

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**1. DEVELOPMENT APPROVALS**

**Author** Director Community and Economic Development  
**Responsible Officer** Director Community and Economic Development  
**Link to Strategic Plans** CSP – 3.1.6 – Encourage developers to consider energy efficiency and sustainable building design options in new developments  
 DP – 3.1.6.1 - Ensure compliance with relevant building codes and regulations

**Executive Summary**

This report provides information to Council on the approved Development Applications for July 2024.

**Report**

The following development applications have been determined by the granting of consent, approved by Council under delegated authority (unless noted). The reasons for the decision (having regard to any statutory requirements applying to the decision), are documented in the assessment reports.

DA No	Date	Location	Title Desc	Development	Value	Assessment time (days)	CPP*
2024/28	22/07/24	Cathundril St, Narromine	16A/- /DP393725	Inground Swimming Pool	\$45,158	12	IN
2024/36	24/07/24	Warren Rd, Narromine	351/- /DP1214687	Manufactured Dwelling	\$471,911	6	IN
2024/39	30/07/24	Dandaloo Rd, Narromine	1/-/DP515941	Inground Swimming Pool	\$53,070	7	IN
2024/43	05/07/24	Bowden Fletcher Dr, Narromine	911/- /DP1200727	Pergola (Attached)	\$93,500	3	IN
2024/44	05/07/24	Campbell St, Trangie	2/-//DP322274	Domestic Storage Shed	\$37,340	2	IN

\*Community Participation Plan level of engagement – (Low impact: IN-Inform; Higher Impact (Consult): NN – Neighbour notification; AD – Advertised development; DES- Designated Development; INT – Integrated Development).

---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**1. DEVELOPMENT APPROVALS (Cont'd)**

The approvals for the month of July 2024 brings the total approved Development Applications for the financial year to 5 with a total value of \$700,979. At this time last year there was 1 application approved with a value of \$41,000.

There are currently 6 applications under assessment.

***Legal and Regulatory Compliance***

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2021

***Risk Management Issues***

Nil

***Internal/ external Consultation***

Public notification of decisions for determinations of development consent (and modifications) in accordance with EP&A Act under Schedule 1, section 20(2) is required.

**Attachments**

Nil

**RECOMMENDATION**

That the information be noted.

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE**

<b>Author</b>	Manager Planning
<b>Responsible Officer</b>	Director Community and Economic Development
<b>Link to Strategic Plans</b>	CSP – 3.1.6 – Encourage developers to consider energy efficiency and sustainable building design options in new developments DP – 3.1.6.1 - Ensure compliance with relevant building codes and regulations

---

### **Executive Summary**

This report provides Council with the opportunity to consider the s88B instrument established under the Conveyancing Act 1919 as a restriction on the use of the land applicable to the most recent release of SkyPark residential estate (DP1271467).

A development application has been submitted which requires approval of Council with reference to the second term of the restriction:

*“2. All building materials shall be approved by Narromine Council but such approval shall not be required if such materials consist of double brick or brick veneer, rendered or similar materials and provided that the roof and ceiling of any dwelling house are insulated and the windows of any bedrooms with a south-west or north-west aspect are double glazed and all walls are sound insulated”.*

Council has received a Development Application which is proposing to build a new home with a colorbond roof (in colour of monument), and use of alternative wall building materials, being:

- Vertical installation of Enseam colorbond cladding (in colour of 'monument');
  - The Enseam colorbond cladding features brad flat pans and substantial rib, which is a different profile to standard corrugated sheeting).
- Horizontal Scyon or weathertext cladding (in colour similar to 'surfmist').
  - Weathertext is a weatherboard cladding product, and scyon cladding similarly is a weatherboard look product from James Hardie's Scyon Formulation range of fibre cement sheets.

The determination of the application is sought to be considered by Council with the approval of the building materials with regard to the terms of the restriction. The architectural plans demonstrate that the dwelling will comply with AS2021-Dwellings erected near aerodromes (for consideration of acoustics) and notes that any windows of bedrooms with a south-west or north-west aspect are double glazed and all walls are sound insulated.

---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

**Report**

Description of Development: Dwelling House (BCA Class: 1a)  
Applicant: Brax Building Pty Ltd  
Landowner(s): Mr P K Hausia & Mrs M L Hausia  
Landowners consent provided: Yes    No

**Property Description:**

Legal Description: Lot: 54 DP: 1271467, 5 Kingsford Smith Place  
NARROMINE 2821  
Existing Improvements: vacant land  
Current land-use: R1 - General Residential

**Locality and Site Context Map:**

Lot: 54 DP: 1271467, 5 Kingsford Smith Place NARROMINE 2821



(Google earth imagery 27 Sept 2023)

---

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

**Site Location:**

Has the subject land been correctly identified on DA Plans and SEE? Yes No N/A  
Is the land freehold title with all owners consent? Yes No N/A  
Is the site vacant of buildings? Yes No N/A  
Are there other buildings / structures located on the subject land? Yes No N/A  
Has the proposed building location been confirmed on the subject land? Yes No N/A  
Do the provided plans, specifications and supporting documents accurately depict the site conditions? Yes No N/A

**Comments:**

The site is with a developing residential subdivision with connection to the Narromine aerodrome. Lots are required in the s88B restriction on use of land to nominate a location for a hangar when a dwelling is proposed. Due to this purpose, large shedding is dominant in the streetscape.

**Site Inspection:**

Date: 25 July 2025  
Was the Applicant present? Yes No  
Was the owner present? Yes No

**Comments:**

Staff under delegation of Council have approved dwellings in the most recent stage of SkyPark estate with a combination of materials, where brick, render, stone or similar materials are used with a feature component of cladding.

The land is currently vacant and the lot adjoining to the west has a dwelling approved however the hangar is proceeding to be constructed initially. Council had previously considered alternative building materials for a second hand relocated dwelling on that adjoining lot, which was not supported.

---

**Internal Referral Advice:**

Has an Internal Engineering Referral been received? Yes No N/A  
Has an Internal Heritage Advice Referral been received? Yes No N/A

**Comments:**

The standard conditions for a dwelling to be applied with additional conditions for building in a flood zone and within the vicinity of the aerodrome.

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

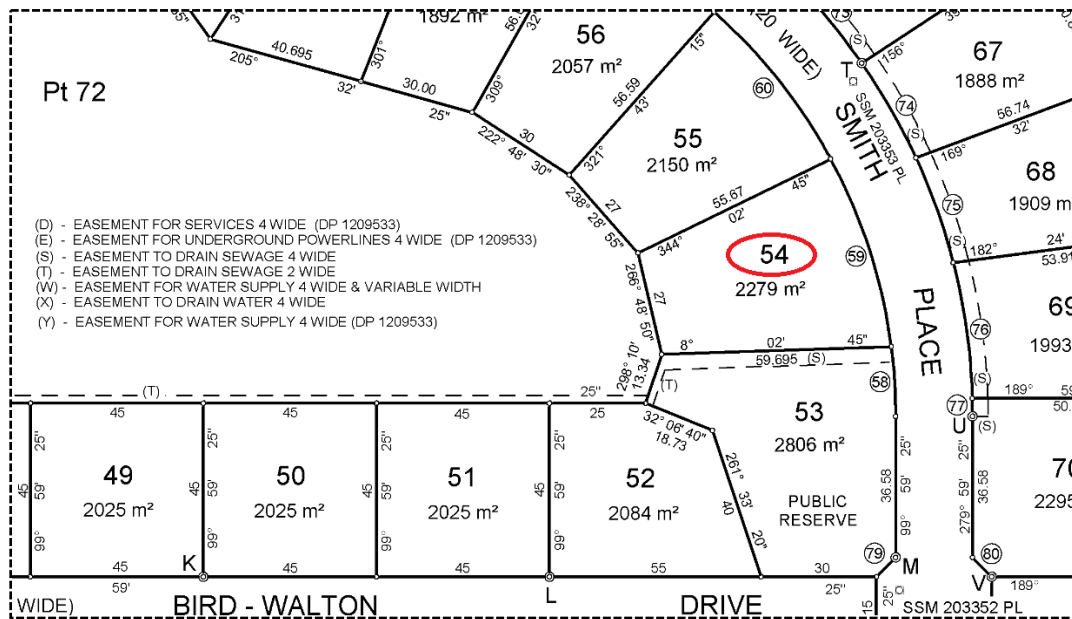
**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE 5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

**Easement(s):**

- Are there any easements applying to the subject land?  Yes  No  N/A  
 Is the proposed development clear of easements?  Yes  No  N/A  
 Are there any proposed easements?  Yes  No  N/A  
 Are easements required?  Yes  No  N/A

**Comments:**

The parcel is not affected by any known easements.



**Consolidation of Lots:**

- Are there more than one lot owned by the landowner in same holding?  Yes  No  N/A  
 Is there a need to consolidate lots?  Yes  No  N/A

**Section 4.14 Consultation and development consent—certain bush fire prone land**

Is the site identified on the Bushfire Prone Land Map?  Yes  No  N/A

Does the development comply with "Planning for Bushfire Protection" or a certificate provided by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirement?  Yes  No  N/A

If no, has consultation been done Commissioner for Rural Fire Service?  Yes  No  N/A

---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

**Contributions:**

Does the Section 7.11 Contributions Plan apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Does the Section 7.12 Contributions Plan apply?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Does the Developer Services Plan (DSP) apply?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A

**Comments:** The proposed development is valued over \$100,000.00 (nominated \$990,000.00 for DA fee calculation) and therefore will be subject to the Contributions Plan. Standard condition to be applied from Plan – **1% Payment of \$9,900.**

Charges under the DSP were applied at the subdivision stage.

Long service Levy required to be paid - **\$2,475**

The NSW Government charges a levy on all building and construction works of \$250,000 or more. The levy is paid into a fund administered by the Long Service Corporation (LSC). This fund pays long service to eligible building and construction workers.

The levy rate is 0.25% of the cost of building and construction works of \$250,000 and or more (including GST). Cost Estimate to be provided and LSL paid prior to CC. Noted in conditions.

---

**Section 4.15(1) Assessment**

**S4.15 (1) (a) (i) The provisions of any environmental planning instrument**

**Local Environmental Plans**

The Narromine Local Environmental Plan 2011 applies to all land within the Narromine Local Government Area. The Land Use Table for the R1 zone includes Dwelling Houses as development permitted with consent.

Clause 2.3(2) of Narromine Local Environmental Plan 2011 provides that the Council shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the R1 zone are:

**1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The development is in support of the objectives and proposes housing in a developing residential area intended for such development.

---

**State Environmental Planning Policies**

The following State Environmental Planning Instruments (SEPPs) apply to the Narromine Local Government Area:

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

SEPP Name	COMMENTS
<b>Transport and Infrastructure SEPP</b>	<p><b>2.48 Determination of development applications—other development</b></p> <p>(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <p>(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</p> <p>(b) development carried out—</p> <p style="padding-left: 20px;">(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</p> <p style="padding-left: 20px;">(ii) immediately adjacent to an electricity substation, or</p> <p style="padding-left: 20px;">(iii) within 5m of an exposed overhead electricity power line,</p> <p>(c) installation of a swimming pool any part of which is—</p> <p style="padding-left: 20px;">(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</p> <p style="padding-left: 20px;">(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</p> <p>(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</p> <p>(2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—</p> <p>(a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and</p> <p>(b) take into consideration any response to the notice that is received within 21 days after the notice is given.</p> <p><b>COMMENT:</b>  No need to refer to Essential Energy – std conditions for construction and searches with 'Dial before your dig'.</p>
<b>SEPP (Biodiversity and Conservation) 2021</b>	<p>No clearing of native vegetation is sought that requires approval pursuant to the SEPP.</p>
<b>SEPP (Resilience and Hazards) 2021</b>	<p><b>4.6 Contamination and remediation to be considered in determining development application</b></p> <p>(1) A consent authority must not consent to the carrying out of any development on land unless—</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</p> <p>(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</p> <p>(4) The land concerned is—</p> <p>(a) land that is within an investigation area,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—</p> <p style="padding-left: 20px;">(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p style="padding-left: 20px;">(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p><b>COMMENT:</b>  The land use category is not changing. The land does not have any recorded contamination history associated with planning attributes recorded.</p>



---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

<b>SEPP (Planning Systems) 2021</b>	N/A
<b>SEPP (Industry and Employment) 2021</b>	N/A
<b>SEPP (Resources and Energy) 2021</b>	N/A
<b>SEPP Exempt &amp; Complying Development 2008</b>	Not exempt development and DA required.
<b>SEPP (Primary Production) 2021</b>	N/A
<b>SEPP Housing 2021</b>	N/A
<b>SEPP (Building Sustainability Index: BASIX) 2004</b>	SEE BELOW – certificate lodged for the dwelling in this case.

The following SEPPs are specifically relevant to the assessment of the proposed development:

- **SEPP (Building Sustainability Index: BASIX) 2004**

BASIX Certificate and details shown on plans included with DA submission. Relevant conditions to be included in the determination.

(BASIX Cert had a valid date when lodged – 11 April 2024).

To be valid, the certificate must be submitted with a development application or lodged with a complying development certificate application within 3 months of the date of issue. The DA was lodged 10 July 2024. The BASIX certificate and plans did not align with the covenant and Statement of Environmental Effects commitment to provide double glazed windows for relevant elevations and this detail was requested to be shown on final versions.

#### **S4.15 (1) (a) (ii) The provisions of any proposed environmental planning instrument**

There are no draft LEPs or draft SEPPs that apply to the subject land.

#### **S4.15 (1) (a) (iii) The provisions of any development control plan**

Narromine Shire Council Development Control Plan 2011 applies to the land. No departures identified. The following DCP clauses are specifically relevant to the assessment of the proposed development:

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

Chapter 5(a) Residential development is applicable.

<b>Development Standards</b>	<b>Comment</b>	<b>COMPLIES – Y/N</b>
<p><b>Building Siting and Design</b></p> <p>The same distance as on or the other adjoining buildings, provided the difference between the setbacks is less than or equal to 2m ELSE the average of the setbacks of the adjoining buildings.</p>	DCP requires 7.5m setback	Y
<p><b>Building Height</b></p> <p>Building heights are to be similar to those in the public streetscape.</p>	Single-storey – No issue with OLS near aerodrome.	Y
<p><b>Fencing</b></p>	Fence between the adjacent taxiway and residence will be required as per AS1926.1-1993.	Y to be conditioned
<p><b>Private Open Space</b></p> <p>20% of the lot area with min depth 5m</p>	POS is located the rear of the dwelling and connects with the family room with patio	Y
<p><b>Landscaping</b></p>	BASIX details provided on the BASIX commitments plan	Y - To be conditioned
<p><b>Privacy</b></p> <p>Habitable windows not to align with adjoining development.</p>	Bedroom windows on the western elevation are separated from the adjoining development.  Neighbouring lot to east is public reserve. Landscaping and fencing will aid with privacy and security.	Y
<p><b>Building Design</b></p> <ul style="list-style-type: none"> <li>• Building materials are naturally textured and coloured and are sympathetic to the natural environment and are not reflective;</li> <li>• Windowless facades are avoided on street frontages;</li> <li>• Building design facilitates surveillance of streets and open spaces;</li> <li>• Habitable areas (lounge, family rooms) should be designed and positioned within the dwelling to have a northerly or north-easterly aspect. This should be through a north - south or east-west building orientation.</li> </ul>	<p>The alternative building materials chosen in the design are to be considered by Council (in terms of covenant).</p> <p>The chosen materials will be non-reflective.</p> <p>No windowless facades are proposed.</p> <p>The lot has a north/south orientation. The building has provided the living areas to the northern and to the southern elevations.</p>	Y

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

<b>Domestic Outbuildings</b>	No separate out buildings proposed. The plans show the location of a future hangar area as required by the s88B. (Also, a future pool is shown to ensure future service installation avoids this area- pool subject to a separate application).	Y
<b>Flooding</b> Located in the Intermediate Flood plain area – Habitable floor level to be above FPL; Building components below the FPL are constructed with flood compatible materials.	FPL – 238.4mAHD  Min FFL is shown on the plans and complies with the FPL requirement. To be subject to conditions for survey certificate to verify FPL has been met. Fencing and flood compatible materials to be conditioned.	Y- subject to conditions
<b>Access and Car Parking</b>	Attached double garage proposed. Roll kerb exists in the street. S138 application received with DA for the driveway works.	Y

**S4.15 (1) (a) (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.**

There are no planning agreements relating to the site. The applicant has not requested Council to enter into any form of planning agreement.

**S4.15 (1) (a) (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)**

Part 4 of the Environmental Planning and Assessment Regulation 2021 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

- **Clause 61 - Additional matters that consent authority must consider -**
  - (1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.....etc

Comment: - no demolition works – vacant land to be developed.

- **Clause 62 - Consideration of fire safety**

(1) *This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.*

(2) *The consent authority must—*

(a) *consider .....etc*

---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

Comment: - No change of use proposed as part of this application.

- **Clause 63- Temporary Structures** - not relevant to the proposal.
- **Clause 76 - Deferred Commencement** - not relevant to the proposal.
- **Clause 77 – Ancillary aspects of development** - not relevant to the proposal.
- **Clause 67 - Modification or surrender of development consent or existing use** - not relevant to the proposal.
- **Clause 75 - Fulfilment of BASIX commitments** – YES - relevant to the proposal –

**Clause 75 Fulfilment of BASIX commitments**

*It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—*

*(a) BASIX development,*

*(b) BASIX optional development, if the development application was accompanied by a BASIX certificate.*

Comment – Certificate accompanies the application - conditions to be applied to ensure the BASIX commitments are upheld.

**S4.15 (1) (b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality**

- **Context and Setting** – Vacant and serviced residential land in urban area of Narromine - development is appropriate in the setting for detached dwelling and future outbuildings. Covenants for SkyPark development taken into consideration - condition required to ensure compliance with AS2021 Acoustics – Aircraft intrusion – Building siting and construction – with notation shown on the approved plans.
- **Land Use Conflict** – No adverse impact identified – surrounding lots similarly developed for single residential dwellings.
- **Access and Traffic** - No adverse impact identified. S138 required for driveway works. Not applied with this DA- to be conditioned.
- **Public Domain** – no adverse impacts identified.
- **Utilities** – standard conditions applied to ensure services are avoided.
- **Heritage** – N/A – Aerodrome nearest item - not likely to be impacted.
- **Other land resources** – N/A.
- **Bushfire** – N/A.
- **Surface Water and Groundwater** – Standard conditions for connection to street for drainage included; separate S68 approval required.
  
- **Soils** – no issues with standard conditions applied.
  
- **Air & Microclimate** - No adverse impact identified.
  
- **Noise and Vibration** - No adverse impact identified. The design is to be compliant with AS2021 Acoustics-Aircraft noise intrusion – Building siting and construction.
  
- **Flora and Fauna** - No adverse impact identified. Condition for BASIX commitments to be met and proper landscaping plan required prior to CC.

---

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

- **Waste** - No adverse impact identified.
- **Natural Hazards** – FLOODING – Compliance with Council's Flood Policy and updated Flood Study - mapped as flood prone land standard conditions required.
- **Technological Hazards** – N/A.
- **Safety Security and Crime Prevention** – Good sight is available from the entry to the street Kingsford Smith Place.
- **Social Impact in the Locality** – Additional dwelling in the street is expected for the location.
- **Economic Impact in the Locality** – positive impact for construction period.
- **Site Design and Internal Design** – the compliance with the DCP and design requirements of the flood policy are acceptable. The request to use the alternative building materials is to be considered by Council as per the s88B instrument. See details below and refer to **Attachments 1 and 2**.

s88B – Terms of Restriction on the use of the land fifthly referred to in DP1271467

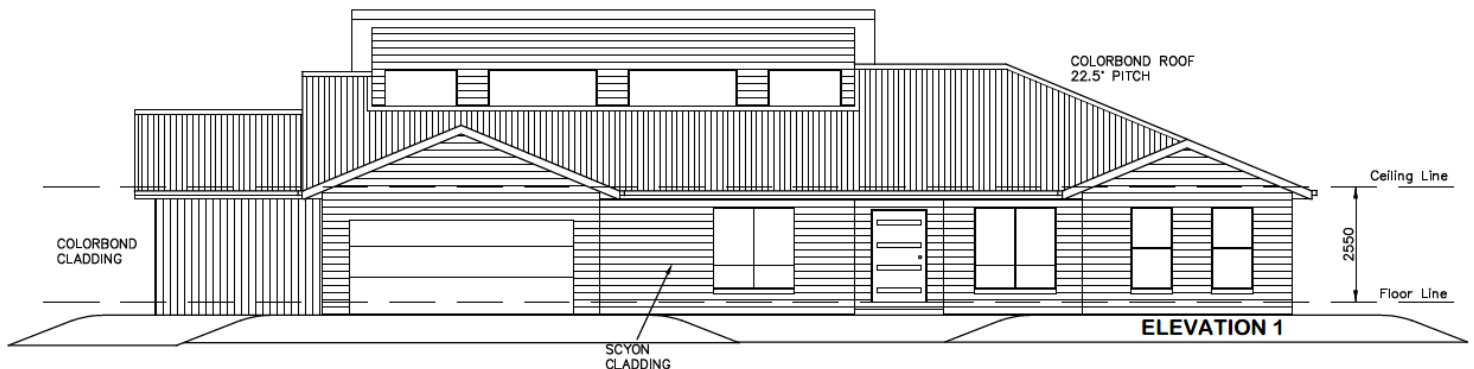
“2. All building materials shall be approved by Narromine Shire Council but such approval shall not be required if such materials consist of double brick or brick veneer, rendered or similar materials and provided that the roof and ceiling of any dwelling house are insulated and the windows of any bedrooms with a south-west or north-west aspect are double glazed and all walls are sound insulated”.

The building materials as proposed:

- Iron Cladding: Monument Enseam iron.
- Scyon Cladding: Stria TM Vertical Cladding Silver Tea Set Dulux.
- Roof Colorbond Corrugated Iron,
- Facia and Gutter: Monument.
- Garage Door: Monument
- Windows: Monument

Comment:

The proposed design is acceptable and the use of modern building products is supported in this case.



---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**



- **Cumulative Impacts** – Servicing assumed to be acceptable. (New water service/meter required). No issues raised.

---

**S4.15 (1) (c) The suitability of the site for the development,**

The site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land. The **Dwelling** will be wholly located on the subject allotment and is of a design that is acceptable for the location (and known restrictions).

It is considered that the alternative building materials are acceptable in consideration of the unique building design and that the development application is recommended for approval subject to condition(s) detailed in Annexure 'A' attached.

**S4.15 (1) (d) Any submissions made in accordance with this Act or the regulations,**

No submissions. (No requirement to advertise or carry our neighbour notification as per Policy). Council to consider the terms of the restriction and request to use modern building materials in the new dwelling proposed.

---

**S4.15 (1) (e) the public interest**

The proposal is assessed to pose no significant impacts on the public interest.

**Legal and Regulatory Compliance**

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2021

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

***Risk Management Issues***

Nil

***Internal/ external Consultation***

Nil

**Attachments**

- 1- Artist impressions
- 2- Elevations

**As this is a planning decision made in the exercise of a function of Council under the EPA Act 1979, a division is required to be called for the motion (section 375A, Local Government Act 1993).**

**RECOMMENDATION**

That Council:

1. Approve the proposed building materials for use with consideration of the terms of restriction on the use of the land (DP1271467) pursuant to s88B Conveyancing Act 1919, and
2. Grant development consent for the application subject to condition(s) detailed in Annexure 'A' attached.

**Annexure A**

**Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

**GENERAL CONDITIONS**

Condition				
<b>1</b>	<b>Approved plans and supporting documentation</b>			
	Development of the <b>Dwelling house</b> is approved in conjunction with the designated hangar area, and 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>
	Sheet 1/9 Issue I	Job 23162	Floor Plan Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT
				<b>Dated.</b> 09.07.24

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition												
Sheet 2/9 Issue I	Job 23162	Floor Plan Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
Sheet 3/9 Issue I	Job 23162	Floor Plan Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
Sheet 4/9 Issue I	Job 23162	Elevations Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
Sheet 5/9 Issue I	Job 23162	Elevations Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
Sheet 6/9 Issue I	Job 23162	Site Plan Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
Sheet 8/9 Issue I	Job 23162	BASIX Commitments Plan Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
Sheet 9/9 Issue I	Job 23162	BASIX Commitments and TYP Section Lot 54 Kingsford Smith Place, Narromine Brax Building Prepared by Avalon Drafting	NT	09.07.24								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Document Title.</th> <th style="width: 17%;">Certificate No.</th> <th style="width: 20%;">Prepared By.</th> <th style="width: 30%;">Dated.</th> </tr> </thead> <tbody> <tr> <td>BASIX Certificate</td> <td>1743266S</td> <td>Avalon Drafting</td> <td>Thursday, 11 April 2024</td> </tr> </tbody> </table>					Document Title.	Certificate No.	Prepared By.	Dated.	BASIX Certificate	1743266S	Avalon Drafting	Thursday, 11 April 2024
Document Title.	Certificate No.	Prepared By.	Dated.									
BASIX Certificate	1743266S	Avalon Drafting	Thursday, 11 April 2024									
<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>NOTES:</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. The proposed pool and hangar shown on the site plan are not approved and separate development application is required for these structures.</li> </ol>												
<p>Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>												



**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

**2. DEVELOPMENT APPLICATION DA2024/45 PROPOSED DWELLING HOUSE  
5 KINGSFORD SMITH PLACE NARROMINE (Cont'd)**

**BUILDING WORK  
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition	
<b>2</b>	<p><b>Design Commitments</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 BASIX commitments, and are in accordance with the approval conditions of other associated approvals:</p> <ol style="list-style-type: none"> <li>a. Plans are to demonstrate compliance with Australian Standard AS2021 Acoustics – Aircraft noise intrusion – Building Siting and construction) for dwellings erected on or near aerodromes.</li> <li>b. Plans are to clearly show BASIX commitments and double-glazed windows to relevant elevations in compliance with covenant.</li> <li>c. The landscaping plan is to be updated to demonstrate new fencing in compliance with flood policy.</li> <li>d. Separate applications are required to be submitted pursuant to s68 Local Government Act and s138 Roads Act, any design commitments should be detailed on plans prior to issue of construction certificate.</li> </ol> <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>
<b>3</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 (\$990,000.00) the current levy payable is <b>\$2475</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>
<b>4</b>	<p><b>Payment of section 7.12 contributions</b></p>

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition											
<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" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;">Contribution Type</th> <th style="width: 25%;">Proposed Cost of Development</th> <th style="width: 15%;">Levy Payable (%)</th> <th style="width: 25%;">Total Payable</th> </tr> </thead> <tbody> <tr> <td>Section 7.12 Contribution</td> <td>\$990,000.00</td> <td>1%</td> <td><b>\$9900</b></td> </tr> </tbody> </table>				Contribution Type	Proposed Cost of Development	Levy Payable (%)	Total Payable	Section 7.12 Contribution	\$990,000.00	1%	<b>\$9900</b>
Contribution Type	Proposed Cost of Development	Levy Payable (%)	Total Payable								
Section 7.12 Contribution	\$990,000.00	1%	<b>\$9900</b>								
<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>											
<b>5</b>	<b>Location of Switchboards/meters</b>										
Switchboards for gas, electricity, etc must not be attached to the front or street facing elevations of the building.											
Condition Reason: Visual amenity has been addressed through appropriate design.											
<b>6</b>	<b>Erosion and sediment control plan</b>										
<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>											
Condition Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.											
<b>7</b>	<b>Other approvals pursuant to LG Act</b>										
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 stormwater discharge point to the street system.											
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.											
<b>8</b>	<b>Flood Planning Level</b>										
The dwellings are to be constructed so that the finished floor level of the habitable rooms is at the Flood Planning Level (FPL). This level should be determined in accordance with Council's Flood Policy and the Narromine Floodplain Risk Management Study & Plan 2021. The structure											

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
	is to have flood compatible building components below this level i.e. the 1% AEP flood level plus 500mm freeboard (FPL). At the time of this consent a FPL of <b>238.4 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.
	Condition Reason: The land falls within a known flood affected area and design is to be compatible with the flood behaviour and hazard for the location.

**BEFORE BUILDING WORKS COMMENCE**

Condition	
<b>9</b>	<p><b>Water Meter</b></p> <p>Prior to the commencement of works the developer is to provide a water service and meter to the Lot. This can be achieved by lodgement of the Water Service Application form and payment to Council in accordance with Council's fees and charges.</p> <p>Condition Reason: To ensure a legal water supply is available for construction.</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>
<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>

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
	<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>
<b>15</b>	<p><b>Existing Services</b></p> <p>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.</p> <p>Condition Reason: To ensure relevant utility service providers requirements can be met.</p>
<b>16</b>	<p><b>Avoid Services</b></p> <p>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.</p> <p>Condition Reason: To protect Council infrastructure.</p>

**DURING BUILDING WORK**

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
<b>17</b>	<p><b>Surveys by a registered surveyor</b></p> <p>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 –</p> <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> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
<b>18</b>	<p><b>Flood Policy – Survey Certificate Required</b></p> <p>The developer is to submit to the principal certifier, a survey certificate signed by a Registered Surveyor certifying the floor level of the dwelling has been constructed to the Flood Planning Level (FPL). The survey certificate is to be submitted to the principal certifier at the following constructions stages:</p> <ul style="list-style-type: none"> <li>i. Prior to the pouring of any concrete slabs once form work is completed;</li> <li>ii. Prior to the placement of any timber type floor on bearers / joist type construction</li> </ul> <p>Condition reason: To ensure the Flood Planning Level as adopted will met by the finished floor level.</p>
<b>19</b>	<p><b>Surveys by a registered surveyor</b></p> <p>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 –</p> <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 (incl. for flood considerations).</li> </ul> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
<b>20</b>	<p><b>Hours of work</b></p> <p>The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:</p> <p style="padding-left: 40px;">7:00am to 6:00pm on Monday to Friday 8:00 am to 1pm on Saturday</p> <p>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.</p> <p><b>NOTE:</b> Any variation to the hours of work requires Council’s approval.</p> <p>Condition Reason: To protect the amenity of the surrounding area.</p>
<b>21</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</p>

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
	<p>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>22</b>	<p><b>Driveway Locations</b></p> <p>The location of the proposed driveways and crossovers are not to conflict with public utilities services such as water infrastructure, drainage pits and structures, services inspection pits, power or light poles, traffic medians and street trees.</p> <p>Condition Reason: To ensure new driveway works do not impede public utility services.</p>
<b>23</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>24</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>25</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>26</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>27</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, for the development to which the consent applies</p> <p>Condition reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&amp;A Regulation).</p>
<b>28</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)</p>

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
	<p>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>29</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>30</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> <ol 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> </ol> <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>
<b>31</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: <ol 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> </ol> </li> <li>• “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</li> </ul> <p>Condition reason: To ensure the protection of objects of potential significance during works.</p>
<b>32</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>

**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
	<p>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.</p> <p>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.</p>
	<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>33</b>	<b>Ground Levels</b>
	<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>

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

Condition	
<b>34</b>	<b>Works-as-executed plans (drainage diagram)</b>
	<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> <p>a) All stormwater drainage systems and storage systems;</p> <p>b) The following matters that Council requires to be documented:</p> <ol style="list-style-type: none"> <li>1. Work as executed plans as per s68 approval.</li> </ol> <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>35</b>	<b>Driveways and Car Parking</b>
	<p>Construction of access driveways and crossovers must be undertaken in accordance with the s138 Approval prior to issue of an Occupation Certificate for the proposed dwelling. Two (2) off street car spaces are to be provided for the dwelling.</p>
	<p>Condition reason: To ensure approved works are completed.</p>
<b>36</b>	<b>Fencing</b>
	<p>Fencing is to be provided between the residence and the adjacent taxiway to restrain children from exiting the boundary of any lot; such fence is to include self-closing gates to comply with the Australian Standard AS 1926.1-2012. Fencing should be of an open design to permit the flow of flood water.</p> <p>a. Any solid fencing panel designs should have provision to allow the passage of water in the event of a flood.</p>



**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024**  
**REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

Condition	
	<p>b. Colorbond or other solid fencing should be stepped down towards the driveway crossover with Kingsford Smith Place to avoid obstruction to drivers' views.</p> <p>Condition reason: New fences should provide for the movement of flood water and incorporate safety measures as a barrier between the aerodrome and residential area.</p>
<b>36</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>37</b>	<p><b>Preservation of survey marks</b></p> <p>Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:</p> <ul style="list-style-type: none"> <li>a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or</li> <li>b) the applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.</li> </ul> <p>Condition reason: To protect the State's survey infrastructure.</p>
<b>38</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>
<b>39</b>	<p><b>Completion of landscape and tree works</b></p> <p>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.</p> <p>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).</p>

---

**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 14 AUGUST 2024  
REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT**

---

Phil Johnston  
**Director Community and Economic Development**

**Attachment 1 - Artist Impressions**









# Attachment 2 - Elevations

DWELLING TO COMPLY WITH AS2021—DWELLINGS ERECTED NEAR AERODROMES (FOR CONSIDERATION OF ACOUSTICS)

DATE: 09.07.24	SCALE: 1:100 (A3)	DRAWN: NT	DRAWING: ELEVATIONS LOT 54 KINGSFORD SMITH PLACE, NARROMINE BRAX BUILDING
SHEET: 4 / 9	JOB No: 23162	ISSUE: I	

**AVALON DRAFTING**  
2/2 Blueridge Drive Dubbo NSW 2830  
Ph: (02) 6885 3594 / Mob: 0408 296 502

DWELLING TO COMPLY WITH AS2021—DWELLINGS ERECTED NEAR AERODROMES (FOR CONSIDERATION OF ACOUSTICS)

DATE: 09.07.24	SCALE: 1:100 (A3)	DRAWN: NT	DRAWING: ELEVATIONS LOT 54 KINGSFORD SMITH PLACE, NARROMINE BRAX BUILDING
SHEET: 5 / 9	JOB No: 23162	ISSUE: I	

**AVALON DRAFTING**  
2/2 Blueridge Drive Dubbo NSW 2830  
Ph: (02) 6885 3594 / Mob: 0408 296 502

[Back to Report](#)