems;</li> <li>b) The following matters that Council requires to be documented: <ul style="list-style-type: none"> <li>• Work as executed plans as per any s68 approval.</li> </ul> </li> </ul> <p>The principal certifier must provide a copy of the plans to Council with the occupation certificate.</p> <p>Condition reason: To confirm the location of works once constructed that will become council assets, and provide drainage diagram records.</p>
<b>32</b>	<p><b>Completion of public utility services</b></p> <p>Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.</p> <p>Before the issue of the occupation certificate, the certifier may request written confirmation from the relevant authority that the relevant services have been completed.</p> <p>Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.</p>
<b>33</b>	<p><b>Repair of infrastructure</b></p> <p>Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.</p> <p><b>NOTE:</b> If the Council is not satisfied, the whole or part of any bond submitted will be used to cover the rectification work.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified.</p>



Condition	
<b>34</b>	<b>Completion of landscape and tree works</b>
	Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape works, have been completed in accordance with the approved plans and any relevant conditions of this consent.
	Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved BASIX commitments and any landscaping plan(s).

**2023/229**

**Cr Davies called for a division on the planning matter. The vote was unanimous.**

### REPORTS TO COUNCIL – INFRASTRUCTURE AND ENGINEERING SERVICES

**The Chair welcomed Melanie Slimming as the new Director Infrastructure and Engineering Services.**

#### 1.     **WORKS REPORT**

**RESOLVED** Crs Collins/Beaumont that the information be noted.

**2023/230**

The Chair congratulated Doug Moorby (Manager Utilities) on being recognised as one of the Australian Water Association's Legends of Water 2023.

The Chair also congratulated Council's Water and Sewer Team on receiving the Inaugural Australian Water Industry Operators Association (WIOA), NSW Team of the Year 2023 Award.

### CONFIDENTIAL MATTERS REPORT

#### 1.     **BUILDING NO 3, NARROMINE AERODROME**

**RESOLVED** Crs Collins/Beaumont that Council consider the matter in Closed Meeting of Council in accordance with Section 10A(2)(b) of the Local Government Act 1993 as the matter and information concerns the personal hardship of a ratepayer and is therefore not in the public interest to disclose.

**2023/231**



**OPEN COUNCIL**

**The Chair advised the following motion was adopted in Closed Meeting.**

**1.     BUILDING NO 3, NARROMINE AERODROME**

**RESOLVED** Crs Collins/Jones;

1.   That Council take possession of building no 3 at the Narromine Aerodrome.
2.   That Council seek expressions of interest for the removal/salvage of the building.

**2023/232**

There being no further business the meeting closed at 5.59pm

The Minutes (pages 1 to 18) were confirmed at a meeting held on the day of \_\_\_\_\_ 2023, and are a full and accurate record of proceedings of the meeting held on 8 November 2023.

**Chair**