

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No:	DA 23/0852
Development:	detached dual occupancy and Torrens title subdivision including tree removal
Site:	105 Ascot Road, Bowral (legally known as Lot 1 and Lot 2 in DP 1286007)

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination:	18 June 2024
Date from which consent takes effect:	Date of determination

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site” means the land known as 105 Ascot Road, Bowral.

REASONS FOR GRANT OF CONSENT

Council has considered the contentions raised in the Statement of Facts and Contentions filed on 12 February 2024 and the circumstances of the site.

Council has considered the amended and additional information and considers that it is appropriate to grant development consent, subject to conditions for the following reasons:

- (a) The applicant has amended the design to increase tree retention.
- (b) The applicant has reduced the extent of the Asset Protection Zone (APZ)

extending onto Lot 2 DP1286007.

- (c) The development, as amended, does not exceed the biodiversity offsets scheme threshold under the *Biodiversity Conservation Act 2016*.
- (d) The detached dual occupancy development, as amended, meets the objectives of the locality to retain where possible mature existing vegetation.

The conditions of consent are as follows:

SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS

1. Development Description

Development consent has been granted in accordance with this notice of determination for the purposes of a dual occupancy (detached) and Torrens Title subdivision.

Reason: *To confirm the use of the approved development.*

2. Development in Accordance with Plans and Documents

The development shall be implemented in accordance with the approved plans and supporting documents set out in the following table except where modified by any conditions of development consent.

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Site Analysis Plan	CC-01 / Rev L	Hotondo Homes	7.05.24
Site Plan	CC-02 / Rev L	Hotondo Homes	7.05.24
Ground Floor Plan – A2 Size	CC-03 / Rev L	Hotondo Homes	7.05.24
South West Elevation & South East Elevation	CC-04 / Rev L	Hotondo Homes	7.05.24
North East Elevation and North West Elevation	CC-05 / Rev L	Hotondo Homes	7.05.24
Cross Section AA	CC-06 / Rev L	Hotondo Homes	7.05.24
Cross Section BB	CC-07 / Rev L	Hotondo Homes	7.05.24
Cross Section CC	CC-08 / Rev L	Hotondo Homes	7.05.24
Cross Section DD	CC-09 / Rev L	Hotondo Homes	7.05.24
Context Plan	Sheet 1 of 6 / Rev 6	Blanc Space Studio	3.05.24

Planting Plan Unit 01	Sheet 2 of 3 [sic] / Rev 3	Blanc Space Studio	10.04.24
Planting Plan Unit 02	Sheet 3 of 6 / Rev 6	Blanc Space Studio	3.05.24
Main Elevations	Sheet 4 of 6 / Rev 6	Blanc Space Studio	3.05.24
Planting Details	Sheet 5 of 6 / Rev 6	Blanc Space Studio	3.05.24
Lighting Plan	Sheet 6 of 6 / Rev 6	Blanc Space Studio	3.05.24
Plan of Proposed Sewer Main	Sheet 1 of 1	Richard Cox Surveyors Pty Ltd	14.10.22
Plan of Proposed Subdivision	16116 DWGLOT1-DA	Richard Cox Surveyors Pty Ltd	22.07.22
Statement of Environmental Effects		LEP Planning	January 2023
BASIX Certificate	1340627S	Hotondo Southern Highlands	5.12.22
BASIX Certificate	1340641S	Hotondo Southern Highlands	5.12.22
Bushfire Hazard Assessment	BR-559322-H	Bushfire Planning & Design	8.05.24
Arboricultural Impact Assessment	Rev E	Enviro Ecology	7.05.24
Flora and Fauna Assessment	25022023 / Rev E	Enviro Ecology	7.05.24

Reason: *To ensure the development is carried out in accordance with the approved plans and documentation.*

3. Inconsistency between documents

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

Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents (as amended).*

4. General Terms of Approval – NSW Rural Fire Service

The General Terms of Approval issued by the NSW Rural Fire Service, Reference No: DA20230227000841-Original-1, dated 28 March 2023, annexed to these conditions of consent, are included as conditions of this consent and must be complied with.

Reason: *To ensure ongoing compliance.*

5. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.
- (b) In the case of residential building work for which the *Home Building Act 1989* 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.

This section does not apply –

- To the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
- To the erection of a temporary building, other than a temporary structure to which subsection (3) of applies.

Reason: *The condition is prescribed under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

6. Erection of Signs

A sign must be erected in a prominent position on any site on which building work, is being carried out:

- (a) Showing the name, address and telephone number of the Principal Certifier (PC) for the work, and
- (b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) Stating that unauthorised entry to the work site is prohibited.

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

Reason: *The condition is prescribed under clause 98A of the Environmental Planning and Assessment Regulation 2000.*

7. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifier (PC) for the development to which the work relates (not being the council) has given the council written

notice of the following information:

- (a) In the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) In the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the Principal Certifier (PC) for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Reason: *The condition is prescribed under Section 69 of the Environmental Planning and Assessment Regulation 2021.*

8. Tree Removal and Retention

Tree removal and retention is to be in accordance with the recommendations of the approved Arboricultural Impact Assessment by Enviro Ecology (dated 7 May 2024) inclusive of tree protection measures for Trees 11 and 12.

Reason: *To ensure ongoing compliance.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

9. Application for a Construction Certificate (Building Works)

The applicant shall apply to Council or a Registered Certifier for a Construction Certificate to carry out the relevant building works in accordance with this consent. The details to be included in the application for a Construction Certificate are:

- (a) Architectural plans and building specifications complying with the National Construction Code (NCC) relevant Australian Standards, and the development consent and conditions.
- (b) If Council or a private registered certifier issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams

and the like. The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.

- (c) Geotechnical report for the site, prepared by a qualified geotechnical engineer detailing the foundation conditions of the site and solutions for consideration by a structural Engineer.

Note: *If an alternative solution to the “deemed to satisfy” provisions of National Construction Code is proposed, the following details must be lodged:*

- *Performance requirements that the alternative solution intends to meet.*
- *Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and*
- *A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body.*

Reason: *A requirement under the provisions of the Environmental Planning and Assessment Act 1979.*

Note: *Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier (PC), and lodgment of Notice of Commencement.*

10. Long Service Levy Payments

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to Council prior to the issue of a Construction Certificate.

Council acts as an agent for the Long Services Payment Corporation and the levy may be paid at Council's Office.

Reason: *Statutory requirement*

11. Developer to provide photos of damage to Council property

The developer must provide Council and the PCA with photos of any damage of Council property adjoining the development prior to the issue of the Construction Certificate.

Photos should include any damage to footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter and road pavement and the like.

Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the developer/owners/proponents expense.

The construction supervisor is responsible to ensure that all contractors, sub-contractors, and delivery trucks use a designated access point to prevent damage to Council's property. Repairs to damaged Council property are to be carried out by the contractor/builder to Council's specification and supervision prior to issue of any Occupation Certificate.

Reason: *To ensure that Councils assets are protected.*

12. Section 7.11 Contributions (formerly Section 94)

Under Section 7.11 of the *Environmental Planning and Assessment Act 1979* (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Section 7.11 Developer Contributions Plans are applicable to the development:

- Roads & Traffic Management Facilities
- Resource Recovery Centre 2009
- Central Library Facility
- Section 7.11 Administration 2011 to 2031
- Open Space & Recreation Facilities

A "Developer Charges - Notice of Payment" is attached to the back of this consent, and outlines monetary contributions and unit rates applicable at the time of issue of this consent. The contributions listed in the Notice of Payment must be paid prior to the issue of any Construction Certificate.

All contributions are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics (www.abs.gov.au <<http://www.abs.gov.au>>); Section 251 of the *Environmental Planning and Assessment Regulation 2000*; and Council's Developer Contributions Plans.

Note: *Copies of the Contributions Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website www.wsc.nsw.gov.au <<http://www.wsc.nsw.gov.au>>.*

Note: *Payment of the attached contributions is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 7.11". Should the Applicant pay by personal or company cheque the plans subject to this approval*

will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments*

13. Water Management Act - Certificate of Compliance

A Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* shall be obtained prior to the issue of any Construction Certificate.

Note: *Section 64 of the Local Government Act 1993 authorises Council to issue Certificates of Compliance under Section 306 of the Water Management Act 2000. Section 64 of the Local Government Act 1993 also authorises Council to impose pre-conditions to the issuing of Certificates of Compliance.*

As a precondition to the issuing of a Certificate of Compliance, Council requires the payment of Developer Charges prior to the issue of any Construction Certificate as prescribed by Council's Development Servicing Plans.

A Developer Charges - Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent.

The water, sewer and stormwater headworks levies are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics (www.abs.gov.au <<http://www.abs.gov.au>>) and Council's Development Servicing Plans.

Copies of Development Servicing Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website www.wsc.nsw.gov.au <<http://www.wsc.nsw.gov.au>>.

The Water and Sewerage Development Servicing Plans (DSP's) adopted by Council came into effect on 15 September 2017. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

CPI Period	Water DSP	Sewer DSP	Stormwater DSP
To 31 st July 2024	\$13,161.01	\$12,759.13	\$4,308.28
Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, www.abs.gov.au < http://www.abs.gov.au >.			

Should new DSP's be prepared, it is possible that the charges may increase significantly. Draft DSP's must be advertised by Council for a period of 30 days prior to adoption.

Note: *Payment of the above charges is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 7.11". Should the Applicant pay by personal or company cheque, the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e., a minimum of 10 days).*

14. Compliance Certificate

Compliance Certificate fees, in accordance with Council's Revenue Policy, are as follows and shall be paid prior to the issue of any Construction Certificate:

Water \$255 + Sewer \$255 + Stormwater \$255 = \$765

Prior to final release, you will need to contact Council's Infrastructure Services Division for an inspection to ensure that Council will accept the infrastructure constructed. In response, the Manager of Water and Sewer will specify requirements which will have to be met.

In the case of subdivision, the title plan of subdivision will not be certified and released by Council until the *Water Management Act 2000* charges have been paid and/or secured and the approval of Council has been obtained for all works related to this infrastructure.

In the case of other forms of development, the Construction Certificate will not be issued until the *Water Management Act 2000* charges have been paid and/or secured and the approval of Council has been obtained.

Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments.*

15. Section 68 Local Government Act 1993 Approvals

Prior to the issue of a Construction Certificate, an application under section 68 of the Local Government Act 1993 shall be made to, and issued by, Wingecarribee Shire Council, for the following approvals:

- Carry out water supply
- Carry out sewerage works
- Stormwater Construction Works

Reason: *A requirement under the provisions of the Local Government Act 1993.*

16. Section 138 Roads Act 1993 Approval

Where works are proposed within the road reserve, the developer must obtain approval from Council (as the Roads Authority and/or as required under Section 138 of the Roads Act 1993) before any works are undertaken. Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the Roads Act 1993.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- A copy of approved design plans related to the development and proposed works to be undertaken.
- The plan shall show the provision of kerb and gutter along the site frontage and the proposed driveway crossover.
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.
- Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

Advice: *Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Maritime Services for engineering design plans, Traffic Control Plans and approvals under Section 138 of the Roads Act 1993.*

Reason: *Statutory requirement.*

17. Waste Management Plan

A Waste Management Plan shall be completed and submitted to Council or a Registered Certifier for approval, prior to the issue of the Construction Certificate for the development.

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction. Waste management and its storage must not pose a threat to public health or the environment.

Reason: *To minimise the amount of waste going to landfill.*

18. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan shall be prepared in accordance with “Landcom’s Blue Book” for sedimentation and erosion control plan by a suitably qualified person, and approved by Council or a Registered Certifier prior to issue of the Construction Certificate.

The Erosion and Sediment Control Plan shall include scaled drawings and detailed specifications which can be referred to onsite by project management staff or project construction supervisor. Items to be shown on the Plan shall include:

- a) Locality of the site, a north point and scale.
- b) Existing contours of the site including catchment area boundaries and indications of direction of fall.
- c) Location of and basic description of existing vegetation.
- d) Diversion of uncontaminated up-slope run-off around the disturbed sites.
- e) Location of significant natural areas requiring special planning or management including waters, floodplains, seasonally wet areas, areas prone to ponding/water logging, unstable slopes etc.
- f) Nature and extent of earthworks, including cut and fill roadworks.
- g) Location of all soil and material stockpiles.
- h) Location of site access, proposed roads and other impervious areas.
- i) Existing and proposed drainage patterns.
- j) Location and type of proposed erosion and sediment control measures.
- k) Site rehabilitation proposals, including final contours.
- l) Time of placement of sediment controls.
- m) Staging of works and how the plan is to be implemented for each stage or activity on site.
- n) Maintenance schedule.

Reason: *To minimise soil erosion and sediment movement during construction.*

19. Construction Management Plan

To undertake development works including demolition, earthworks and construction a Construction Management Plan (CMP) is required to be submitted and approved by Council prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:

- a) Details of site security;
- b) Off-street parking for employees, contractors and sub-contractors.
- c) Site access for construction vehicles and equipment purposes.
- d) Public safety in the use of roads and footpaths where development activities adjoin such facilities.
- e) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
- f) Provision for loading and unloading materials;
- g) Location of all building materials, structures, plant and equipment to be stored or placed within the construction site;
- h) How materials are to be loaded/unloaded and potential impact on Council infrastructure (including but not limited to footpaths and street trees)
- i) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- j) External lighting and security alarms proposed for the construction site.
- k) Firefighting measures to be available on site during development and construction.
- l) Sanitary amenities proposed on site during development and construction.
- m) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site;
- n) Details of management of storm water run-off and the propose sediment and erosion control measures including the location of any rubble grids;
- o) Details of any air and dust management;
- p) Details of noise and vibration controls;
- q) Anticipated staging and duration of works

- r) Provision of Traffic Management Plan (TMP) and Traffic Control Plans (TMP)

Reason: *To ensure the safety, amenity and protection of public infrastructure and the environment.*

20. Stormwater - Control of Peak Discharge

Adequate and suitable infrastructure shall be provided to ensure the peak discharge from the site is no greater than the pre-developed peak discharge. This infrastructure shall be designed in accordance with Council's Engineering Design Specifications and Drawings. Calculations to demonstrate that the post-development peak discharge will not exceed the pre-development peak discharge shall be provided with the application for a Construction Certificate.

Any stormwater temporarily stored onsite shall be done in a manner that does not jeopardise public safety. In this regard the development shall provide a risk assessment with the Construction Certificate documentation.

Reason: *To ensure the peak discharge from the site is no greater than the pre-developed peak discharge.*

21. Detailed Stormwater Drainage System Design

Prior to the issue of the Construction Certificate, a detailed storm water hydraulic drainage plan for the disposal of storm water from the site, prepared in accordance with Council's Design Standards shall be submitted to Council and approved by Council's Development Engineer.

Should any changes be required to the approved storm water drainage plan, the amended design shall achieve equivalent performance standards in accordance with Design Specifications.

Note: *Construction Certificate Approval does not include approval for works external to the property or civil works.*

Where the proposed design extends beyond the property boundary, separate approval under Section 138 of the *Roads Act 1993*, must be obtained from Council prior to the commencement of works.

The applicant is advised to contact Council for clarification of proposed works for which approval under Section 138 of the *Roads Act 1993* applies.

Reason: *To ensure adequate storm water management*

22. Water and Sewer Authority Conditions

Prior to issue of a Construction Certificate, the developer shall obtain approval from Council (as the Water Supply Authority and/or as required under Section

68 of the *Local Government Act 1993*) for the works to be undertaken by submitting adequate documentation including plans, calculations and specifications which justify that the required works are in accordance with all Council's standards and all other relevant codes and guidelines.

Reason: *To ensure water and sewer reticulation are in accordance with Council's standards*

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

23. Construction Certificate

No work shall commence until a:

- (a) Construction Certificate is obtained from either the Wingecarribee Shire Council or an Registered Certifier; and
- (b) Construction Certificate lodged with Council obtained from a Registered Certifier (together with associated plans and documents) - a fee applies for this service.

Reason *Statutory requirement.*

24. Appointment of Principal Certifier (PC)

No work shall commence in connection with this Development Consent until:

- a) A Construction Certificate for the building work has been issued by:
 - (i) the consent authority; or
 - (ii) a Principal Certifier (PC); and
- b) the person having the benefit of the development consent has:
 - (i) appointed a Principal Certifier (PC) for the building work, and
 - (ii) notified the Principal Certifier (PC) that the person will carry out the building work as an owner-builder, if that is the case, and
- b1) the principal certifying authority has, no later than 2 days before the building work commences:
 - (i) notified the Council of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- b2) the person having the benefit of the development consent, if not carrying out the work as an owner builder, has:

- (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (ii) notified the Principal Certifier (PC) of such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- c) the person having the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the building work.

Reason: *To ensure that there is certainty as to the consent applying to the land.*

25. Notice of Commencement

No work shall commence until a notice of commencement form has been submitted (form will be attached with issue of a Construction Certificate or Subdivision Works Certificate or available from Council's website), giving the Principal Certifier (PC):

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a Principal Certifier (PC) (either Wingecarribee Council or another Accredited Certifier).
- (c) Details of the Principal Contractor or Owner Builder:
 - Name
 - Builders Licence Number or Owner Builder Permit Number
 - Principal Contractor Company Name
 - Principal Contractor ABN
 - Address of Principal Contractor or Owner Builder
 - Email Address
- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit.
- (e) Details demonstrating compliance with development consent conditions relevant prior to commencement of the development been satisfied.

Reason: *Statutory requirement.*

26. Erosion and Sediment Control

Erosion and sediment control measures (as per the approved Erosion and Sediment Control Plan) shall be installed prior to the commencement of works.

Reason: *To ensure that sediment does not leave the site as a result of the construction of the development.*

27. Set Out Survey

The development shall be set out by a Registered Land Surveyor to ensure the correct location on the site in accordance with the approved site plan prior to the commencement of works.

Reason: *To ensure compliance with the approved plans.*

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

28. Approved Plans to be available on site

Endorsed Council approved plans, specifications, documentation and the consent shall be made available on site at all times during construction.

Reason: *To ensure compliance with approved plans.*

29. Building Materials & Colour Scheme

The use of Zinalume, galvanised iron, stainless steel, unetched zinc or copper is not permitted.

New external building materials and colours shall be recessive in the surrounding landscape as required by Councils Development Control Plan.

Reason: *To ensure that the new building is visually compatible with the existing environment.*

30. Utility Services

If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.

Reason: *To ensure that utilities are provided appropriately to the development.*

31. Engineering Inspections by Council

24 hours prior to the covering of the following works, Council shall be notified by the licensed builder, owner builder or licensed plumber/drainier that the following works are ready for inspection:

- a) Sewer main extensions/augmentations.
- b) Final inspection of water plumbing, sanitary drainage and stormwater drainage.
- c) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves.
- d) Final inspection of footpath, driveway, stormwater and utility construction works within the road reserve.

Note: *The subject building is not to be occupied until an Interim or Final Occupation Certificate is issued.*

Note: *An accredited certifier may not be substituted for Council in respect of these inspections, as Council remains the sole responsible authority for these matters.*

Reason: *Statutory requirement.*

32. Stormwater - Connection to Kerb

All stormwater connections to the kerb shall be done using minimum 2mm thick galvanised steel section in accordance with Wingecarribee Shire Council's Standard Drawing No SD102.

Reason: *To comply with Council standards.*

33. Stormwater - Construction

The applicant shall provide adequate storm water drainage infrastructure (pits/pipes/open channels/detention storage) for the conveyance of storm water passing through the site from upstream, and sourced from the development to a discharge outlet to be approved by Council. The point of discharge shall be clearly depicted and the legal right to discharge at that point to be justified. Status of the point of discharge is to be made clear (i.e. provision of drainage easements).

Reason: *To assist in the prevention of erosion of the site from storm water.*

34. Stormwater - Discharge

All stormwater runoff from the development shall be collected within the property and discharged to an approved stormwater management system.

Reason: *To ensure that stormwater is appropriately disposed of.*

35. Erosion and Sediment Control Plan Compliance

All site works shall be carried out in accordance with the approved Erosion and Sediment Control Plan. Implementation of the Erosion and Sediment Control Plan shall be supervised by personnel with appropriate qualification and experience in erosion and sediment control.

Note: *In the event of non-compliance with the approved plan, Council Officers have the ability to issue Penalty Notices, being an on the spot fine and/ or orders.*

Reason: *To ensure that the environment is protected.*

36. Imported 'Waste-derived' Fill Material

The only waste derived fill material that may be received at the development site is:

- Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997* (POEO); or
- Any other waste-derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material

Note: *Any waste-derived fill material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifier (PC).*

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

Resource recovery exemptions are available on the NSW EPA website at <http://www.epa.nsw.gov.au/waste/>.

Reason: *To ensure that imported fill is of an acceptable standard for environmental protection purposes.*

37. Ground Levels

Natural ground levels shall not be altered or adjusted other than shown on the approved plans or where varied by the conditions of consent without the prior consent of Council.

Finished ground levels shall 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 an approved storm water drainage system.

Reason: *To ensure that natural drainage of the property and adjoining properties is not affected.*

38. Retaining Walls and Drainage

If the soil conditions require it:

- (a) Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
- (b) Adequate provision shall be made for drainage.
- (c) Any retaining walls which do not comply with the exempt development standards outlined in the *State Environmental Planning Policy (Exempt and Complying Codes) 2008*, are subject to a separate approval prior to the construction of the retaining wall.

Reason: *To ensure that soil is appropriate retained.*

39. Vehicular Access Point - Construction and Delivery Vehicles

A suitable entry point shall be nominated on site and utilised by construction and delivery vehicles. This entry point is to be located so that the possibility of damage to Council's property is minimised during construction. The access point shall be surfaced with all-weather materials of a minimum of 40mm in size. Ballast or crushed gravel (minimum of 40mm rock) for the full width of the kerb from the edge of the road to the property boundary.

Reason: *To reduce the possibility of damage to public property.*

40. Damage to Adjoining Properties

All precautions shall be taken to prevent any damage likely to be sustained to adjoining properties. Where damage occurs to adjoining property all necessary repair or suitable agreement for necessary repairs shall be undertaken by the applicant in consultation with, and with the consent of, the affected property owner.

Reason: *Structural safety.*

41. Prevention of Nuisance

All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the carrying out of works in the development.

Reason: *Health and amenity.*

42. Construction Management Plan

All development activities and traffic movements shall be carried out in accordance with the approved Construction Management Plan.

All controls in the Plan shall be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the Accredited Certifier and Council on request.

Reason: *Compliance with condition of consent.*

43. Approved hours of Construction/Demolition

Construction/demolition activities shall be limited to the following hours:

DAY	HOURS
Monday to Saturday	7:00am to 5:00pm
Sunday	Nil
Public Holidays	Nil

Reason: *To ensure that the amenity of the surrounding area is not compromised as a result of the construction of the proposal.*

Note: *Any variation to these hours shall require Council consent via the lodgment of an application under section 4.55 of the Environmental Planning and Assessment Act 1979.*

44. Building Operations

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the storm water drainage system.

Reason: *To ensure that building materials are not washed into storm water drains.*

45. Maintenance of the site

All materials and equipment shall be stored wholly within the work site.

Waste materials (including excavation, demolition and construction waste materials) shall be managed on the site and then disposed of at a waste management facility.

Any run-off and erosion control measures required shall be maintained within their operating capacity until the completion of the works to prevent debris

escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- and
- (a) all vehicles entering or leaving the site shall have their loads covered,
 - (b) all vehicles, before leaving the site, shall be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site shall be left clear of waste and debris.

Reason: *Environmental amenity.*

46. Storage of Building Materials, Plant and Equipment

All building materials, plant and equipment are to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and also so that the road reserve is not damaged.

No storage, or placing of any building materials to occur on adjacent public roads or footpath areas in association with the construction, maintenance or use of the development or site.

Reason: *To ensure that pedestrian and vehicular access in public places is not restricted and also so that the road reserve is not damaged.*

47. Temporary Onsite Toilet

Toilet facilities shall be available or provided at the work site prior to the commencement of works and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet shall:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

Reason: *To ensure that there are appropriate facilities on-site for construction workers.*

48. Waste Management

The provision of a metal waste skip with self-closing lid or secure covering on-site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle shall be emptied periodically to reduce the potential for rubbish to leave the site.

Sorting of waste materials shall occur on site in accordance with the approved Waste Management Plan.

Reason: *To ensure that all wastes generated from the construction of the development are contained on the site.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

49. Occupation Certificate

In accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*, an application for an Occupation Certificate, shall be made on completion of the works and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifier (PC) is required to be satisfied, amongst other things, that:

- All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- Any preconditions to the issue of the certificate required by a development consent have been met.

Reason: *To comply with the provisions of the Environmental Planning and Assessment Act 1979*

Note: *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of Section 6.10 of the Environmental Planning and Assessment Act 1979 unless an Occupation Certificate has been issued in relation to the building or part.*

50. Section 138 Roads Act Final

The applicant is to ensure that the works associated with the Section 138 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

Reason: *To ensure that the development is completed as per this consent and the approved plans.*

51. Section 68 Local Government Act Final

The applicant is to ensure that the works associated with the Section 68 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

Reason: *To ensure that the development is completed as per this consent and the approved plans.*

52. Council Property

The applicant shall rectify any damage to Council property (including footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter, road pavement and the like) as a result of the development, prior to the issue of any Occupation Certificate at no cost to Council.

Reason: *To ensure that Councils assets are protected*

53. BASIX Commitments

Pursuant to Section 75 of the *Environmental Planning & Assessment Regulation 2021*, it is a condition of this consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled prior to the issue of an Occupation Certificate.

In this condition:

(a) Relevant BASIX Certificate means:

- (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 4.55 of the *Environmental Planning and Assessment Act 1979*, a BASIX Certificate that is applicable to the development when this development consent is modified); or
- (ii) if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and

(b) BASIX Certificate has the meaning given to that term in the *Environmental Planning & Assessment Regulation 2021*.

Reason: *To ensure that all of the commitments of BASIX Certificate have been met.*

54. House Numbering

A street house number being 75mm on house and no less than 42mm on

mailbox or rural address number (allocated by Council), shall be prominently displayed so that it is visible from the street/road prior to issue of the Occupation Certificate.

Reason: *To ensure that the property is easily identifiable.*

55. Street Trees

Prior to the issue of the Occupation Certificate, a street tree selected in accordance with Council's Urban Street Tree Masterplan shall be planted within the adjoining footpath / roadside verge to the satisfaction of Council.

Reason: *To ensure that the landscaping is completed prior to occupation.*

56. Landscape Certification

Certification is to be provided to the Principal Certifying Authority (PCA) from the designer of the landscape plan or suitably qualified landscape professional that all tree planting/landscape works have been carried out in accordance with the Council endorsed landscape plan. If Council is the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council is not the PCA, a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

Reason: *To ensure that the landscaping is completed prior to occupation.*

57. Civil Engineering works and services

All civil engineering works and services, including construction works within the road reserve, are to be constructed in accordance with the Wingecarribee Shire Council Engineering Design and Construction Specifications and Drawings, relevant Standards and approved engineering plans prior to the issue of any Occupation Certificate.

Reason: *To ensure that the works and services are constructed in accordance with the approved plans.*

58. Certification of Internal Civil Works

On completion of works and prior to the issue of any Occupation Certificate, certification from a practicing appropriately qualified engineer shall be submitted to Council detailing that all internal civil works (i.e. internal driveways, paths and stormwater drainage system including any onsite detention) are in accordance with approved plans and specifications.

Reason: *To comply with Councils requirements.*

59. Vehicle Access

Access to the site shall be provided by means of a vehicle crossing as per Standard Drawing No SD107 and SD123 and approved by the Development Engineer prior to the issue of any Occupation Certificate.

Reason: *To comply with Council's Engineering Specifications and Drawings.*

60. Defects and Liability Bond for Public Assets - Civil Works

Prior to the issue of any Occupation Certificate the developer shall lodge a cash bond to cover the defects liability period of 24 months for any public infrastructure constructed by them which will be handed over to council. The liability period will commence from the date of issue of the Occupation Certificate.

The security bond will be in an amount equal to 10% of the value of the total civil works with a minimum value of \$10,000 based on the civil costs supported by written evidence in accordance with Council's Bond Policy. The bond shall be assessed by Council for release after the 24 month period on formal request from the developer.

Reason: *To ensure appropriate warranty periods apply for defect liability.*

61. Construction of Kerb & Gutter and Drainage

Concrete kerb and gutter and associated drainage system on the frontage to the development for the adequate discharge of storm water shall be constructed in accordance with Council's Engineering Design and Construction Specifications and drawings prior to the issue of any Occupation Certificate.

Reason: *To ensure that storm water is appropriately managed.*

62. Asset Management

Prior to the issue of any Occupation Certificate, the developer shall provide a detailed summary of the Assets that will be handed over to Council at the end of the maintenance period. The details shall be provided in a tabular form so as to allow Council to update its Assets register.

The assets to be identified include:

- Roadways length and width and type of surface
- Sewer

Reason: *To ensure appropriate details are held for asset management.*

63. Engineering Details in DXF Format

The Developer shall provide a copy of the Work as executed information in DXF format prior to the issue of any Occupation Certificate. The developer may contact Council's GIS Officer for further details and technical specifications.

Reason: *To ensure appropriate records are held and asset management.*

Reason: *The successful handover of constructed assets to Council resulting from new developments must be accompanied by the work as executed (WAE) documents specified on the Council Website: <https://www.wsc.nsw.gov.au/Development/Other-Development-Information/Engineering-Standards>*

Failure to provide completed documents in this format will result in a delay in the issue of the Occupation Certificate and retention of bonds held until such time as Council have deemed the WAE information to be complete in the required format. The standards are updated as required; please ensure you are using the correct version. Please note the work as executed information requirements include providing surveyed levels for all underground assets. WAE Information submitted must be validated by a Registered Surveyor and certified by a Professional Engineer.

64. Construction of Private Road

Construction of accessway surfaced with reinforced concrete for a minimum of 4.5 metres wide within the lots (except where otherwise required by condition 8 of this consent), shall be completed prior to the issue of any Occupation Certificate.

Reason: *To ensure that adequate access is provided.*

65. Provision of Services

A separate sewer connection and water service shall be provided to each dwelling at the applicant's expense prior to the issue of any Occupation Certificate.

All property services shall be located within the lots that they serve in accordance with Wingecarribee Shire Council Engineering Design and Construction Specifications, Drawings and relevant Standards.

The applicant shall provide to Council written confirmation of compliance.

Reason: *To ensure that all available services are provided to each lot within the subdivision.*

66. Completion and Handover of Downstream Sewer to Council

Prior to the issue of any Occupation Certificate, the downstream sewer within Lot A DP 393343 must be completed and handed over to Council.

Reason: *To ensure that the development is serviced by a Council owned sewer main.*

67. Evidence of Compliance with Bushfire Measures

Prior to the issue of any Occupation Certificate, certification must be provided by a BPAD Level 3 accredited consultant that the bushfire measures required by the approval have been installed.

Reason: *To ensure ongoing protection from bushfire.*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**68. Subdivision Certificate**

An application for a Subdivision Certificate shall be lodged with Council or an Accredited Certifier (in accordance with Section 6.15 of the *Environmental Planning and Assessment Act 1979*) for approval to enable the subdivision plans to be submitted to and registered with NSW Land Registry Services. Should the Subdivision Certificate application be lodged with Council, a final plan of subdivision and 3 copies shall be included with the application.

All works specified in Council's development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to issue of the Subdivision Certificate.

The application for a Subdivision Certificate is to be accompanied by supporting documentation outlining how each condition of consent has been complied with.

Reason: *To comply with the provisions of the Environmental Planning and Assessment Act 1979.*

Note: *The applicant is to ensure that works associated with the Section 138 (Roads Act) approval and Section 68 (Local Government Act) approval are completed and inspected by Council.*

69. Dedication of Right of Carriageway / Easements

The creation or obtaining by the Applicant of the following easements and rights of carriageway, at the Applicant's expense prior to the issue of the Subdivision Certificate.

- a) Stormwater drainage easement, the right of carriageway and easement for services over Lot 11 in favour of Lot 12 a minimum 3 metres wide.
- b) Stormwater drainage easement, the right of carriageway and easement for services over Lot 2 DP1286007 in favour of Lot 11 and Lot 12 a minimum 3 metres wide.
- c) Easement over sewer mains 3m wide in favour of Council.

Reason: *To protect infrastructure.*

END OF CONDITIONS

This information is provided from Wingecarribee Shire Council



NSW RURAL FIRE SERVICE

Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Your reference: (CNR-52420) 23/0852
Our reference: DA20230227000841-Original-1

ATTENTION: Peter Malloy

Date: Tuesday 28 March 2023

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
105 ASCOT ROAD BOWRAL 2576, 1/DP1286007

I refer to your correspondence dated 06/03/2023 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

General Conditions

1. The General Terms of Approval are based on the documents/plans supplied via Councils referral to the NSW RFS.

- The plans titled Site Plan prepared by Hotondo Homes dated 24/11/22 & 25/11/22 Ref: Drawing No: CC-02 (Sheet 2 of 9 & Sheet 2 of 6)
- The Plan of Proposed Subdivision prepared by Richard Cox Surveyors Pty Ltd dated 22/7/22 REF:16116 DWGLOT1-DA

Asset Protection Zones

The Intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

2. At the commencement of building works or the issue of a subdivision certificate, whichever comes first, the entire site must be maintained as an inner protection area in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

This information is provided from Wingecarribee Shire Council

- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

3. At the issue of a subdivision certificate, if the land immediately to the east and the north of the proposed lots 11 & 12 has not been developed and the bush fire hazard removed, a restriction pursuant to section 88B of the *Conveyancing Act 1919* shall be placed on the neighbouring Lot 2 DP1286007 (east) & Lot A DP393343 (north) burdening the portion of this lot required as an Asset Protection Zone (APZ) for the benefit of the subject development. This APZ shall be maintained as outlined within Appendix 4 of *Planning for Bush Fire Protection 2019*.

The restriction will cease to apply once development on the neighbouring allotment is obligated to maintain an Asset Protection Zone over the same area of land. The restriction shall be worded to ensure this extinguishment is triggered. The name of authority empowered to release, vary, or modify the instrument must be Council.

Construction Standards

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

Lot 12

4. New construction on the north, south and eastern elevations of the dwelling on Lot 12 must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

5. New construction on the western elevation must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

Lot 11

6. New construction on the north, east and south elevation must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

7. New construction on the west elevation must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

Access – Property Access

This information is provided from Wingecarribee Shire Council

The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

8. Property access roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- property access roads are two-wheel drive, all-weather roads;
- minimum 4m carriageway width;
- in forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the crossfall is not more than 10 degrees;
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads; and
- a development comprising more than three dwellings has access by dedication of a road and not by right of way.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

9. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

Landscaping Assessment

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

10. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

3

This information is provided from Wingecarribee Shire Council

- Planting does not provide a continuous canopy future dwellings (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA),
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Low flammability vegetation species are used

General Advice – Consent Authority to Note

The development is to comply with the subdivision layout identified on the Plan of Proposed Subdivision prepared by Richard Cox Surveyors Pty Ltd dated 22/7/22 REF:16116 DWGLOT1-DA

For any queries regarding this correspondence, please contact Bryan Netzler on 1300 NSW RFS.

Yours sincerely,

Anna Jones
Manager Planning & Environment Services
Built & Natural Environment

This information is provided from Wingecarribee Shire Council



BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
105 ASCOT ROAD BOWRAL 2576, 1//DP1286007
RFS Reference: DA20230227000841-Original-1
Your Reference: (CNR-52420) 23/0852

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under s100b of the Rural Fires Act 1997.

Anna Jones

**Manager Planning & Environment Services
Built & Natural Environment**

Tuesday 28 March 2023



Civic Centre, Elizabeth St. Moss Vale, NSW 2577.
 PO Box 141, Moss Vale. DX: 4961 Bowral.
 Ph: (02) 4868 0888 Fax: (02) 4869 1203
wscmail@wsc.nsw.gov.au www.wsc.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

17 May 2024

WILLOW PROPERTIES PTY LTD
 PO BOX 15
 MITTAGONG NSW 2575

Re: 23/0852
 Lot 1 DP 1286007
 105 ASCOT ROAD BOWRAL NSW 2576

Development Description: Proposed detached dual occupancy and Torrens Title subdivision

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

			Amount
	Units	Rate	Payable
 Contributions Levy			
Administration (Shirewide)	1.00	\$581.03	\$581.03
Central Library (Shirewide)	1.00	\$513.41	\$513.41
Open Space & Community (Acquisition)	1.00	\$107.14	\$107.14
Open Space & Community (Future Works)	1.00	\$1,884.95	\$1,884.95
Open Space & Community (Recoup)	1.00	\$897.24	\$897.24
Resource Recovery Centre (Shirewide)	1.00	\$304.73	\$304.73
Roads & Traffic (Shirewide - Future)	1.00	\$3,363.18	\$3,363.18
Roads & Traffic (Shirewide - Recoup)	1.00	\$18.76	\$18.76
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
S64 Stormwater Compliance Certificate	1.00	\$255.00	\$255.00
S64 Stormwater (Bowral)	1.00	\$4,308.28	\$4,308.28
S64 Sewerage (Shirewide)	1.00	\$12,759.13	\$12,759.13
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
S64 Water (Shirewide)	1.00	\$13,161.01	\$13,161.01
Total			\$38,663.86



Payments must be either in the form of cash, bank cheque or credit card (credit cards subject to 1% surcharge. Amex and Diners not accepted).

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

DATE CHARGES ARE VALID TO – 31st July 2024

Prepared by – Andre Vernez

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

A COPY OF THIS NOTICE MUST BE PRESENTED WHEN MAKING PAYMENT

www.wsc.nsw.gov.au