

***Draft Conditions for DA 326-2010 at 47 Mowatt Street, Queanbeyan NSW***

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

***Applies to Stage 1 Only***

**1. Submission of revised engineering drawings / information as follows:**

- Storm water pit in the truck turning circle does not appear to be in the low point. Provide levels around the circle;
- Drainage from the pit in the truck turning circle is to connect into the line from OSD tank on public land;
- Show how lots 14 and 15 Sec 38 DP758862 will obtain access to the laneway (lot 103 DP727512);
- Provide justification as to why the garbage truck turning template has been changed from a 12.5m long truck to a 9.9m long truck;
- Show areas to be dedicated as road widening at the Mowatt Street and truck turning circle end of the laneway (lot 103 DP727512);
- The tangent point of the truck turning circle should be on the kerb line. This will provide better access to lot 16 Sec 38 DP758862;
- Laneway (lot 103 DP727512) dimensions are 2.4m – 7.5m – 0.1m. Council would prefer 1.8m – 7.5m – 0.7m; and
- Speed humps on the laneway (lot 103 DP727512) are to be removed.

REASON: To ensure satisfactory storm water management and roadway construction. (46.14)

**2. A Waste Management Plan (WMP) must be submitted to Principal Certifying Authority for approval prior to issue of any Construction Certificate.**

**The Waste Management Plan (WMP) must address the ongoing maintenance of the two waste storage enclosures.**

REASON: To ensure satisfactory environmental management of the site. (46.08)

**3. Prior to any other Construction Certificate being granted with respect to the development, an application for Construction Certificate (Subdivision) and accompanying engineering design plans shall be submitted to and determined by Council. Works associated with the subdivision shall subsequently be carried out in accordance with the detailed design drawings and specifications the subject of the Construction Certificate (Subdivision).**

**The engineering plans must comply with the requirements of Council's Development Control Plan No.38: Subdivision, Part B-1, Subdivision Design Criteria and include the following –**

**a Certification Report in accordance with Clause DQS.04;**

- **This general note – *All work must be constructed in accordance with the requirements of Queanbeyan City Council's Development Control Plan No.38, Part B-2, Technical Specification for Subdivisions;***

- Design of a stormwater network, including a major/minor street stormwater system, any required interallotment drainage lines, any required detention basins, water quality ponds and/or gross pollutant traps;
- Design of the roads in the subdivision to the following standards (as defined in Table D.1.5) –

Western Road as a Local Street with modified layback kerb and a 1.8 metre wide concrete footpath on the western side;

- Road pavements are to be designed as flexible pavements with a primer seal plus Asphaltic Concrete (AC10) nominated as the wearing surface;
- Modification of bus stops and traffic management in Mowatt Street; and
- Soil and water management plans including erosion control measures.

REASON: To provide design certification of the subdivision works. (46.11)

4. Submission of an application for a Compliance Certificate under Section 307 of the Water Management Act 2000 to the Water and Sewer Authority (Queanbeyan City Council) accompanied by the relevant fee and four copies of the Civil Engineering plans for the design of the water stormwater system, drawn in accordance with Council's Development Control Plan No 38 - Subdivisions, Part B-1, Subdivision Design Criteria, for assessment and approval by Council.

Upon approval of the hydraulic design a Compliance Certificate in accordance with section 307 of the Water Management Act 2000, will be issued by Council. The Compliance Certificate must be obtained prior to the issue of a Construction Certificate (subdivision) and prior to release of any other Construction Certificate.

REASON: To ensure that hydraulic design is in accordance with Council requirements. (46.13)

5. Prior to release of the Construction Certificate a Construction Management Plan must be submitted to Council and approved by Principal Certifying Authority for the proposed construction works or, if the proposed works are staged, for each stage of the proposed construction works. The plan must:
  - a) describe the proposed construction works;
  - b) outline the proposed construction program;
  - c) set standards and performance criteria for each of the relevant environmental issues [see (f) below];
  - d) describe what actions and measures would be implemented to ensure that these works comply with the specified standards and performance measures;
  - e) describe how the effectiveness of these actions and measures would be monitored during the proposed works;
  - f) include a detailed:
    - Noise Management Plan;
    - Dust Management Plan;
    - Traffic Management Plan prepared in accordance with the requirements of Council's Engineering and Recreational Services Division;

- g) describe what procedures would be implemented to receive, register, report and respond to any complaints during the construction works; and
- h) identify the key personnel who would be involved in the construction works, and provide contact numbers for this personnel.

REASON: To ensure satisfactory environmental management of the site. (46.07)

- 6. A revised Pollution Control / Sediment Erosion Control Plan (Drawing CO2), shall be submitted and approved by Council prior to release of the Construction Certificate. This must show no structures, such as site sheds, or any material, such as soil stockpiles, within the public road (lot 103 DP 727512). They must be contained within lot 101 DP727512.

Also amend to show the site boundary as being lot 101 DP727512 and not lot 103 DP727512.

REASON: To comply with the provisions of Development Control Plan 41 – Soil, Water and Vegetation Management and to ensure that public roads are not used for the storage of materials. (46.01)

## **PRIOR TO COMMENCEMENT**

### *Applies to Stage 1 and Stage 2*

- 7. Building work in accordance with the development consent must not be commenced on site until a Construction Certificate (building) has been issued by Council or an Accredited Certifier.

REASON: To satisfy the relevant statutory requirements. (47.02)

- 8. A Notice to Commence Building Works must be submitted to Council two (2) days prior to commencing work and must include details of the nominated Principal Certifying Authority.

REASON: To ensure the provisions of the *Environmental Planning and Assessment Act 1979* are satisfied. (47.03)

### *Applies to Stage 1 Only*

- 9. Prior to the commencement of any subdivision works a Construction Certificate (subdivision) must be applied for and issued by Council.

In order for Council to issue a Construction Certificate (subdivision) the application must be accompanied by:

- 1. a Traffic Control Plan that has been prepared in accordance with the requirements set out in Council's Information Sheet for Traffic Control and has been assessed by Council's Engineering Services.

2. a Section 138 Certificate from Council's Engineering Services providing consent under Section 138 of the Roads Act 1993 to conduct work or for placement of a structure in or on a road reserve.

A Notice to Commence Subdivision Works must be submitted to Council at least two (2) days prior to commencing work nominating Council as the Principal Certifying Authority.

REASON: To ensure the provisions of the Environmental Planning and Assessment Act 1979 are satisfied. (47.05)

10. Council must be appointed as the Principal Certifying Authority for the subdivision works, with such appointment to be made prior to the commencement of the subdivision application works. Please contact Council for a Notice to Commence Subdivision works form to complete to comply with this requirements. Alternatively the form is available from Council or downloadable from [www.qcc.nsw.gov.au](http://www.qcc.nsw.gov.au).

NOTE: A quotation for Council to perform the duties of Principal Certifying Authority for the subdivision works will be provided upon submission of the Construction Certificate (subdivision) to Council.

REASON: To provide for supervision of the subdivision works. (47.09)

*Applies to Stage 1 and Stage 2*

11. A sign must be erected in a prominent position on the work site prior to the commencement of works:
  - a) stating that unauthorised entry to the work site is prohibited,
  - a) showing the name of the person in charge of the work site, and
  - b) advising telephone numbers at which that person may be contacted during work hours and outside work hours
  - c) showing the name of the principal certifying authority and contact details.

The sign is to be removed when the work has been completed.

REASON: To provide notification of the work site and site supervisor to the general public in emergency situations. (47.10)

12. Toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided:

- a) must be a standard flushing toilet, and
- a) must be connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage treatment facility approved by Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by Council.

**The provision of toilet facilities in accordance with this clause must be completed prior to commencement of any work on the site.**

**REASON:** To provide adequate and hygienic amenities for people working on the site.  
**(47.11)**

## **GENERAL CONDITIONS**

*Applies to Stage 1 and Stage 2*

13. **The development must be carried out generally in accordance with the application and supporting documents lodged with Council and the Development Plan bearing the Queanbeyan City Council approval stamp, drawn by Colin Stewart Architects and Northrop and any amendments shown as notations in red or by conditions of consent.**

### **Drawing Schedule**

#### **Architectural Drawings**

1. **Site Plan (DA001) dated 17 March 2011.**
2. **Basement Site Plan (DA002) dated 3 January 2011.**
3. **Ground Site Plan (DA003) dated 28 January 2011.**
4. **Level 1 Site Plan (DA004) dated 28 January 2011.**
5. **Height Offset Elevations (DA250) dated 3 February 2011.**
6. **Height Offset Sections (DA350) dated 3 February 2011.**
7. **Block 1 Elevations (DA863) dated 3 February 2011.**
8. **Unit Types (DA801) dated 3 February 2011.**
9. **Townhouse Types (DA802) dated 3 February 2011.**
10. **Adaptable Units (DA803 and DA803 REV A) dated 3 and 21 January 2011.**
11. **Block 1 Basement Ramp (DA320) dated 17 March 2011.**
12. **Utility (DA804) dated 5 November 2010.**
13. **Finishes (DA860) dated 5 November 2010.**
14. **Staging Plan (DA011) dated 5 November 2010.**
15. **Ground Floor Strata Plan (DA021) dated 5 November 2010.**
16. **Level 1 Strata Plan (DA022) dated 5 November 2010.**

#### **Civil Drawings**

1. **Electrical Services Site Plan External (ESK01) dated 5 November 2010.**
2. **Existing Services Plan (C01) dated 16 March 2011.**
3. **Offsite Works Plan (C03a and C03b) dated 16 March 2011.**
4. **Civil Notes (C04) dated 16 March 2011.**
5. **Bulk Earthworks (C10 and C11) dated 16 March 2011.**
6. **Ground Level Pavement Plan (C30 and C31) dated 16 March 2011.**
7. **Basement Pavement Plan (C32) dated 16 March 2011.**
8. **Basement Entry Ramp and Parking Detail (C33) dated 16 March 2011.**

9. Eastern Road Long Section (C40a) dated 16 March 2011.
10. Eastern Road Cross Section (C40b) dated 16 March 2011.
11. Western Road Long Section (C41) dated 16 March 2011.
12. Western Road Cross Section (C42) dated 16 March 2011.
13. Basement Storm Water Management Plan (C25) dated 16 March 2011.
14. Ground Level Storm Water Management Plan (C21 and C22) dated 16 March 2011.

REASON: To ensure the development is completed in accordance with the approved plans. (22.01)

*Applies to Stage 1 Only*

14. The external walls of the basement level car park must be erected no higher than 1.2 metres from ground level. A survey must be submitted to Council prior to the release of the Occupation Certificate showing compliance with this requirement.

REASON: To ensure compliance with applicable environmental planning instruments. (22.10)

*Applies to Stage 1 and Stage 2*

15. This consent is for a staged development. The staging of the development is as follows:

**Stage 1: Construction of the laneway, basement car park and all internal access roads;**

- Erection of Buildings 1, 2, 3, 4, 5 and 8;
- Construction of two waste storage areas;
- Earthworks; and
- Landscaping associated with Buildings 1, 2, 3, 4, 5 and 8 and the south garden and north garden.

**Stage 2:**

- Erection of Buildings 6, 7 and 9; and
- Landscaping associated with Buildings 6, 7 and 9.

REASON: To ensure the development is erected in accordance with the relevant stage. (22.10)

*Applies to Stage 1 Only*

16. **Stage 1 of the development must include the landscaping and associated communal facilities of the south garden.**

REASON: To ensure that communal facilities are provided for buildings erected during stage 1 of the development. (22.10)

17. **All storage areas located in the basement must be enclosed so as to be able to be made secure (lockable) without impacting on the manoeuvrability of vehicles.**

REASON: To ensure compliance with Council's policy for the provision of lockable storage areas for each unit. (22.10)

18. **Balcony balustrades on units 102D, 103D and 104D in Building 1 which face the laneway must be constructed of obscured glazing or similar to a minimum height of 1.2m.**

REASON: To prevent overlooking of adjoining yards. (22.10)

19. **Clothes lines provided for ground floor Apartment Type 4 units in Buildings 2 and 5 must be screened from public view by way of a timber screen to match the timber used in the courtyard fencing.**

REASON: To protect the visual amenity of residents and visitors of the development. (22.10)

20. **The bench containing the kitchen sink in adaptable dwellings (502A, 502B and 502C) must be located in the position shown on the post-adapted plan (Drawing DA803 REV A dated 21 January 2011).**

REASON: To ensure compliance with clause 4.5.2 of AS4299: 1995 – Adaptable Housing. (22.10)\

*Applies to Stage 1 and Stage 2*

21. **All earthmoving contractors and operators must be instructed that, in the event of any bone or stone artefacts, or discrete distributions of shell being unearthed during earthmoving, work should cease immediately in the affected area and the Ngambri Local Aboriginal Land Council and officers of the Department of Environment and Climate Change (DECC), informed of the discovery. Work must not recommence until the material has been inspected by those officials and permission has been given to proceed. Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the National Parks and Wildlife Act 1974, as amended.**

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. (22.06)

22. **In the event that any Aboriginal site is found in an area affected by clearing, work must cease immediately and the applicant must contact the Department of Environment and Climate Change (DECC). Any clearing which may result in destruction or damage to known Aboriginal sites will require consent to destroy from DECC in accordance with Section 90 of the National Parks and Wildlife Act 1979.**

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. (22.07)

## **CONTRIBUTIONS**

*Applies to Stage 1 and Stage 2*

23. **Building**

**Prior to the lodgement of the Notice to Commence Building and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent are payable to Council in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and Section 64 of the Local Government Act 1993 and Division 2 of Part 3 of the Water Management Act 2000.**

### **NOTE**

1. *The Queanbeyan Section 94 Contribution Plan and the Water Supply and Sewerage Developer Servicing Plans may be inspected at Council's Environmental Services Division, Council Chambers Queanbeyan.*
2. *The contribution rates specified in Schedule 1 are those that apply at the date of issue of this consent. Rates are reviewed quarterly. Contributions will only be accepted at the rate applying at the date of payment. Council's Environmental Services should be contacted to receive a current contribution notice of charges prior to payment.*

REASON: To provide for the funding of augmentation and provision of services and community facilities. (23.01A)

## **CONDITIONS TO BE SATISFIED PRIOR TO RELEASE OF SUBDIVISION CERTIFICATE**

*Applies to Stage 1 and Stage 2*

24. **An application to obtain a Subdivision Certificate from Council must be made to Council.**



**In addition the application must be supported with the following documentation:**

- **A final survey plan of subdivision and six copies including an electronic copy in the format of digital vector to the projection of MGA (GDA 94) with boundaries and other line work to be insitu to projection. This should be accompanied with an application for a subdivision certificate to be submitted to Council. Where approved drawings provide survey coordinates of structures, the final survey plan should include a schedule of the set out centreline coordinates of all listed structures as constructed in accordance with approved plans. The schedule should include type of structure, finished cover & invert levels of structures.**

*Note: Marks are available from Crown lands Office and from Queanbeyan City Council.*

REASON: To ensure works are completed in accordance with the requirements of the Council, statutory bodies and the true location of assets supplied are appropriately coordinated and documented and to comply with Section 109 Environmental Planning and Assessment Act 1979. **(41.01)**

- 25. A certificate of compliance in accordance with the Water Management Act 2000 is to be obtained prior to the issue of a Subdivision Certificate.**

REASON: To ensure compliance with the statutory requirements of the Environmental Planning and Assessment Amendment Act 1979. **(41.05)**

- 26. Conditions of this development consent must be complied with prior to your final subdivision/strata plan being signed and released by Council to enable you to register your plan with the office of Land and Property Information. In this regard you will need to provide written evidence to Council by way of a letter outlining compliance with each condition including payment of contribution charges, any Council bonds and certificates from Country Energy and Telstra that their requirements have been satisfied.**

REASON: To ensure the development is completed in accordance with Council's conditions of consent prior to release of the subdivision certificate. **(41.06)**

- 27. The Subdivisor shall adhere to the following guidelines with respect to the provision of services within the development.**

- a) **Preliminary Design:- In planning the subdivision layout the Subdivisor shall examine all utility master plans to ascertain the impact of the proposed development on each Utility Authority's existing and future infrastructure.**
- b) **Liaison with Utility Authorities:- The Subdivisor shall confirm with each Utility Authority for water, sewer, electricity, gas and telecommunications services, of their individual requirements for the provision of servicing of the subdivision layout. Each utility shall be provided underground.**
  - (i) **Confirmation for the provision of installation of the following is required:**
    - street lighting;
    - electricity reticulation;
    - water reticulation;
    - sewer reticulation;

- gas reticulation;
  - telecommunications reticulation; and
  - under road conduits.
- (ii) The Subdivisor shall confirm design and construction phase requirements in order to enable an agreed development program to be established between each Utility Authority and the Subdivisor prior to construction.
- c) **Construction Program:** - The Subdivisor shall liaise with each Utility Authority to confirm the following construction program:
- (i) **Project scope;**
- Construction sequences and timing;
  - Responsibilities of all parties involved;
  - Project contact officers and principal contractors;
  - Site servicing requirements (including construction documentation and commissioning requirements);
  - Standards, specification and procedures applicable to the project; and
  - Utility resource availability and response times.
- d) **Access by Others:** - The Subdivisor shall permit access to the site by each Utility Authority for the purpose of carrying out works additional to that required to be undertaken by the Subdivisor.

REASON: To ensure services have been provided in accordance with Council and Utility Authority requirements. (41.11)

28. **Certification of the completed stormwater drainage system works within the subdivision and works as executed documentation must be included in an Engineering Construction Certification Report and submitted to Council in accordance with Council's Development Control Plan No 38 - Subdivisions, Part B-2, Technical Specification for Subdivisions.**

REASON: To ensure that drainage systems are constructed in accordance with Council requirements. (41.13)

29. **All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's Development Control Plan No 38 - Subdivisions, Part B-2, Technical Specification for Subdivisions.**

REASON: To ensure construction and restoration work is in accordance with Council's requirements. (41.15)

30. **The Subdivisor will be responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.**

REASON: To ensure compliance with Utility Authorities' requirements. (41.17)

31. **Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's Development Control Plan No 38 - Subdivisions, Part B-2, Technical Specification for Subdivisions. Traffic movement in both directions on public roads**

**and vehicular access to private properties must be maintained at all times, during the currency of the works.**

**REASON:** To ensure an adequate level of public safety and convenience during construction. **(41.18)**

***Applies to Stage 1 Only***

- 32. Submission to Council of a Traffic Control Devices (TCD) Plan that includes line-marking and sign-posting for approval of traffic control by the Local Traffic Committee prior to their installation.**

**REASON:** To authorise traffic facilities. **(41.24)**

- 33. Submission to Council for approval of street names for the proposed subdivision roads, with the names as approved to be indicated on the subdivision survey plan and provided on road name plates to be installed at the road intersections.**

**NOTE:** Council has a list of approved names for subdivision roads which can be obtained by contacting Council's Environmental Services. Any other names will require a written submission to be lodged with Council detailing the origin of the name and the reasons for selection. Proposed names must also comply with the document *Guidelines for Road Naming* prepared by the Geographical Names Board.

**REASON:** To provide street addressing. **(41.25)**

- 34. The road widenings at both ends of the lane are to be dedicated as public roads on the subdivision linen plan.**

**REASON:** To provide legal access to all lots within the subdivision. **(41.26)**

- 35. Maintenance of the completed subdivision works by the Subdivisor at his own expense, for a period of six (6) months after the date of the issue of the Subdivision Certificate by Council.**

**The subdivisor must lodge a cash bond with regard to such maintenance in an amount as calculated from fees set by Councils Management Plan and current at the time of issue of the Subdivision Certificate.**

**In that period the applicant will be liable for any part of the work which it fails to perform in the manner outlined in Council's Development Control Plan No 38 - Subdivisions, Part B-1, Subdivision Design Criteria, and Part B-2, Technical Specification for Subdivision Works (or as would reasonably be expected under the design conditions).**

**The subdivisor must provide Council with written authorisation, that in the event of any maintenance work not being completed to the standards specified in Council's Development Control Plan No 38 - Subdivisions, Part B within the period specified, to enter upon the subject land and undertake such maintenance work and to deduct the**

cost thereof from such Bond monies held by Council and to refund the balance, if any, to the subdividor.

REASON: To ensure works are completed in accordance with Council's requirements.  
(41.20)

## **SITE MANAGEMENT**

### *Applies to Stage 1 and Stage 2*

36. An enclosure or covered skip bin must be placed wholly within the boundaries of the site into which unused and waste materials must be placed.

REASON: To prevent contamination of the surrounding areas by wind born debris.  
(26.01)

37. Run-off and erosion and sediment controls must be installed onsite to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land by:-
- (a) diverting uncontaminated run-off around cleared or disturbed areas;
  - (b) erecting a silt fence in accordance with the requirements of Council's DCP No 41 - Soil, Water and Vegetation Management Plans;
  - (c) preventing tracking of sediment by vehicles onto roads;
  - (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site;
  - (e) where any material is stockpiled onsite erosion control and siltation fencing must be installed adjacent to the toe of the mound;
  - (f) removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area; and
  - (g) the erosion and sediment control measures must be maintained in a good order until the excess excavation materials have been removed from the site.

REASON: To prevent soil erosion and water pollution. (26.03)

38. Any works associated with the construction and/or establishment of this development must ONLY be carried out between the following hours:

<b>Weekdays:</b>	<b>7.00am to 6.00pm</b>
<b>Saturdays:</b>	<b>8.00am to 4.00pm</b>
<b>Sundays/Public Holidays:</b>	<b>NO WORK</b>

*Note: To undertake works involving the use of equipment which creates an offensive noise is a breach of the provisions of the Protection of the Environment Operations Act 1997 and Regulations thereunder.*

REASON: To ensure a noise problem does not result from the development and the impact on the local amenity is minimised. (26.07)

39. **The footway or nature strip must not be used for storage of materials or disturbed by construction activities except for:**

- (a) **providing a temporary footway crossing;**
- (b) **access to the site via a stabilised construction access only;**
- (c) **installation of services;**
- (d) **essential formation and regrading of the site associated with works; and**
- (e) **the storage or disposal of any materials is prohibited.**

REASON: To prevent unnecessary disturbance to the footway and minimise trafficking of soil onto the roadway. **(26.09)**

40. **In the event of any damage being caused to any existing kerb, guttering, stormwater pit, footpath trees and/or footpath during building operation, the applicant must repair or reimburse Council for the full cost of restoration.**

REASON: To prevent damage to Council's public footway area and require payment to Council where damage occurs. **(26.10)**

41. **Materials resulting from excavation of the site must be stored wholly within the property boundaries unless written authority from adjoining property owner/s is first obtained for the storage of the excavation material on the adjoining site.**

REASON: To ensure development is contained within the allotment to which the Development Consent relates. **(26.15)**

## **BUILDING**

### ***Applies to Stage 1 and Stage 2***

42. **All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.**

REASON: To ensure all building work is carried out in accordance with legislative requirements. **(24.01)**

43. **All structures, such as site sheds, and materials, such as soil stockpiles, are to be stored within the boundaries of the site and not within the road reserve, including the laneway off Mowatt Street.**

REASON: To ensure that public places and road reserves are not obstructed during earthworks and construction of the development. **(24.14)**

44. **Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority 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.

*Note: The amount referred to in paragraph (b) (ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulations was gazetted that amount was \$5,000. As those regulations are amended from time to time, so that amount may vary.*

*A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of the Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirement of that Part.*

REASON: To ensure that the building work complies with the requirements of Home Building Act and Regulations. (24.03)

45. **All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.**

REASON: To ensure that all construction activity associated with the development does not pose a hazard to life or property. (24.04)

46. **Excavations or fill extending to within one (1) metre of boundary or adjacent to an easement must be supported by retaining wall/s. Erection of retaining walls is not permitted within an easement.**

REASON: To ensure that excavated areas are adequately retained. (24.05)

47. **Retaining walls in excess of one (1) metre high must be designed and certified by a practising structural engineer. Where such walls are located on or close to the boundary of adjacent properties the retaining wall must be constructed immediately following the excavation or filling.**

REASON: To ensure that excavated or filled areas are supported by structurally sound walls. (24.06)

48. **The building must be set out by a Registered Surveyor referring to the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority (PCA). Where Council is not the PCA, a copy of the survey plan must be forwarded to Council.**

REASON: To ensure building has been sited in accordance with the approved plans.  
(24.21)

## **FIRE SAFETY MEASURES**

### *Applies to Stage 1 and Stage 2*

49. **At the completion of works, a Final Fire Safety Certificate is to be issued by the owner detailing each essential fire safety measure provided in the buildings. A copy of such certificate is to be forwarded to the Fire Commissioner and a further copy is to be prominently displayed in the buildings.**

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (29.30)

50. **Each year, the owner of the buildings must furnish to Council an annual fire safety statement for the buildings. The annual fire safety statement is to address each essential fire safety measure in the building.**

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (29.31)

## **CARPARKING AND ACCESS**

### *Applies to Stage 1 Only*

51. **The existing vehicular kerb crossing to Mowatt Street must be closed off and a new crossing constructed in the location shown on the approved plans with the work undertaken by Council at no cost to the Council.**

REASON: To provide additional vehicle parking at the road kerb. (27.04)

### *Applies to Stage 1 and Stage 2*

52. **All residential parking spaces, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked and provided with strata unit numbers prior to the occupation of the building. The pavement surface must contain decorative elements to break up the expanse of the manoeuvring area and length of the driveway.**

REASON: To provide adequate off street carparking and access, to ensure carparking spaces are functional prior to use of the premises and to ensure that driveways and manoeuvring areas contribute positively to the appearance of the development. (27.05)

53. **The development must be provided with a minimum of one hundred and eighty (180) parking spaces of dimensions complying with the requirements of Council's Development Control Plan No 1 *Carparking Policy*.**

**This must include a minimum of four (4) parking spaces for people with disabilities complying with the requirements of the *Building Code of Australia* and AS2890.6-Off-street Parking for people with disabilities**

REASON: To provide adequate off-street carparking, including parking for people with disabilities for the development. (27.08)

***Applies to Stage 1 Only***

54. **The driveway gradients within the property and across Council's footway must be constructed in accordance with Council's Vehicular Access Design Specification – in Development Control Plan No. 38: Part B-1, Subdivision Design Criteria.**

REASON: To provide an adequate standard of vehicle access. (27.09)

55. **Provision of a 1.2 metre wide footpath on the Ellerton Drive frontage, a 2.0 metre wide footpath on the Mowatt Street frontage and a 1.8 metre wide footpath along the west side of the western access road.**

REASON: To provide adequate pedestrian access to the development. (27.14)

***Applies to Stage 1 and Stage 2***

56. **Access to the rear of properties on Buttle Street is to be maintained during construction of the development.**

REASON: To maintain existing rear access. (27.14)

***Applies to Stage 1 Only***

57. **Small car spaces for residents must be allocated to a strata unit that also has a full size car space.**

REASON: To provide satisfactory parking for the residents. (27.14)

58. **The development must be provided with a minimum of two (2) service vehicle parking spaces of dimensions catering for a small rigid truck and complying with the requirements of Council's Development Control Plan No 1 *Carparking Policy*.**

REASON: To provide adequate offstreet service vehicle parking. (27.17)



## LANDSCAPING

### *Applies to Stage 1 and Stage 2*

59. All landscaping must be completed by a Council accredited Category 2 landscape contractor in accordance with Development Control Plan No 42 – Landscape Policy and the approved landscape plan designed by Harris Hobbs Landscapes dated 3 February 2011 and bearing the Queanbeyan City Council approval stamp.

A “Statement of Completed Landscaped Works” form signed by the registered designer must be submitted to Council’s Environmental Services Department prior to the issue of any Occupation Certificate.

The landscaping must be maintained in good condition and in accordance with the plan at all times.

*Note 1: Details on how to become a Council accredited landscape consultant/contractor are available on Council’s web site ( [www.qcc.nsw.gov.au](http://www.qcc.nsw.gov.au) ) or from Council’s Environmental Services section.*

*Note 2: A copy of the “Statement of Completed Landscape Works” is to be sent to the Principal Certifying Authority.*

REASON: To help ensure that good and sustainable landscaping is achieved. (28.01A)

60. All disturbed areas must be established with grass seeded hydro mulching, turfing or other approved surface treatments.

REASON: To limit the impact of development and provide an attractive urban landscape. (28.04)

61. Courtyard fences must be constructed to a minimum height of 1.8 metres. Materials are to be in accordance with drawing number DA860, which depicts a mixture of masonry blocks and concrete to 600mm in height, with lapped timber fencing (with open elements) to 1.2m in high on top.

REASON: To protect the privacy of the occupants of the dwellings. (28.09)

62. Private courtyard areas must generally to be constructed of porous pavement materials. If concrete slabs are to be used, they should drain directly to a garden bed or stormwater pit. No more than 50% of the courtyard area should be hard surfaced and at least 50% of the courtyard area should comprise soft landscaping with shrubs and small scale trees.

REASON: To minimise stormwater runoff and reduce the possibility of creating a nuisance to adjoining premises. (28.14)

63. All trees, shrubs and plants in the common landscape areas must be provided with a drip irrigation system.

REASON: To provide the most water efficient mechanism for landscaping in common areas to survive. **(28.02)**

64. **All trees located on Council's verge between the property boundary and the street kerb and gutter must be protected by cyclone/chain mesh fencing.**  
**Such fencing must:**
- a) **extend around the drip line of the tree while keeping free a minimum 1.2metre wide section of verge for use as a walkway. The fence must also be a minimum of 1.1metres from the street kerb and gutter, or as directed by Council;**
  - b) **be erected prior to commencement of work; and**
  - c) **remain in place until a Certificate of Occupation has been issued on the development.**

REASON: To offer protection to trees on the verge, including the extent of the root system, from inadvertent damage during the construction stage. **(28.20)**

***Applies to Stage 1 Only***

65. **A minimum of five (5) bicycle parking rails or racks are to be installed and located adjacent to visitor car parks between the waste storage enclosure and Building 7 as shown in red on approved landscape plan.**

REASON: To ensure the provision of secure bicycle storage facilities for visitors to the development. **(28.15)**

## **ENVIRONMENTAL**

***Applies to Stage 1 and Stage 2***

66. **During the development the applicant must implement the range of waste management activities as specified in any approved Waste Management Plan.**

REASON: To ensure that waste materials generated on the site are managed in an environmentally acceptable and sustainable manner. **(30.44)**

67. **The applicant must implement all practical measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.**

REASON: To prevent nuisance to neighbours and adjoining property. **(30.02)**

68. **The noise level emanating from plant and equipment installed on the premises must not exceed a level of 5dB(A) above background level when measured for a  $L_{Aeq}$  15**

**minute period during the day, evening or night. This includes noise from air-conditioning systems audible within adjoining units.**

**REASON:** To reduce the noise nuisance to neighbours and to ensure that the requirements of the Protection of the Environment Operations Act 1997 and Regulations are satisfied. **(30.41)**

***Applies to Stage 1 Only***

- 69. The waste storage area must be provided with a concrete floor graded and drained to a sump connected to the sewer with a stop cock for washdown and be located clear of access by service vehicles.**

**REASON:** To ensure the construction and location is satisfactory. **(30.40)**

***Applies to Stage 1 and Stage 2***

- 70. All windows in Buildings 3, 4 and 5 which face Ellerton Drive, in Building 1 which face the laneway and on the western elevation of units 704, 705 and 706 in Building 7 (as identified by approved plans of the development) shall be double glazed with outer laminated glass at least 6.38mm thick.**

**REASON:** To minimise potential negative impacts of vehicular traffic noise upon occupants. **(30.45)**

## **SAFE DESIGN**

***Applies to Stage 1 and Stage 2***

- 71. All external lighting must be vandal resistant and must comply with the Australian Standards Specifications, Australian Standard AS 1158.3.1: 2005 – Lighting for Roads and Public Spaces and AS 4282: 2007 – Control of the Obtrusive Effects of Outdoor Lighting.**

**REASON:** To ensure the location and type of lighting promotes user safety and does not produce areas of glare and/or dark shadows. **(40.02)**

- 72. Adequate lighting is to be provided for the entrances of each unit. Any lighting provided in the development must not produce areas of dark shadow or glare. The following design suggestions are to be incorporated in the provision of lighting for the site.**

- Use diffused lights and/or movement sensitive lights.**
- Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.**
- Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed.**

- **Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.**
- **As a guide areas should be lit to enable users to identify a face 15 metres away.**
- **Illuminate possible places for intruders to hide.**
- **Use energy efficient lamps/fittings/switches to save energy.**

REASON: To ensure that the entries to the development are clearly visible for the residents and their visitors and to promote the safety of the development. **(40.05)**

73. **The dwelling is to be clearly identified by a street number. Street numbers should be made of a durable material, be at least 7cm in height and positioned at a height between 0.6m-1.5m above ground level on the site boundary that fronts the street.**

REASON: To ensure that buildings are clearly identified by street number to allow people and services (especially emergency services) to find the building easily. **(40.08)**

74. **In the interests of reducing the risk of vandalism and also allowing easy repair the following surface materials and finishes are recommended to be incorporated where appropriate:**
- **Strong, wear resistant laminate;**
  - **Impervious glazed ceramics;**
  - **Treated masonry products**
  - **Stainless steel maters; and**
  - **Anti graffiti paint and ‘graffiti clear’ products.**

REASON: To ensure that materials are used which reduce the opportunity for vandalism. **(40.06)**

## **ENVIRONMENTAL RISKS**

### ***Applies to Stage 1 and Stage 2***

75. **Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.**

REASON: To minimise transfer of soil from the site onto the road pavement. **(49.04)**

76. **Filling must be undertaken in accordance with the approved plans and in such a manner that the new drainage pattern does not environmentally affect adjoining properties. Those filled and/or regraded allotments must be compacted to 95% maximum modified dry density. The applicant’s Geotechnical Engineer must supervise the placement of fill material and certify with test results that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS3798-1990.**

REASON: To ensure satisfactory compaction of fill to standards. (49.18)

77. **Certification from a suitably qualified and practising Geotechnical Engineer must be submitted verifying that the works and recommendations detailed in the geotechnical report have been undertaken under the supervision, satisfactory completion to standards and that the assumptions relating to site conditions made in the report were validated during construction.**

REASON: To ensure works are undertaken in accordance with geotechnical recommendations. (49.20)

## **CONDITIONS TO BE SATISFIED BEFORE OCCUPATION OF THE BUILDING**

### *Applies to Stage 1 and Stage 2*

78. **All excess excavation material must be removed from the site and deposited at an approved landfill site. Written evidence that the material has been disposed of to an approved landfill site must be submitted to Council prior to the issue of any Occupation Certificate.**

REASON: To ensure the proper disposal of waste materials. (30.08)

79. **An Occupation Certificate must be obtained from a Principal Certifying Authority before occupation or use of the building. The final Occupation Certificate will not be issued until the development has been completed in accordance with this consent.**

REASON: To comply with Section 109M of the Environmental Planning and Assessment Act 1979. (42.01)

80. **The landscaping of each stage of the development shall be completed prior to occupation or use of the premises in accordance with the approved plan, and be maintained at all times to Council's satisfaction.**

REASON: To ensure adequate landscaping is maintained. (42.03)

81. **An Occupation Certificate for the development shall not be issued until a certificate of compliance in accordance with Section 307 of the Water Management Act 2000 is obtained from the Water and Sewer Authority (Queanbeyan City Council).**

REASON: To ensure the development is adequately serviced prior to its occupation. (42.04)

82. **The development approved under 326-2010 shall be constructed in compliance with the NSW BASIX Certificate issued on 27 January 2011 and numbered 340897M\_03.**

REASON: To ensure compliance with the requirements of the NSW BASIX certification process. (42.10)

83. **Washing down of vehicles within the allotment boundaries of this site is prohibited. Signs shall be posted in the parking areas advising tenants and visitors of such prohibition prior to the issue of the Occupation Certificate.**

REASON: To conserve water and minimise the potential for water pollution. (42.17)

84. **Any fill material imported to the site must consist only of clean fill material, ie non-contaminated excavated material and soil, rock or similar material. Putrescible and non-putrescible solid waste (including demolition material) must not be permitted.**

**Evidence of the origin of any imported fill must be submitted to Council prior to the issue of any Occupation Certificate.**

REASON: To ensure only clean fill is used.  
(42.07)

## **PLUMBING AND DRAINAGE**

### *Applies to Stage 1 and Stage 2*

85. **The development must be carried out in accordance with the requirements of the Local Government (General) Regulations 2005, AS 3500 Plumbing and Drainage Code and the New South Wales Code of Practice – Plumbing and Drainage, with such works performed by a person licensed by the NSW Department of Fair Trading.**

REASON: To ensure compliance with the Local Government (General) Regulation 2005.  
(35.01)

86. **Plumbing and Drainage must be inspected by Queanbeyan City Council at the relevant stages of construction in accordance with Council's inspection schedule.**

REASON: To ensure compliance with AS 3500 Plumbing and Drainage and Council's inspection schedule. (35.02)

87. **The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of yard gully.**

*Note: Surface water must be prevented from gaining access to yard gully.*

REASON: To ensure any sewer surcharge occurs outside the building. (35.08)

88. **All new hot water installations must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.**

REASON: To prevent scalding. (35.11)

89. **Due to local climatic conditions, hot and cold water supply piping installed in the following areas of the building must be surrounded by an appropriate thickness of insulation, as prescribed by AS 3500, Plumbing and Drainage:**
- (a) **unheated roof spaces;**
  - (a) **unheated cellars;**
  - (b) **locations near windows, ventilators or external doors where cold draughts are likely to occur;**
  - (c) **locations in contact with cold surfaces such as metal roof, metal framework, or external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes. (35.21)

90. **Where it is proposed to use water from the tank within the building, it must only be supplied by a separate plumbing system and fixtures. Under no circumstances is it to be cross connected to the potable water supply.**

REASON: To prevent the possibility of cross contamination with Council's reticulated water supply. (35.23)

91. **Provision of a 80 mm water meter and a 100 mm water service, to be installed by the Water and Sewer Authority (Queanbeyan City Council) at no cost to the Council.**

**In addition, individual 20 mm Council automatic reading water sub-meters and control cocks should be installed to each dwelling at no cost to Council, located at an easily accessible location at the front of the units or other suitable location approved by Council's Building Surveyor.**

REASON: To provide an adequate metered water supply. (35.25)

## NOTES

- **The NSW Police Service recommends that fire exit doors should be fitted with single cylinder locksets and windows should also be fitted with key operated locksets to restrict unauthorised access to the development.**
- **Signage should be provided on fire exit doors warning users that the doors are to be used for emergency purposes only.**
- **The NSW Police Service recommends that to enhance the security of the development that a monitored intruder alarm system could be implemented and/or external CCTV could be considered for all units within the development.**





***Draft Conditions for DA 326-2010 at 47 Mowatt Street, Queanbeyan NSW***

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

***Applies to Stage 1 Only***

**1. Submission of revised engineering drawings / information as follows:**

- Storm water pit in the truck turning circle does not appear to be in the low point. Provide levels around the circle;
- Drainage from the pit in the truck turning circle is to connect into the line from OSD tank on public land;
- Show how lots 14 and 15 Sec 38 DP758862 will obtain access to the laneway (lot 103 DP727512);
- Provide justification as to why the garbage truck turning template has been changed from a 12.5m long truck to a 9.9m long truck;
- Show areas to be dedicated as road widening at the Mowatt Street and truck turning circle end of the laneway (lot 103 DP727512);
- The tangent point of the truck turning circle should be on the kerb line. This will provide better access to lot 16 Sec 38 DP758862;
- Laneway (lot 103 DP727512) dimensions are 2.4m – 7.5m – 0.1m. Council would prefer 1.8m – 7.5m – 0.7m; and
- Speed humps on the laneway (lot 103 DP727512) are to be removed.

REASON: To ensure satisfactory storm water management and roadway construction. (46.14)

**2. A Waste Management Plan (WMP) must be submitted to Principal Certifying Authority for approval prior to issue of any Construction Certificate.**

**The Waste Management Plan (WMP) must address the ongoing maintenance of the two waste storage enclosures.**

REASON: To ensure satisfactory environmental management of the site. (46.08)

**3. Prior to any other Construction Certificate being granted with respect to the development, an application for Construction Certificate (Subdivision) and accompanying engineering design plans shall be submitted to and determined by Council. Works associated with the subdivision shall subsequently be carried out in accordance with the detailed design drawings and specifications the subject of the Construction Certificate (Subdivision).**

**The engineering plans must comply with the requirements of Council's Development Control Plan No.38: Subdivision, Part B-1, Subdivision Design Criteria and include the following –**

**a Certification Report in accordance with Clause DQS.04;**

- **This general note – *All work must be constructed in accordance with the requirements of Queanbeyan City Council's Development Control Plan No.38, Part B-2, Technical Specification for Subdivisions;***

- Design of a stormwater network, including a major/minor street stormwater system, any required interallotment drainage lines, any required detention basins, water quality ponds and/or gross pollutant traps;
- Design of the roads in the subdivision to the following standards (as defined in Table D.1.5) –

Western Road as a Local Street with modified layback kerb and a 1.8 metre wide concrete footpath on the western side;

- Road pavements are to be designed as flexible pavements with a primer seal plus Asphaltic Concrete (AC10) nominated as the wearing surface;
- Modification of bus stops and traffic management in Mowatt Street; and
- Soil and water management plans including erosion control measures.

REASON: To provide design certification of the subdivision works. (46.11)

4. Submission of an application for a Compliance Certificate under Section 307 of the Water Management Act 2000 to the Water and Sewer Authority (Queanbeyan City Council) accompanied by the relevant fee and four copies of the Civil Engineering plans for the design of the water stormwater system, drawn in accordance with Council's Development Control Plan No 38 - Subdivisions, Part B-1, Subdivision Design Criteria, for assessment and approval by Council.

Upon approval of the hydraulic design a Compliance Certificate in accordance with section 307 of the Water Management Act 2000, will be issued by Council. The Compliance Certificate must be obtained prior to the issue of a Construction Certificate (subdivision) and prior to release of any other Construction Certificate.

REASON: To ensure that hydraulic design is in accordance with Council requirements. (46.13)

5. Prior to release of the Construction Certificate a Construction Management Plan must be submitted to Council and approved by Principal Certifying Authority for the proposed construction works or, if the proposed works are staged, for each stage of the proposed construction works. The plan must:
  - a) describe the proposed construction works;
  - b) outline the proposed construction program;
  - c) set standards and performance criteria for each of the relevant environmental issues [see (f) below];
  - d) describe what actions and measures would be implemented to ensure that these works comply with the specified standards and performance measures;
  - e) describe how the effectiveness of these actions and measures would be monitored during the proposed works;
  - f) include a detailed:
    - Noise Management Plan;
    - Dust Management Plan;
    - Traffic Management Plan prepared in accordance with the requirements of Council's Engineering and Recreational Services Division;

- g) describe what procedures would be implemented to receive, register, report and respond to any complaints during the construction works; and
- h) identify the key personnel who would be involved in the construction works, and provide contact numbers for this personnel.

REASON: To ensure satisfactory environmental management of the site. (46.07)

- 6. A revised Pollution Control / Sediment Erosion Control Plan (Drawing CO2), shall be submitted and approved by Council prior to release of the Construction Certificate. This must show no structures, such as site sheds, or any material, such as soil stockpiles, within the public road (lot 103 DP 727512). They must be contained within lot 101 DP727512.

Also amend to show the site boundary as being lot 101 DP727512 and not lot 103 DP727512.

REASON: To comply with the provisions of Development Control Plan 41 – Soil, Water and Vegetation Management and to ensure that public roads are not used for the storage of materials. (46.01)

## **PRIOR TO COMMENCEMENT**

### *Applies to Stage 1 and Stage 2*

- 7. Building work in accordance with the development consent must not be commenced on site until a Construction Certificate (building) has been issued by Council or an Accredited Certifier.

REASON: To satisfy the relevant statutory requirements. (47.02)

- 8. A Notice to Commence Building Works must be submitted to Council two (2) days prior to commencing work and must include details of the nominated Principal Certifying Authority.

REASON: To ensure the provisions of the *Environmental Planning and Assessment Act 1979* are satisfied. (47.03)

### *Applies to Stage 1 Only*

- 9. Prior to the commencement of any subdivision works a Construction Certificate (subdivision) must be applied for and issued by Council.

In order for Council to issue a Construction Certificate (subdivision) the application must be accompanied by:

- 1. a Traffic Control Plan that has been prepared in accordance with the requirements set out in Council's Information Sheet for Traffic Control and has been assessed by Council's Engineering Services.

2. a Section 138 Certificate from Council's Engineering Services providing consent under Section 138 of the Roads Act 1993 to conduct work or for placement of a structure in or on a road reserve.

A Notice to Commence Subdivision Works must be submitted to Council at least two (2) days prior to commencing work nominating Council as the Principal Certifying Authority.

REASON: To ensure the provisions of the Environmental Planning and Assessment Act 1979 are satisfied. (47.05)

10. Council must be appointed as the Principal Certifying Authority for the subdivision works, with such appointment to be made prior to the commencement of the subdivision application works. Please contact Council for a Notice to Commence Subdivision works form to complete to comply with this requirements. Alternatively the form is available from Council or downloadable from [www.qcc.nsw.gov.au](http://www.qcc.nsw.gov.au).

NOTE: A quotation for Council to perform the duties of Principal Certifying Authority for the subdivision works will be provided upon submission of the Construction Certificate (subdivision) to Council.

REASON: To provide for supervision of the subdivision works. (47.09)

*Applies to Stage 1 and Stage 2*

11. A sign must be erected in a prominent position on the work site prior to the commencement of works:
  - a) stating that unauthorised entry to the work site is prohibited,
  - a) showing the name of the person in charge of the work site, and
  - b) advising telephone numbers at which that person may be contacted during work hours and outside work hours
  - c) showing the name of the principal certifying authority and contact details.

The sign is to be removed when the work has been completed.

REASON: To provide notification of the work site and site supervisor to the general public in emergency situations. (47.10)

12. Toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided:

- a) must be a standard flushing toilet, and
- a) must be connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage treatment facility approved by Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by Council.

**The provision of toilet facilities in accordance with this clause must be completed prior to commencement of any work on the site.**

**REASON:** To provide adequate and hygienic amenities for people working on the site.  
**(47.11)**

## **GENERAL CONDITIONS**

*Applies to Stage 1 and Stage 2*

13. **The development must be carried out generally in accordance with the application and supporting documents lodged with Council and the Development Plan bearing the Queanbeyan City Council approval stamp, drawn by Colin Stewart Architects and Northrop and any amendments shown as notations in red or by conditions of consent.**

### **Drawing Schedule**

#### **Architectural Drawings**

1. **Site Plan (DA001) dated 17 March 2011.**
2. **Basement Site Plan (DA002) dated 3 January 2011.**
3. **Ground Site Plan (DA003) dated 28 January 2011.**
4. **Level 1 Site Plan (DA004) dated 28 January 2011.**
5. **Height Offset Elevations (DA250) dated 3 February 2011.**
6. **Height Offset Sections (DA350) dated 3 February 2011.**
7. **Block 1 Elevations (DA863) dated 3 February 2011.**
8. **Unit Types (DA801) dated 3 February 2011.**
9. **Townhouse Types (DA802) dated 3 February 2011.**
10. **Adaptable Units (DA803 and DA803 REV A) dated 3 and 21 January 2011.**
11. **Block 1 Basement Ramp (DA320) dated 17 March 2011.**
12. **Utility (DA804) dated 5 November 2010.**
13. **Finishes (DA860) dated 5 November 2010.**
14. **Staging Plan (DA011) dated 5 November 2010.**
15. **Ground Floor Strata Plan (DA021) dated 5 November 2010.**
16. **Level 1 Strata Plan (DA022) dated 5 November 2010.**

#### **Civil Drawings**

1. **Electrical Services Site Plan External (ESK01) dated 5 November 2010.**
2. **Existing Services Plan (C01) dated 16 March 2011.**
3. **Offsite Works Plan (C03a and C03b) dated 16 March 2011.**
4. **Civil Notes (C04) dated 16 March 2011.**
5. **Bulk Earthworks (C10 and C11) dated 16 March 2011.**
6. **Ground Level Pavement Plan (C30 and C31) dated 16 March 2011.**
7. **Basement Pavement Plan (C32) dated 16 March 2011.**
8. **Basement Entry Ramp and Parking Detail (C33) dated 16 March 2011.**

9. Eastern Road Long Section (C40a) dated 16 March 2011.
10. Eastern Road Cross Section (C40b) dated 16 March 2011.
11. Western Road Long Section (C41) dated 16 March 2011.
12. Western Road Cross Section (C42) dated 16 March 2011.
13. Basement Storm Water Management Plan (C25) dated 16 March 2011.
14. Ground Level Storm Water Management Plan (C21 and C22) dated 16 March 2011.

REASON: To ensure the development is completed in accordance with the approved plans. (22.01)

*Applies to Stage 1 Only*

14. The external walls of the basement level car park must be erected no higher than 1.2 metres from ground level. A survey must be submitted to Council prior to the release of the Occupation Certificate showing compliance with this requirement.

REASON: To ensure compliance with applicable environmental planning instruments. (22.10)

*Applies to Stage 1 and Stage 2*

15. This consent is for a staged development. The staging of the development is as follows:

**Stage 1: Construction of the laneway, basement car park and all internal access roads;**

- Erection of Buildings 1, 2, 3, 4, 5 and 8;
- Construction of two waste storage areas;
- Earthworks; and
- Landscaping associated with Buildings 1, 2, 3, 4, 5 and 8 and the south garden and north garden.

**Stage 2:**

- Erection of Buildings 6, 7 and 9; and
- Landscaping associated with Buildings 6, 7 and 9.

REASON: To ensure the development is erected in accordance with the relevant stage. (22.10)

*Applies to Stage 1 Only*

16. **Stage 1 of the development must include the landscaping and associated communal facilities of the south garden.**

REASON: To ensure that communal facilities are provided for buildings erected during stage 1 of the development. (22.10)

17. **All storage areas located in the basement must be enclosed so as to be able to be made secure (lockable) without impacting on the manoeuvrability of vehicles.**

REASON: To ensure compliance with Council's policy for the provision of lockable storage areas for each unit. (22.10)

18. **Balcony balustrades on units 102D, 103D and 104D in Building 1 which face the laneway must be constructed of obscured glazing or similar to a minimum height of 1.2m.**

REASON: To prevent overlooking of adjoining yards. (22.10)

19. **Clothes lines provided for ground floor Apartment Type 4 units in Buildings 2 and 5 must be screened from public view by way of a timber screen to match the timber used in the courtyard fencing.**

REASON: To protect the visual amenity of residents and visitors of the development. (22.10)

20. **The bench containing the kitchen sink in adaptable dwellings (502A, 502B and 502C) must be located in the position shown on the post-adapted plan (Drawing DA803 REV A dated 21 January 2011).**

REASON: To ensure compliance with clause 4.5.2 of AS4299: 1995 – Adaptable Housing. (22.10)\

*Applies to Stage 1 and Stage 2*

21. **All earthmoving contractors and operators must be instructed that, in the event of any bone or stone artefacts, or discrete distributions of shell being unearthed during earthmoving, work should cease immediately in the affected area and the Ngambri Local Aboriginal Land Council and officers of the Department of Environment and Climate Change (DECC), informed of the discovery. Work must not recommence until the material has been inspected by those officials and permission has been given to proceed. Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the National Parks and Wildlife Act 1974, as amended.**

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. (22.06)

22. **In the event that any Aboriginal site is found in an area affected by clearing, work must cease immediately and the applicant must contact the Department of Environment and Climate Change (DECC). Any clearing which may result in destruction or damage to known Aboriginal sites will require consent to destroy from DECC in accordance with Section 90 of the National Parks and Wildlife Act 1979.**

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. (22.07)

## **CONTRIBUTIONS**

*Applies to Stage 1 and Stage 2*

23. **Building**

**Prior to the lodgement of the Notice to Commence Building and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent are payable to Council in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and Section 64 of the Local Government Act 1993 and Division 2 of Part 3 of the Water Management Act 2000.**

### **NOTE**

1. *The Queanbeyan Section 94 Contribution Plan and the Water Supply and Sewerage Developer Servicing Plans may be inspected at Council's Environmental Services Division, Council Chambers Queanbeyan.*
2. *The contribution rates specified in Schedule 1 are those that apply at the date of issue of this consent. Rates are reviewed quarterly. Contributions will only be accepted at the rate applying at the date of payment. Council's Environmental Services should be contacted to receive a current contribution notice of charges prior to payment.*

REASON: To provide for the funding of augmentation and provision of services and community facilities. (23.01A)

## **CONDITIONS TO BE SATISFIED PRIOR TO RELEASE OF SUBDIVISION CERTIFICATE**

*Applies to Stage 1 and Stage 2*

24. **An application to obtain a Subdivision Certificate from Council must be made to Council.**



**In addition the application must be supported with the following documentation:**

- **A final survey plan of subdivision and six copies including an electronic copy in the format of digital vector to the projection of MGA (GDA 94) with boundaries and other line work to be insitu to projection. This should be accompanied with an application for a subdivision certificate to be submitted to Council. Where approved drawings provide survey coordinates of structures, the final survey plan should include a schedule of the set out centreline coordinates of all listed structures as constructed in accordance with approved plans. The schedule should include type of structure, finished cover & invert levels of structures.**

*Note: Marks are available from Crown lands Office and from Queanbeyan City Council.*

REASON: To ensure works are completed in accordance with the requirements of the Council, statutory bodies and the true location of assets supplied are appropriately coordinated and documented and to comply with Section 109 Environmental Planning and Assessment Act 1979. **(41.01)**

- 25. A certificate of compliance in accordance with the Water Management Act 2000 is to be obtained prior to the issue of a Subdivision Certificate.**

REASON: To ensure compliance with the statutory requirements of the Environmental Planning and Assessment Amendment Act 1979. **(41.05)**

- 26. Conditions of this development consent must be complied with prior to your final subdivision/strata plan being signed and released by Council to enable you to register your plan with the office of Land and Property Information. In this regard you will need to provide written evidence to Council by way of a letter outlining compliance with each condition including payment of contribution charges, any Council bonds and certificates from Country Energy and Telstra that their requirements have been satisfied.**

REASON: To ensure the development is completed in accordance with Council's conditions of consent prior to release of the subdivision certificate. **(41.06)**

- 27. The Subdivisor shall adhere to the following guidelines with respect to the provision of services within the development.**

- a) **Preliminary Design:- In planning the subdivision layout the Subdivisor shall examine all utility master plans to ascertain the impact of the proposed development on each Utility Authority's existing and future infrastructure.**
- b) **Liaison with Utility Authorities:- The Subdivisor shall confirm with each Utility Authority for water, sewer, electricity, gas and telecommunications services, of their individual requirements for the provision of servicing of the subdivision layout. Each utility shall be provided underground.**
  - (i) **Confirmation for the provision of installation of the following is required:**
    - street lighting;
    - electricity reticulation;
    - water reticulation;
    - sewer reticulation;

- gas reticulation;
  - telecommunications reticulation; and
  - under road conduits.
- (ii) The Subdivisor shall confirm design and construction phase requirements in order to enable an agreed development program to be established between each Utility Authority and the Subdivisor prior to construction.
- c) **Construction Program:** - The Subdivisor shall liaise with each Utility Authority to confirm the following construction program:
- (i) **Project scope;**
- Construction sequences and timing;
  - Responsibilities of all parties involved;
  - Project contact officers and principal contractors;
  - Site servicing requirements (including construction documentation and commissioning requirements);
  - Standards, specification and procedures applicable to the project; and
  - Utility resource availability and response times.
- d) **Access by Others:** - The Subdivisor shall permit access to the site by each Utility Authority for the purpose of carrying out works additional to that required to be undertaken by the Subdivisor.

REASON: To ensure services have been provided in accordance with Council and Utility Authority requirements. (41.11)

28. **Certification of the completed stormwater drainage system works within the subdivision and works as executed documentation must be included in an Engineering Construction Certification Report and submitted to Council in accordance with Council's Development Control Plan No 38 - Subdivisions, Part B-2, Technical Specification for Subdivisions.**

REASON: To ensure that drainage systems are constructed in accordance with Council requirements. (41.13)

29. **All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's Development Control Plan No 38 - Subdivisions, Part B-2, Technical Specification for Subdivisions.**

REASON: To ensure construction and restoration work is in accordance with Council's requirements. (41.15)

30. **The Subdivisor will be responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.**

REASON: To ensure compliance with Utility Authorities' requirements. (41.17)

31. **Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's Development Control Plan No 38 - Subdivisions, Part B-2, Technical Specification for Subdivisions. Traffic movement in both directions on public roads**

**and vehicular access to private properties must be maintained at all times, during the currency of the works.**

**REASON:** To ensure an adequate level of public safety and convenience during construction. **(41.18)**

***Applies to Stage 1 Only***

- 32. Submission to Council of a Traffic Control Devices (TCD) Plan that includes line-marking and sign-posting for approval of traffic control by the Local Traffic Committee prior to their installation.**

**REASON:** To authorise traffic facilities. **(41.24)**

- 33. Submission to Council for approval of street names for the proposed subdivision roads, with the names as approved to be indicated on the subdivision survey plan and provided on road name plates to be installed at the road intersections.**

**NOTE:** Council has a list of approved names for subdivision roads which can be obtained by contacting Council's Environmental Services. Any other names will require a written submission to be lodged with Council detailing the origin of the name and the reasons for selection. Proposed names must also comply with the document *Guidelines for Road Naming* prepared by the Geographical Names Board.

**REASON:** To provide street addressing. **(41.25)**

- 34. The road widenings at both ends of the lane are to be dedicated as public roads on the subdivision linen plan.**

**REASON:** To provide legal access to all lots within the subdivision. **(41.26)**

- 35. Maintenance of the completed subdivision works by the Subdivisor at his own expense, for a period of six (6) months after the date of the issue of the Subdivision Certificate by Council.**

**The subdivisor must lodge a cash bond with regard to such maintenance in an amount as calculated from fees set by Councils Management Plan and current at the time of issue of the Subdivision Certificate.**

**In that period the applicant will be liable for any part of the work which it fails to perform in the manner outlined in Council's Development Control Plan No 38 - Subdivisions, Part B-1, Subdivision Design Criteria, and Part B-2, Technical Specification for Subdivision Works (or as would reasonably be expected under the design conditions).**

**The subdivisor must provide Council with written authorisation, that in the event of any maintenance work not being completed to the standards specified in Council's Development Control Plan No 38 - Subdivisions, Part B within the period specified, to enter upon the subject land and undertake such maintenance work and to deduct the**

cost thereof from such Bond monies held by Council and to refund the balance, if any, to the subdividor.

REASON: To ensure works are completed in accordance with Council's requirements.  
(41.20)

## **SITE MANAGEMENT**

### *Applies to Stage 1 and Stage 2*

36. An enclosure or covered skip bin must be placed wholly within the boundaries of the site into which unused and waste materials must be placed.

REASON: To prevent contamination of the surrounding areas by wind born debris.  
(26.01)

37. Run-off and erosion and sediment controls must be installed onsite to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land by:-
- (a) diverting uncontaminated run-off around cleared or disturbed areas;
  - (b) erecting a silt fence in accordance with the requirements of Council's DCP No 41 - Soil, Water and Vegetation Management Plans;
  - (c) preventing tracking of sediment by vehicles onto roads;
  - (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site;
  - (e) where any material is stockpiled onsite erosion control and siltation fencing must be installed adjacent to the toe of the mound;
  - (f) removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area; and
  - (g) the erosion and sediment control measures must be maintained in a good order until the excess excavation materials have been removed from the site.

REASON: To prevent soil erosion and water pollution. (26.03)

38. Any works associated with the construction and/or establishment of this development must ONLY be carried out between the following hours:

<b>Weekdays:</b>	<b>7.00am to 6.00pm</b>
<b>Saturdays:</b>	<b>8.00am to 4.00pm</b>
<b>Sundays/Public Holidays:</b>	<b>NO WORK</b>

*Note: To undertake works involving the use of equipment which creates an offensive noise is a breach of the provisions of the Protection of the Environment Operations Act 1997 and Regulations thereunder.*

REASON: To ensure a noise problem does not result from the development and the impact on the local amenity is minimised. (26.07)

39. **The footway or nature strip must not be used for storage of materials or disturbed by construction activities except for:**

- (a) **providing a temporary footway crossing;**
- (b) **access to the site via a stabilised construction access only;**
- (c) **installation of services;**
- (d) **essential formation and regrading of the site associated with works; and**
- (e) **the storage or disposal of any materials is prohibited.**

REASON: To prevent unnecessary disturbance to the footway and minimise trafficking of soil onto the roadway. **(26.09)**

40. **In the event of any damage being caused to any existing kerb, guttering, stormwater pit, footpath trees and/or footpath during building operation, the applicant must repair or reimburse Council for the full cost of restoration.**

REASON: To prevent damage to Council's public footway area and require payment to Council where damage occurs. **(26.10)**

41. **Materials resulting from excavation of the site must be stored wholly within the property boundaries unless written authority from adjoining property owner/s is first obtained for the storage of the excavation material on the adjoining site.**

REASON: To ensure development is contained within the allotment to which the Development Consent relates. **(26.15)**

## **BUILDING**

### ***Applies to Stage 1 and Stage 2***

42. **All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.**

REASON: To ensure all building work is carried out in accordance with legislative requirements. **(24.01)**

43. **All structures, such as site sheds, and materials, such as soil stockpiles, are to be stored within the boundaries of the site and not within the road reserve, including the laneway off Mowatt Street.**

REASON: To ensure that public places and road reserves are not obstructed during earthworks and construction of the development. **(24.14)**

44. **Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority 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.

*Note: The amount referred to in paragraph (b) (ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulations was gazetted that amount was \$5,000. As those regulations are amended from time to time, so that amount may vary.*

*A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of the Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirement of that Part.*

REASON: To ensure that the building work complies with the requirements of Home Building Act and Regulations. (24.03)

45. **All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.**

REASON: To ensure that all construction activity associated with the development does not pose a hazard to life or property. (24.04)

46. **Excavations or fill extending to within one (1) metre of boundary or adjacent to an easement must be supported by retaining wall/s. Erection of retaining walls is not permitted within an easement.**

REASON: To ensure that excavated areas are adequately retained. (24.05)

47. **Retaining walls in excess of one (1) metre high must be designed and certified by a practising structural engineer. Where such walls are located on or close to the boundary of adjacent properties the retaining wall must be constructed immediately following the excavation or filling.**

REASON: To ensure that excavated or filled areas are supported by structurally sound walls. (24.06)

48. **The building must be set out by a Registered Surveyor referring to the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority (PCA). Where Council is not the PCA, a copy of the survey plan must be forwarded to Council.**

REASON: To ensure building has been sited in accordance with the approved plans.  
(24.21)

## **FIRE SAFETY MEASURES**

### *Applies to Stage 1 and Stage 2*

49. **At the completion of works, a Final Fire Safety Certificate is to be issued by the owner detailing each essential fire safety measure provided in the buildings. A copy of such certificate is to be forwarded to the Fire Commissioner and a further copy is to be prominently displayed in the buildings.**

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (29.30)

50. **Each year, the owner of the buildings must furnish to Council an annual fire safety statement for the buildings. The annual fire safety statement is to address each essential fire safety measure in the building.**

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (29.31)

## **CARPARKING AND ACCESS**

### *Applies to Stage 1 Only*

51. **The existing vehicular kerb crossing to Mowatt Street must be closed off and a new crossing constructed in the location shown on the approved plans with the work undertaken by Council at no cost to the Council.**

REASON: To provide additional vehicle parking at the road kerb. (27.04)

### *Applies to Stage 1 and Stage 2*

52. **All residential parking spaces, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked and provided with strata unit numbers prior to the occupation of the building. The pavement surface must contain decorative elements to break up the expanse of the manoeuvring area and length of the driveway.**

REASON: To provide adequate off street carparking and access, to ensure carparking spaces are functional prior to use of the premises and to ensure that driveways and manoeuvring areas contribute positively to the appearance of the development. (27.05)

53. **The development must be provided with a minimum of one hundred and eighty (180) parking spaces of dimensions complying with the requirements of Council's Development Control Plan No 1 *Carparking Policy*.**

**This must include a minimum of four (4) parking spaces for people with disabilities complying with the requirements of the *Building Code of Australia* and AS2890.6-Off-street Parking for people with disabilities**

REASON: To provide adequate off-street carparking, including parking for people with disabilities for the development. (27.08)

***Applies to Stage 1 Only***

54. **The driveway gradients within the property and across Council's footway must be constructed in accordance with Council's Vehicular Access Design Specification – in Development Control Plan No. 38: Part B-1, Subdivision Design Criteria.**

REASON: To provide an adequate standard of vehicle access. (27.09)

55. **Provision of a 1.2 metre wide footpath on the Ellerton Drive frontage, a 2.0 metre wide footpath on the Mowatt Street frontage and a 1.8 metre wide footpath along the west side of the western access road.**

REASON: To provide adequate pedestrian access to the development. (27.14)

***Applies to Stage 1 and Stage 2***

56. **Access to the rear of properties on Buttle Street is to be maintained during construction of the development.**

REASON: To maintain existing rear access. (27.14)

***Applies to Stage 1 Only***

57. **Small car spaces for residents must be allocated to a strata unit that also has a full size car space.**

REASON: To provide satisfactory parking for the residents. (27.14)

58. **The development must be provided with a minimum of two (2) service vehicle parking spaces of dimensions catering for a small rigid truck and complying with the requirements of Council's Development Control Plan No 1 *Carparking Policy*.**

REASON: To provide adequate offstreet service vehicle parking. (27.17)



## LANDSCAPING

### *Applies to Stage 1 and Stage 2*

59. All landscaping must be completed by a Council accredited Category 2 landscape contractor in accordance with Development Control Plan No 42 – Landscape Policy and the approved landscape plan designed by Harris Hobbs Landscapes dated 3 February 2011 and bearing the Queanbeyan City Council approval stamp.

A “Statement of Completed Landscaped Works” form signed by the registered designer must be submitted to Council’s Environmental Services Department prior to the issue of any Occupation Certificate.

The landscaping must be maintained in good condition and in accordance with the plan at all times.

*Note 1: Details on how to become a Council accredited landscape consultant/contractor are available on Council’s web site ( [www.qcc.nsw.gov.au](http://www.qcc.nsw.gov.au) ) or from Council’s Environmental Services section.*

*Note 2: A copy of the “Statement of Completed Landscape Works” is to be sent to the Principal Certifying Authority.*

REASON: To help ensure that good and sustainable landscaping is achieved. (28.01A)

60. All disturbed areas must be established with grass seeded hydro mulching, turfing or other approved surface treatments.

REASON: To limit the impact of development and provide an attractive urban landscape. (28.04)

61. Courtyard fences must be constructed to a minimum height of 1.8 metres. Materials are to be in accordance with drawing number DA860, which depicts a mixture of masonry blocks and concrete to 600mm in height, with lapped timber fencing (with open elements) to 1.2m in high on top.

REASON: To protect the privacy of the occupants of the dwellings. (28.09)

62. Private courtyard areas must generally to be constructed of porous pavement materials. If concrete slabs are to be used, they should drain directly to a garden bed or stormwater pit. No more than 50% of the courtyard area should be hard surfaced and at least 50% of the courtyard area should comprise soft landscaping with shrubs and small scale trees.

REASON: To minimise stormwater runoff and reduce the possibility of creating a nuisance to adjoining premises. (28.14)

63. All trees, shrubs and plants in the common landscape areas must be provided with a drip irrigation system.

REASON: To provide the most water efficient mechanism for landscaping in common areas to survive. **(28.02)**

64. **All trees located on Council's verge between the property boundary and the street kerb and gutter must be protected by cyclone/chain mesh fencing.**  
**Such fencing must:**
- a) **extend around the drip line of the tree while keeping free a minimum 1.2metre wide section of verge for use as a walkway. The fence must also be a minimum of 1.1metres from the street kerb and gutter, or as directed by Council;**
  - b) **be erected prior to commencement of work; and**
  - c) **remain in place until a Certificate of Occupation has been issued on the development.**

REASON: To offer protection to trees on the verge, including the extent of the root system, from inadvertent damage during the construction stage. **(28.20)**

***Applies to Stage 1 Only***

65. **A minimum of five (5) bicycle parking rails or racks are to be installed and located adjacent to visitor car parks between the waste storage enclosure and Building 7 as shown in red on approved landscape plan.**

REASON: To ensure the provision of secure bicycle storage facilities for visitors to the development. **(28.15)**

## **ENVIRONMENTAL**

***Applies to Stage 1 and Stage 2***

66. **During the development the applicant must implement the range of waste management activities as specified in any approved Waste Management Plan.**

REASON: To ensure that waste materials generated on the site are managed in an environmentally acceptable and sustainable manner. **(30.44)**

67. **The applicant must implement all practical measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.**

REASON: To prevent nuisance to neighbours and adjoining property. **(30.02)**

68. **The noise level emanating from plant and equipment installed on the premises must not exceed a level of 5dB(A) above background level when measured for a  $L_{Aeq}$  15**

**minute period during the day, evening or night. This includes noise from air-conditioning systems audible within adjoining units.**

**REASON:** To reduce the noise nuisance to neighbours and to ensure that the requirements of the Protection of the Environment Operations Act 1997 and Regulations are satisfied. **(30.41)**

***Applies to Stage 1 Only***

- 69. The waste storage area must be provided with a concrete floor graded and drained to a sump connected to the sewer with a stop cock for washdown and be located clear of access by service vehicles.**

**REASON:** To ensure the construction and location is satisfactory. **(30.40)**

***Applies to Stage 1 and Stage 2***

- 70. All windows in Buildings 3, 4 and 5 which face Ellerton Drive, in Building 1 which face the laneway and on the western elevation of units 704, 705 and 706 in Building 7 (as identified by approved plans of the development) shall be double glazed with outer laminated glass at least 6.38mm thick.**

**REASON:** To minimise potential negative impacts of vehicular traffic noise upon occupants. **(30.45)**

## **SAFE DESIGN**

***Applies to Stage 1 and Stage 2***

- 71. All external lighting must be vandal resistant and must comply with the Australian Standards Specifications, Australian Standard AS 1158.3.1: 2005 – Lighting for Roads and Public Spaces and AS 4282: 2007 – Control of the Obtrusive Effects of Outdoor Lighting.**

**REASON:** To ensure the location and type of lighting promotes user safety and does not produce areas of glare and/or dark shadows. **(40.02)**

- 72. Adequate lighting is to be provided for the entrances of each unit. Any lighting provided in the development must not produce areas of dark shadow or glare. The following design suggestions are to be incorporated in the provision of lighting for the site.**

- Use diffused lights and/or movement sensitive lights.**
- Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.**
- Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed.**

- **Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.**
- **As a guide areas should be lit to enable users to identify a face 15 metres away.**
- **Illuminate possible places for intruders to hide.**
- **Use energy efficient lamps/fittings/switches to save energy.**

REASON: To ensure that the entries to the development are clearly visible for the residents and their visitors and to promote the safety of the development. **(40.05)**

73. **The dwelling is to be clearly identified by a street number. Street numbers should be made of a durable material, be at least 7cm in height and positioned at a height between 0.6m-1.5m above ground level on the site boundary that fronts the street.**

REASON: To ensure that buildings are clearly identified by street number to allow people and services (especially emergency services) to find the building easily. **(40.08)**

74. **In the interests of reducing the risk of vandalism and also allowing easy repair the following surface materials and finishes are recommended to be incorporated where appropriate:**
- **Strong, wear resistant laminate;**
  - **Impervious glazed ceramics;**
  - **Treated masonry products**
  - **Stainless steel maters; and**
  - **Anti graffiti paint and ‘graffiti clear’ products.**

REASON: To ensure that materials are used which reduce the opportunity for vandalism. **(40.06)**

## **ENVIRONMENTAL RISKS**

### ***Applies to Stage 1 and Stage 2***

75. **Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.**

REASON: To minimise transfer of soil from the site onto the road pavement. **(49.04)**

76. **Filling must be undertaken in accordance with the approved plans and in such a manner that the new drainage pattern does not environmentally affect adjoining properties. Those filled and/or regraded allotments must be compacted to 95% maximum modified dry density. The applicant’s Geotechnical Engineer must supervise the placement of fill material and certify with test results that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS3798-1990.**

REASON: To ensure satisfactory compaction of fill to standards. (49.18)

77. **Certification from a suitably qualified and practising Geotechnical Engineer must be submitted verifying that the works and recommendations detailed in the geotechnical report have been undertaken under the supervision, satisfactory completion to standards and that the assumptions relating to site conditions made in the report were validated during construction.**

REASON: To ensure works are undertaken in accordance with geotechnical recommendations. (49.20)

## **CONDITIONS TO BE SATISFIED BEFORE OCCUPATION OF THE BUILDING**

### *Applies to Stage 1 and Stage 2*

78. **All excess excavation material must be removed from the site and deposited at an approved landfill site. Written evidence that the material has been disposed of to an approved landfill site must be submitted to Council prior to the issue of any Occupation Certificate.**

REASON: To ensure the proper disposal of waste materials. (30.08)

79. **An Occupation Certificate must be obtained from a Principal Certifying Authority before occupation or use of the building. The final Occupation Certificate will not be issued until the development has been completed in accordance with this consent.**

REASON: To comply with Section 109M of the Environmental Planning and Assessment Act 1979. (42.01)

80. **The landscaping of each stage of the development shall be completed prior to occupation or use of the premises in accordance with the approved plan, and be maintained at all times to Council's satisfaction.**

REASON: To ensure adequate landscaping is maintained. (42.03)

81. **An Occupation Certificate for the development shall not be issued until a certificate of compliance in accordance with Section 307 of the Water Management Act 2000 is obtained from the Water and Sewer Authority (Queanbeyan City Council).**

REASON: To ensure the development is adequately serviced prior to its occupation. (42.04)

82. **The development approved under 326-2010 shall be constructed in compliance with the NSW BASIX Certificate issued on 27 January 2011 and numbered 340897M\_03.**

REASON: To ensure compliance with the requirements of the NSW BASIX certification process. (42.10)

83. **Washing down of vehicles within the allotment boundaries of this site is prohibited. Signs shall be posted in the parking areas advising tenants and visitors of such prohibition prior to the issue of the Occupation Certificate.**

REASON: To conserve water and minimise the potential for water pollution. (42.17)

84. **Any fill material imported to the site must consist only of clean fill material, ie non-contaminated excavated material and soil, rock or similar material. Putrescible and non-putrescible solid waste (including demolition material) must not be permitted.**

**Evidence of the origin of any imported fill must be submitted to Council prior to the issue of any Occupation Certificate.**

REASON: To ensure only clean fill is used.  
(42.07)

## **PLUMBING AND DRAINAGE**

### *Applies to Stage 1 and Stage 2*

85. **The development must be carried out in accordance with the requirements of the Local Government (General) Regulations 2005, AS 3500 Plumbing and Drainage Code and the New South Wales Code of Practice – Plumbing and Drainage, with such works performed by a person licensed by the NSW Department of Fair Trading.**

REASON: To ensure compliance with the Local Government (General) Regulation 2005.  
(35.01)

86. **Plumbing and Drainage must be inspected by Queanbeyan City Council at the relevant stages of construction in accordance with Council's inspection schedule.**

REASON: To ensure compliance with AS 3500 Plumbing and Drainage and Council's inspection schedule. (35.02)

87. **The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of yard gully.**

*Note: Surface water must be prevented from gaining access to yard gully.*

REASON: To ensure any sewer surcharge occurs outside the building. (35.08)

88. **All new hot water installations must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.**

REASON: To prevent scalding. (35.11)

89. **Due to local climatic conditions, hot and cold water supply piping installed in the following areas of the building must be surrounded by an appropriate thickness of insulation, as prescribed by AS 3500, Plumbing and Drainage:**
- (a) **unheated roof spaces;**
  - (a) **unheated cellars;**
  - (b) **locations near windows, ventilators or external doors where cold draughts are likely to occur;**
  - (c) **locations in contact with cold surfaces such as metal roof, metal framework, or external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes. (35.21)

90. **Where it is proposed to use water from the tank within the building, it must only be supplied by a separate plumbing system and fixtures. Under no circumstances is it to be cross connected to the potable water supply.**

REASON: To prevent the possibility of cross contamination with Council's reticulated water supply. (35.23)

91. **Provision of a 80 mm water meter and a 100 mm water service, to be installed by the Water and Sewer Authority (Queanbeyan City Council) at no cost to the Council.**

**In addition, individual 20 mm Council automatic reading water sub-meters and control cocks should be installed to each dwelling at no cost to Council, located at an easily accessible location at the front of the units or other suitable location approved by Council's Building Surveyor.**

REASON: To provide an adequate metered water supply. (35.25)

## NOTES

- **The NSW Police Service recommends that fire exit doors should be fitted with single cylinder locksets and windows should also be fitted with key operated locksets to restrict unauthorised access to the development.**
- **Signage should be provided on fire exit doors warning users that the doors are to be used for emergency purposes only.**
- **The NSW Police Service recommends that to enhance the security of the development that a monitored intruder alarm system could be implemented and/or external CCTV could be considered for all units within the development.**

