

**MINUTES OF THE ORDINARY MEETING OF THE CARRATHOOL SHIRE COUNCIL HELD
AT THE FAMILY HOTEL CARRATHOOL
on Tuesday, 16 August 2022 commencing at 10.00 am**

1. PRESENT

Councillors: DL Jardine (Mayor), DA Liddicoat, GR Peters, MS Armstrong, HJ Lyall, WR Kite, DP Fensom, JK Potter, B Furner, and LW Cashmere

Staff: General Manager Rick Warren, Director Corporate & Community Services Robert Rayner and Acting Director Infrastructure Services Bert Breuling.

2. LEAVE OF ABSENCE

Nil

3. DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Report	Councillor/Officer	Reason	Pecuniary / Non Pecuniary
10.17	DL Jardine	Has requested private works	Non-Pecuniary
10.21	LW Cashmere	Has agisted stock on the Hillston Common	Pecuniary
10.19	HJ Lyall	Ladies Captain at the Hillston Golf Club	Non-Pecuniary

4. CONFIRMATION OF THE PREVIOUS MINUTES

0243 RESOLVED that the minutes of the Ordinary meeting of the Carrathool Shire Council held 19 July 2022 as circulated to all Councillors, be confirmed.

CARRIED

Moved: Cr DA Liddicoat / Seconded: Cr MS Armstrong

5. BUSINESS ARISING

Nil

6. MOTIONS & QUESTIONS (NOTICE GIVEN)

Nil

7. PRESENTATIONS/PUBLIC ADDRESSES (WHERE SCHEDULED)

Nil

SUPPLEMENTARY AGENDA ITEM

0244 RESOLVED that the following supplementary reports be received for inclusion in the August 2022 ordinary meeting agenda:

10.20 Stronger Country Communities Fund – Round Five

10.21 Hillston Floodplain Management Study & Plan

CARRIED

Moved: Cr DL Jardine / Seconded: Cr DP Fensom

8. MAYORAL REPORTS

8.1 Mayors Report

0245 RESOLVED that Council note the Mayors report to the August 2022 meeting.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr LW Cashmere

8.2 Mayoral Minute – Accounting Treatment of Rural Fire Service (“Red Fleet”) Assets

0246 RESOLVED that:

1. Council writes to the local State Member(s) Member for Murray the Hon Helen Dalton MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
 - a. Expressing Council’s objection to the NSW Government’s determination on ownership of Rural Fire Service assets;
 - b. Advising of the impact of the Government’s position on Council finances of this accounting treatment;

.....
CR DL JARDINE, CHAIRMAN

- c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Carrathool Shire Council's financial statements;
 - d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - e. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
2. Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a. Advising Members of Carrathool Shire Council's position, including providing copies of correspondence to NSW Government Ministers; and
 - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
 3. Carrathool Shire Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Carrathool Shire Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
 4. Council promotes these messages via its digital and social media channels and via its networks.
 5. Re-affirms its complete support of and commitment to local RFS brigades noting that Carrathool Shire Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
 6. That Carrathool Shire Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets

CARRIED

Moved: Cr GR Peters / Seconded: Cr HJ Lyall

9. DELEGATES REPORTS

Nil

10.0 GENERAL MANAGER'S REPORT

10.1 Ongoing Action from Previous Business Papers

0247 RESOLVED that Council note the update on action report for July 2022.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr WR Kite

10.2 Precis of Correspondence

10.2.1 Draft Riverina Murray Regional Plan 2041

0248 RESOLVED that public exhibition of the Riverina Murray Regional Plan 2041.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr HJ Lyall

10.2.2 Conapaira Hotel – Rankins Springs

0249 RESOLVED that Council endorse the action of the General Manager in allowing the street to be closed in Rankins Springs on 24 September to enable a local event to be held in Moa Road.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr B Furner

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CR DL JARDINE, CHAIRMAN

10.2.3 Stronger Country Communities Fund Round Five

0250 RESOLVED that Council note the opening of the Stronger Country Communities Fund Round Five and that a report will be presented on meeting day as a matter of urgent business.

CARRIED

Moved: Cr B Furner / Seconded: Cr JK Potter

10.3 Agricultural Production

0251 RESOLVED that Council note the Australian Bureau of Statistics economic produce figures for Carrathool Shire for the 2020/2021 financial year.

CARRIED

Moved: Cr GR Peters / Seconded: Cr JK Potter

10.4 Fixing Local Roads – Grants Round Four

0252 RESOLVED that Council:

1. submit the proposed gravel resheeting project for funding under the Fixing Local Roads Program
2. include a contribution of \$259,000 towards the project
3. note the proposal will be submitted as three discreet projects to comply with program guidelines.

<u>Road Name:</u>	<u>Road Number</u>	<u>Road Length Km</u>	<u>Treatment</u>	<u>Treatment Distance</u>	<u>\$ Cost \$35,500/km</u>	<u>Combination Total</u>
<u>Southern Shire</u>						
Euratha Road	146	9.66	75mm Gravel	9,660	\$342,930.00	
Luelfs Road	176	7.8	75mm Gravel	1,000	\$35,500.00	
Grieves Road	157	5.67	75mm Gravel	2,000	\$71,000.00	
Woods Lane	262	4.98	75mm Gravel	2,000	\$71,000.00	\$520,430.00
Cannards Road	133	20.39	75mm Gravel	3,000	\$106,500.00	
O'Keefes Road	208	14.74	75mm Gravel	1,000	\$35,500.00	
Camerons Road	130	15.51	75mm Gravel	2,000	\$71,000.00	
Dumossa Road	142	18.62	75mm Gravel	2,500	\$88,750.00	\$301,750.00
Ryans Road	226	10.33	75mm Gravel	1,000	\$35,500.00	
Pintebakana - N	216	25.31	75mm Gravel	2,000	\$71,000.00	
Pintebakana - S	216	0	75mm Gravel	2,000	\$71,000.00	
Johnstons Road	169	11.3	75mm Gravel	1,000	\$35,500.00	
Boorga Road	120	15.39	75mm Gravel	3,000	\$106,500.00	
Andersons Lane	105	12.46	75mm Gravel	1,000	\$35,500.00	\$355,000.00
Melbergen Road	187	43.95	75mm Gravel	1,000	\$35,500.00	
Wiltshires Road	259	12.68	75mm Gravel	2,000	\$71,000.00	
Merungi Road	191	19.07	75mm Gravel	2,000	\$71,000.00	
Mitchells Lane	0	8.3	75mm Gravel	1,000	\$35,500.00	\$213,000.00
Booligal Road	119	36.43	75mm Gravel	7,500	\$266,250.00	\$266,250.00
<u>Northern Shire</u>						
Jardines Road	167	24.08	75mm Gravel	700	\$24,850.00	
Parkers Road	210	13.81	75mm Gravel	2,000	\$71,000.00	
Mitchells Road	193	34.22	75mm Gravel	5,200	\$184,600.00	
Square Wells Ln	233	4.17	75mm Gravel	4,170	\$148,035.00	\$428,485.00
Weavers Road	252	10	75mm Gravel	700	\$24,850.00	
Dirring Road	141	7.79	75mm Gravel	300	\$10,650.00	
Merungle Road	192	65.47	75mm Gravel	4,000	\$142,000.00	\$177,500.00
Lowlands Road	175	44.68	75mm Gravel	4,000	\$142,000.00	
Whealbah Road	256	85.32	75mm Gravel	2,000	\$71,000.00	\$213,000.00
Total:					\$2,475,415.00	\$2,475,415.00

CARRIED

Moved: Cr B Furner / Seconded: Cr DA Liddicoat

10.5 Rural Water Schemes Waterline Vegetation Clearing

0253 RESOLVED that Council note the progress of the Yoolaroi rural water scheme vegetation clearing.

CARRIED

Moved: Cr GR Peters / Seconded: Cr LW Cashmere

10.40 am The Acting Community Development & Project Manager joined the meeting

10.6 Unsupervised Swimming Pool - Goolgowi

0254 RESOLVED that Council move to implement unsupervised swimming pools operation of the Goolgowi swimming complex commencing 2022/23 or 2023/24 pool seasons pending trades availability

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr B Furner

11.03 am The Acting Community Development & Project Manager left the meeting

10.7 Infrastructure Report

0255 RESOLVED that Council note the Infrastructure Report for July 2022.

CARRIED

Moved: Cr DP Fensom / Seconded: Cr GR Peters

10.8 Policy 069 Aerodromes – Grazing Rights

0256 RESOLVED that Council:

1. re-adopt the unchanged Aerodromes – Grazing Rights Policy
2. note the document does not need to be placed on public exhibition due to there being no changes to the policy.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr B Furner

10.9 Policy 157 Level of Road Service

0257 RESOLVED that Council:

1. re-adopt the unchanged Level of Road Service Policy
2. note the document does not need to be placed on public exhibition due to there being no changes to the policy.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr HJ Lyall

10.10 Plant Report

0258 RESOLVED that Council note the Plant Report as at 3 August 2022.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr LW Cashmere

11.04 am Manager Building & Regulatory Services joined the meeting

10.11 Development Applications July 2022

0259 RESOLVED that the Determinations for Development Applications received for July 2022 be noted.

CARRIED

Moved: Cr LW Cashmere / Seconded: Cr MS Armstrong

10.12 Development Application 2022/034 - Dual Occupancy

0260 RESOLVED that Council grant Development Consent for DA2022/034 for the use of land to install a Manufactured dwelling (Dual Occupancy).

CARRIED

Moved: Cr DP Fensom / Seconded: Cr LW Cashmere

Division: All in Favour

11.12 am Manager Building & Regulatory Services left the meeting

10.13 Finance Report – Statement of Bank Balances – July 2022

0261 RESOLVED that Council note the Statement of Bank Balances as at 31 July 2022 and confirm payment of accounts as summarised in the reconciliation statement totalling \$3,846,787.52.

CARRIED

Moved: Cr GR Peters / Seconded: Cr WR Kite

10.14 Finance Report – Investments Schedule – July 2022

0262 RESOLVED that Council:

1. receive the investment report as at 31 July 2022 and it be noted that the summary has been prepared in accordance with the Act, the Regulation and Council's Investment Policy,
2. note that the investments reported exceed the single institution exposure limit of Council.

CARRIED

Moved: Cr GR Peters / Seconded: Cr DP Fensom

10.15 Revotes from 2021/22 to 2022/23

0263 RESOLVED that Council:

1. revote the budgets detailed in Attachment A totalling \$3,841,476.
2. note the budgets detailed in Attachment B totalling \$2,544,039.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

10.16 Internal Reserves 2021/22

0264 RESOLVED that Council confirm and approve the internal reserve balances for the 2021/22 financial year.

CARRIED

Moved: Cr HJ Lyall / Seconded: Cr JK Potter

10.17 Policy 121 Private Works & Supply of Materials

0265 RESOLVED that Council:

1. place the draft Private Works & Supply of Materials policy on public exhibition for a period of 28 days
2. adopt the policy after the exhibition period if no submissions are received.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DA Liddicoat

The Economic Development Support Officer joined the meeting at 11.13 pm

11.13 pm The Acting Community Development & Project Manager joined the meeting again

10.18 Economic Development Unit Report – July 2022

0266 RESOLVED that Council note the Economic Development Support Officers report for August 2022.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr GR Peters

10.19 2022-2023 Council Community Grants Scheme

0267 RESOLVED that Council determine the organisations successful for a community grant, and the amount of the grant. (9 & 17 out)

Applicant	Project Name	Amount Requested	
GOOLGOWI			
1	Goolgowi Public Hall	Partition Kitchen & Blinds	\$952.56
2	Goolgowi CWA	CWA Electrical Rewiring and Lighting Upgrade	\$1500.00
3	Goolgowi Debutante Ball Committee	Dance Lessons	\$1500.00
4	The Room, Goolgowi	The Room Waiting Room	\$1493.00
		SUBTOTAL	\$5,445.56
HILLSTON			
5	Hillston Central School P & C	Student ID Cards	\$1500.00
6	Hillston Hospital Auxiliary	Catering Equipment	\$1500.00
7	Hillston Swans Football & Netball Club	Netball Uniforms	\$1500.00
8	Hillston Creative Arts Council	Hot Water in Workshop Area	\$1172.00
10	Hillston Basketball Association	First Aid & Referee Training	\$1500.00
11	St Joseph's School	Year 6 Wellbeing Garden	\$1500.00
		SUBTOTAL	\$8,672.00

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CR DL JARDINE, CHAIRMAN

CARRATHOOL			
12	Carrathool Sports Club	New BBQ	\$1399.00
SUBTOTAL			\$1,399.00
MERRIWAGGA			
SUBTOTAL			
RANKINS SPRINGS			
13	Rankins Springs Recreation Ground Management Committee	New Equipment for Boot Camp	\$1500.00
14	Rankins Springs CWA	Replacement & Upgrade of Kitchen Appliances	\$1336.00
15	Rankins Springs Pre School	Dyson Stick Vacuum	\$999.00
16	Rankins Springs & District War Memorial Hall	Retractable Dividers & Chair leg protectors	\$1500.00
18	Rankins Springs P & C	Composting System & Edible Garden	\$1500.00
SUBTOTAL			\$6,835.00
TOTAL			\$22,351.56

CARRIED

Moved: Cr LW Cashmere / Seconded: Cr GR Peters

10.20 Stronger Country Communities Fund - Round Five

0268 RESOLVED that Council submit the following projects for funding under the Stronger Country Communities Fund - Round Five.

Site of Project	Cost in \$
Hillston	
Lake Woorabinda	265,000
Water Tower Mural	230,000
Rankins Springs	
Footpath to School	53,000
Caravan Park Office/Storage	70,000
Merriwagga	
Hall Roof & Air-conditioning	80,000
Carrathool	
Pinkers Beach Facility Upgrade	50,000
Goolgowi	
Settlers Park Irrigation	40,000
Entry Signs Goolgowi	25,000
Total	813,000

CARRIED

Moved: Cr GR Peters / Seconded: Cr WR Kite

The Economic Development Support Officer left the meeting at 11.41 pm

11.41 pm The Acting Community Development & Project Manager left the meeting again

10.21 Hillston Floodplain Management Study & Plan

0269 RESOLVED that Council place on public display the proposed Flood Modification Options.

CARRIED

Moved: Cr GR Peters / Seconded: Cr MS Armstrong

11.0 COMMITTEE REPORTS

Nil

12.0 CLOSED COUNCIL REPORTS

CLOSED COUNCIL 12.26 pm

0270 RESOLVED that Council resolve into closed council pursuant to Section 10A of the *Local Government Act 1993*, to consider the closed Council reports.

CARRIED Moved: Cr DA Liddicoat / Seconded: Cr GR Peters

12.1 Plant Purchase New Item – Vacuum Suction Unit

0271 RESOLVED that Council purchase a new Vermeer McLaughlan VX30-250 Vacuum/Suction Trailer mounted unit from RDO Equipment of Albury for \$89,220 (excl GST).

CARRIED Moved: Cr MS Armstrong / Seconded: Cr GR Peters

12.2 Plant 2577 Replacement

0272 RESOLVED that Council purchase a new 23 m³ BRE tri axle B trailer side tipper fitted with BPW disc brakes from Bruce Rock Engineering of Perth WA for \$157,002.26 excluding GST and advertise plant number 2577 Tristar side tipper trailer when delivery is closer at hand.

CARRIED Moved: Cr DP Fensom / Seconded: Cr MS Armstrong

12.3 Plant Update – Tender 2022/001 Plant Number 2063

0273 RESOLVED that Council:

1. purchase a new Mack Superliner Long wheelbase with 12 speed automatic transmission fitted with sleeper cab (for greater resale value) from Wagga Trucks for \$344,000.00 (ex GST).
2. will accept the trade in price of \$170,000.00 (ex GST) from Wagga Trucks which they will honour until the new truck arrives.

CARRIED Moved: Cr WR Kite / Seconded: Cr DA Liddicoat

12.4 Plant Update – Tender 2022/002 Plant Number 3524

0274 RESOLVED that Council trade plant number 3524 John Deere 772GP to Westrac Pty Ltd for \$205,000.00 and purchase a new Caterpillar 140 with 4.3m blade and Trimble ready for \$449,850.00. Expected delivery is November – December 2022. This represents a changeover cost to Council of \$244,850.00 excluding GST.

CARRIED Moved: Cr GR Peters / Seconded: Cr MS Armstrong

12.5 Plant 3060 Replacement

0275 RESOLVED that Council trade plant number 3060 MST Backhoe Loader to Intersales Griffith NSW for \$40,000.00 and purchase a new JCB 3CX Backhoe Loader for \$185,000.00. This represents a changeover cost to Council of \$145,000.00 excluding GST.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr DA Liddicoat

12.6 Council Staff Gratuity Policy

0276 RESOLVED that Council note the payment made under the Staff Gratuity Policy.

CARRIED Moved: Cr DP Fensom / Seconded: Cr HJ Lyall

OPEN COUNCIL 12.52 pm

0277 RESOLVED that Council return to open Council.

CARRIED Moved: Cr DP Fensom / Seconded: Cr GR Peters

CLOSED COUNCIL REPORT

The resolutions of Council made while the meeting was closed to the public were read to the open Council meeting by the General Manager.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr LW Cashmere

13.0 NEXT MEETING

The next **Ordinary Meeting** of Council will be held at the **Hillston District Office** on **Tuesday 20 September 2022** commencing at **10.00am**.

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CR DL JARDINE, CHAIRMAN

CLOSURE

There being no further business, the meeting terminated at 12.57 pm.

The Minutes of the Ordinary Meeting of the Carrathool Shire Council held on Tuesday, 16 August 2022 were confirmed at the subsequent Ordinary Meeting of Council on Tuesday, 20 September 2022

.....
Chairman of the Meeting of the Carrathool Shire Council held on Tuesday, 20 September 2022, at which meeting the above signature was subscribed.

CONDITIONS DA2022/034

1. COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA (Prescribed Condition)

All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or Complying Development Certificate was made).

2. RESIDENTIAL BUILDING WORK (Prescribed Condition)

Building work (within the meaning of *the Home Building Act 1989*) must not be carried out unless the Principal Certifier for the development:

- a) in the case of work done by a licensee under the Act:
 - i) has been informed in writing of the licensee's name and contractor license number, and
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act,
- OR
- b) in the case of work to be done by any other person:
 - i) has been informed in writing of the person's name and owner-builder permit number, or
 - ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the *Act*,

and, is given appropriate information and declarations under paragraphs a) and b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).

NOTE: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

3. SIGNS TO BE ERECTED ON BUILDING AND DEMOLITION SITES (Prescribed Condition)

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the site is prohibited, and
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours
- c) the development consent or complying development consent number, the name and contact details of the Principal Certifier.

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or
- b) building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.

4. NOTICE OF COMMENCEMENT (Prescribed Condition)

The applicant is to submit to Council, at least two (2) days prior to the commencement of any works, a 'Notice to Council of Intention to Commence Work'.

5. BUILDING INSPECTIONS

The applicant must obtain a Compliance Certificate pursuant to Section 6.16 of the *Environmental Planning and Assessment Act 1979*, as amended, from Council or an accredited certifying authority, certifying compliance with the Building Code of Australia for the stages of construction listed in Column 1. For the purposes of obtaining the Compliance Certificate the works must be inspected by the accredited certifying authority at the times specified in Column 2.

	COLUMN 1	COLUMN 2
A	Site Inspection	Prior to any works commencing on the site.
B	Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
I	Drainage	When the stormwater and roof water drainage system has been completed.
J	Final	Required prior to occupation of the building

NOTE 1: A Final Occupation Certificate in relation to the building cannot be issued by Council or an accredited certifying authority until all Compliance Certificates required by this condition have been issued by, or registered with Council.

NOTE 2: The above Compliance Certificates are required whether or not the work has been inspected by a Structural Engineer, a lending authority or any other person. If the Compliance Certificates are not issued Council may refuse to issue a Building Certificate under Section 6.26 of the *Environmental Planning and Assessment Act 1979*, as amended.

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

6. DEVELOPMENT APPLICATION RECORD TO BE KEPT ONSITE

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

7. CONFORM WITH APPROVED PLANS

The development shall take place in accordance with the approved development plans as submitted with DA2022/034. Any alterations or additions marked by Council on the approved plans and/or the specifications must be carried into effect.

8. HOURS OF OPERATION

The applicant must take all reasonable steps to minimise dust and noise generation during the demolition and/or construction process. No offensive noise must be emitted during either process. Such activities must only be undertaken Monday to Friday 7.00am to 6.00pm and Saturday 8.00am to 1.00pm, excepting public holidays.

9. BUILDING NUMBER

A building number must be displayed in a position clearly visible from the street in letters having a height of not less than 75 mm (3 inches). The number must be visible against the background on which it is placed. The correct building number is stated on the Notice of Determination.

10. PLANS

The development shall be generally in accordance with the supporting documentation, including but not limited to, the following:

Statement of Environmental Effects <i>Proposed Dual Occupancy 11 Rose Street Hillston Lot 19 Section 5 DP257</i> dated February 2022 undated
Site Plans SP01 & SP02, Floor Plan, Elevation photos (2 Sheets), Anchor Loc product information sheet, Wind Load Calculation & Anchor Loc Load chart

as modified by any conditions of this consent.

No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.

The development shall be carried out in conformity with the provisions of the *Environmental Planning and Assessment Act, 1979*, and the regulations made thereunder, in accordance with the plans and specifications approved by Council.

The builder shall maintain on the site, at all times a legible copy of the following:

- Development Consent including plans and related documentation;
- Construction Certificate when applied for and issued, including plans, specifications and certificates.

11. COMPLETION CERTIFICATE

The applicant must obtain a Completion Certificate, pursuant to Clause 69 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 from Council, prior to occupation of the building.

12. SEWER MAINS MARKING

Prior to the installation of the Manufactured dwelling, the Applicant is to engage with Council's Sewer & Water Department to confirm the location of Council's sewer main. Once the main is marked, the building is not to be located in the zone of influence.

The reason for the imposition of the above consent conditions is as follows:-

1. To achieve the objectives of *Section 1.3 of the Environmental Planning and Assessment Act 1979*, having regard to the relevant matters for consideration contained in *Section 4.15 of the Act and the Environmental Planning Instruments* applying to the land;
2. To ensure compliance with the *Building Code of Australia*, to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety, health and amenity, for the benefit of the community now and in the future;
3. To confirm the details of the application and plans submitted by the applicant;
4. To ensure compliance with relevant planning controls;
5. To ensure that appropriate environmental protection measures are in place;
6. To ensure the development complies with the requirements of Council policies;
7. To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

ADVICE TO APPLICANT

1. The above consent is not an approval to commence work or to carry out any structural work. A Construction Certificate under Part 4 of the Environmental Planning & Assessment Act 1979 (preceding the 1 March 2018 amendments) shall be sought and obtained before any work is carried out to implement the above consent. Also the applicant is not relieved of any obligation to obtain an approval required under any other Act.
2. This Notice of Determination does not remove the applicant's obligation to obtain approvals required by any other legislation.
3. *Part 8, Sections 8.3 and 8.7 of the Environmental Planning and Assessment Act 1979* confers on the applicant who is not satisfied with determination of the consent authority a right of appeal to the Land and Environment Court exercisable within 6 months of receipt of this notice.
4. Any person who contravenes this Notice of Determination of the above consent shall be guilty of a breach of the *Environmental Planning and Assessment Act, 1979*, and shall be liable to a monetary penalty and/or a restraining order which may be imposed by the Land and Environment Court.
5. The applicant should be aware of the provisions of the *Disability Discrimination Act 1992*. This Act imposes responsibilities additional to planning legislation.
6. Prior to commencing works on site, Telstra's "Dial Before You Dig" should be contacted by phoning 1100 (follow the prompts) and provide the following details:
 - Street name and number;
 - Side of street (north side, east or west);
 - Distance to nearest cross street
7. *Division 8.2 of the Environmental Planning and Assessment Act 1979* confers on the applicant the right to request Council to conduct a Review of this Notice of Determination within 6 months of receipt of this notice.

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CR DL JARDINE, CHAIRMAN