

AGREED DEVELOPMENT CONSENT CONDITIONS

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by the Western Region Joint Regional Planning Panel.

CONDITIONS THAT ARE ONGOING REQUIREMENTS

APPROVED PLANS

Pln 110.

The development shall be implemented in accordance with:

- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
- (b) the details set out on the plans approved and stamped by authorised officers of Council,

except as amended by the conditions of this development consent.

Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.

ACCESS

Acc 305.

That the developer undertakes an upgrade of Dundas St so that the following outcomes are achieved:

- (a) Kerbing and guttering is established along both sides of Dundas St, from Pitt St to the south eastern corner of lot 17, section 15, deposited plan 759036.
- (b) A footpath is established along the northern side of the street to the south eastern corner of lot 17, section 15, deposited plan 759036.
- (c) Three concrete vehicle crossovers are created to the Police Station site, as per the plans submitted with the Development Application.
- (d) Concrete works are to comply with:
 - Walgett Shire Council Specification, WSC 271 Minor Concrete Works.
 - Standard Drawings – Domestic Driveways – S271-001 and S271-00.
 - Australian Standard 3600 – Concrete structures.
- (e) Any damage to Council infrastructure in the course of undertaking the Dundas St upgrade is repaired at the developer's expense.

Reason: To ensure that costs associated with the development are born by the proponent and minimise the potential for increased traffic associated with the development to adversely affect Dundas St.

WATER, SEWER, AND STORMWATER

Plu 120.

The land surrounding the completed buildings is to have a drainage system so that:-

- (a) It is graded to divert surface water to the street, and clear of existing and proposed structures and adjoining premises, or
- (b) It is to be collected and drained via a gravity system to a Council stormwater line, or
- (c) Disposed of in a manner, which will not create any additional nuisance to adjoining properties.

Reason: To minimise the potential for detrimental impacts to buildings or neighbouring properties.

Plu 220.

An on-site stormwater detention system must be established and maintained with sufficient capacity to reduce the stormwater outflow to the proposed Wee Waa Street outlet to a maximum diameter of 100 millimetres.

Reason: To reduce the impact of stormwater flows on adjoining areas from the development site.

Plu 222.

Run off from the car wash bay must be disposed of into Council's sewerage system in accordance with a Liquid Trade Waste approval issued under section 68 of the Local Government Act 1993.

Reason: To avoid inappropriate disposal of run off that may be contaminated.

CONDITIONS THAT MUST BE COMPLIED WITH DURING CONSTRUCTION

DEMOLITION

Dem 220.

All demolition work to be undertaken in accordance with Australian Standard 2601 – The Demolition of Structures.

Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.

CONSTRUCTION

Con 210

The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-

Monday to Saturday	7.00 AM to 5.00 PM
Sunday & public Holidays	No construction activities are to take place.

Reason: To ensure that public amenity is not unduly affected by noise.

Con 220.

All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.

ACCESS**Acc 310.**

Any damage caused to kerb, guttering crossovers and/or footpaths during building operations shall be rectified by the developer to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

Reason: To ensure that public infrastructure is maintained and not adversely affected by the development.

CONTAMINATION**Ctm 220.**

The recommendations contained in the report titled 'Preliminary Site Investigation' dated January 2011, prepared by Barnson Dubbo, are to be addressed in a manner that is satisfactory to Walgett Shire Council.

Reason: To ensure that potential issues with asbestos and possible soil contamination are addressed in a manner that minimises threats to the environment and public health.

ADVISORY NOTES – Crown building work

Section 109R of the Environmental Planning and Assessment Act 1979 states:

(1) In this section:

Crown has the same meaning as it has in Division 4 of Part 4 except that a reference in section 88 (2) to a thing prescribed by the regulations for the purposes of that Division is to be read as a thing prescribed by the regulations for the purposes of this section.

Crown building work means development (other than exempt development), or an activity within the meaning of Part 5, by the Crown that comprises:

- (a) the erection of a building, or
- (b) the demolition of a building or work, or
- (c) the doing of anything that is incidental to the erection of a building or the demolition of a building or work.

technical provisions of the State's building laws means those provisions of:

- (a) the regulations, or
- (b) a publication, the provisions of which have been applied, adopted or incorporated by the regulations,

that are prescribed by the regulations to be technical provisions of the State's building laws for the purposes of this section.

- (2) Crown building work cannot be commenced to be carried out unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:
 - (a) the date of the invitation for tenders to carry out the Crown building work, or
 - (b) in the absence of tenders, the date on which the carrying out of the Crown building work commences, except as provided by this section.
- (3) A Minister, by order in writing, may at any time determine in relation to buildings generally or a specified building or buildings of a specified class that a specified technical provision of the State's building laws:
 - (a) does not apply, or
 - (b) does apply, but with such exceptions and modifications as may be specified.
- (4) A determination of a Minister applies only to:
 - (a) a building erected on behalf of the Minister, or
 - (b) a building erected by or on behalf of a person appointed, constituted or regulated by or under an Act administered by the Minister.
- (5) A determination of a Minister has effect according to its tenor.

ADVISORY NOTES – General

PLUMBING, STORMWATER AND SEWER DRAINAGE WORKS

Section 68 of the Local Government Act 1993 requires that any plumbing, stormwater or sewer drainage works require prior approval from Council via an Activity Application.

COVENANTS

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

END.