

JOINT REGIONAL PLANNING PANEL
Hunter Central Coast

JRPP No	2012HCC017
DA Number	DA103/2012
Local Government Area	Singleton Council
Proposed Development	Place of public worship – Cathedral and Monastery Service Building
Street Address	8419 Putty Road, Putty
Applicant	Mr B Wood
Number of Submissions	1
Recommendation	Approval with Conditions
Report by	Alison Clark, Town Planner

Assessment Report and Recommendation

Executive Summary

Proposed Development

The cathedral and monastery service building development has a capital investment value of \$10 million.

The following works are proposed as part of the development:

- Cathedral building
- Monastery service building
- 50 car parking spaces
- 5 bus parking spaces
- Upgraded access road and walkways

Referral to Joint Regional Planning Panel

The proposal is referred to the Joint Regional Planning Panel for determination pursuant to Schedule 4A, Clause 6(b) of *Environmental Planning and Assessment Act 1979*. The proposed development is a place of public worship with a capital investment value of \$10 million.

Permissibility

The site is zoned 1(a)(Rural Zone) pursuant to Singleton Local Environmental Plan 1996. The proposal is categorised as a place of public worship and is permissible within the 1(a)(Rural Zone) subject to development consent. All required owner(s) consent has been provided. The proposal is nominated integrated development

Consultation

In accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000* the proposed development was advertised as nominated integrated development from 1 June 2012 to 1 July 2012.

In addition to the advertising of the development the application was notified to surrounding land owners from 1 June 2012 to 1 July 2012. The notification was completed in accordance with Council's Notification policy within the Singleton Development Control Plan 2012. One (1) submission was received.

The application was referred to the NSW Office of Water as integrated development pursuant to Section 91 of the *Environmental Planning and Assessment Act 1979*. General Terms of Approval have been issued and are incorporated as conditions of consent.

Under the provisions of Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007* the application was also referred to the Roads and Maritime Service (RMS) as a traffic generating development. Requirements to undertake road works have been included as conditions of consent.

Key Issues

There are no issues identified in the assessment.

Recommendation

Grant approval to Development Application No. 103/2012, subject to the conditions contained in APPENDIX A.

1. Background

In 1993 the St Shenouda Monastery was established on the adjoining site. The site that houses the monastery is located within the Hawkesbury Local Government Area.

The land was used for agricultural purposes prior to its current use as a monastery.

The development application for a cathedral and monastery service building was received by Council on 20 May 2012. Public notification of the application was undertaken from 1 June 2012 to 1 July 2012. There was one (1) submission received during the public notification period.

Additional information was requested by Council on 21 May 2012. This information related to the following:

- Cheque payable to NSW Office of Water
- Quantitative surveyors report
- Bushfire threat assessment
- Acoustic report
- Disabled access
- Clarification of operational detail
- On-site sewerage management

Discussions with the applicant regarding the additional information requirements have been ongoing. Council received all information required to assess the application by 13 December 2012.

2. Site and Locality Description



Map 1: Aerial photo showing locality. Subject site is highlighted.

The development site consists of one parcel being Lot 4 DP 247970. The lot has an area of approximately 10 hectares. The site is located on the boundary of the Singleton and Hawkesbury Local Government Areas. The proposed development, with the exception of the on-site sewerage management system, is located within the Singleton Local Government Area. The site is bound by Putty Road to the west, densely vegetated land to the north and south, and the existing monastery, within Hawkesbury Local Government Area, to the east. Yengo National Park is located further east of the existing monastery.

The site is relatively flat and irregular in shape, having a frontage of 600m to Putty Road. The development site is currently vacant. The development is located within the south eastern portion of the site which has been previously cleared. A formally constructed vehicular access is provided from Putty Road.

The site is not located within a Heritage Conservation Area and does not contain any items of heritage significance as listed under Schedule 3 of Singleton Local Environmental Plan 1996.

The site is not identified as flood prone land, is not within a mine subsidence district and does not contain any significant vegetation. The site is identified as bush fire prone land and this is discussed further in the report.

3. Project Description

The cathedral and monastery service building development has a capital investment value of \$10 million.

The proposed development is to be undertaken on a previously cleared section of the site. The cathedral and monastery service building are proposed as an extension of the existing monastery located on an adjoining site. The following works are proposed as part of the development:

- 1264m² cathedral building that will provide seating for 470 people,
- 2242m² monastery service building containing a 200 seat dining area, kitchen, wash basin area, kitchen storeroom, delivery dock, utility areas, monastery products show room, sanitary facilities, bookshop, 3 lounges and 3 offices. An enclosed walkway extends the length of the building.
- 50 car parking spaces
- 5 bus parking spaces
- Upgraded access road and walkways

The development proposes to upgrade the existing access from Putty Road. The existing gated entrance to the site will be retained.

Church services are proposed to be conducted between 9:00am and 5:00pm Saturday and Sunday. Retreat groups will visit the site on weekdays between 9:00am and 5:00pm. The feast of St Shenouda occurs the first weekend of every July, with up to 200 visitors expected during this event. Special events, attracting up to 500 visitors, are expected to occur every 3 to 5 years.

Visitors to the site are restricted to the cathedral and service building, with visits away from the immediate precincts permitted only under the direct supervision of the resident fathers or monks.

Refer to **APPENDIX B** for a copy of plans and elevations

4. Consultation

In accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000* the proposed development was advertised as nominated integrated development from 1 June 2012 to 1 July 2012. One notice was placed in the Singleton Argus to advertise the development.

In accordance with Council's public notification policy under Singleton Development Control Plan 2012 the application was publicly notified from 1 June 2012 to 1 July 2012. Surrounding property owners were notified (by individual letters) of the application

In response to this public notification and advertising process, one (1) written submission was received. The issues and concerns raised in this submission relate to tax and rates which are not planning issues.

5 Referrals

The application is integrated development in accordance with Section 91 of the *Environmental Planning and Assessment Act 1979*. The proposed development requires a controlled activity approval under the *Water Management Act 2000* to undertake works within 40m of a waterway. The general terms of approval issued by NSW Office of Water on 3 September 2012 are included in **APPENDIX C**. These general terms of approval have been included in **APPENDIX A** as conditions I1 – I14.

The application was referred to RMS under the provisions of Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*. The comments received by Council on 18 June 2012 are attached at **APPENDIX C**. The recommended conditions of consent have been included in **APPENDIX A** as conditions I15 – I22.

6. Section 79C Considerations

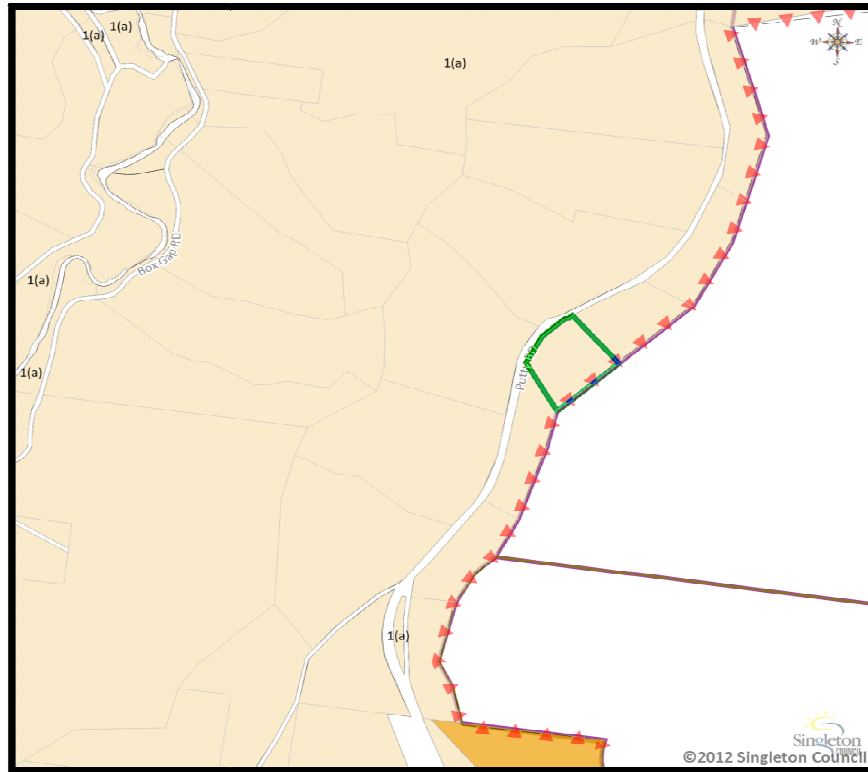
(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

The development is subject to the provisions of *SEPP Infrastructure 2007* pursuant to the requirements of Clause 104 and Schedule 3 of the SEPP. The development site obtains access from Putty Road, a classified road. The proposed development is characterised as a traffic generating development, requiring referral to RMS, as it is a place of assembly or place of public worship with 50 or more motor vehicles.

The application was referred to RMS on 28 May 21012. Comments from RMS were received by Council on 18 June 2012. RMS raised no objections to the proposed development provided the vehicular access connection to the proposed development be relocated to the north of the existing access to ensure compliance with sight distance requirements. This requirement has been included in **APPENDIX A** as condition number I15.

The conditions included in the RMS comments have been included in **APPENDIX A** as conditions **I15-I22**.



Map 2: Zoning map extract. Subject site is highlighted.

Singleton Local Environmental Plan 1996

The proposed cathedral and monastery are defined by Singleton Local Environmental Plan 1996 (SLEP 1996) as a place of public worship. Places of public worship are permissible with consent in the 1(a)(Rural Zone). The proposal is generally consistent with the aims and objectives of the instrument.

Pursuant to Clause 16(3) of SLEP 1996 Council must have regard to the objectives of the zone. The zone objectives and a planning assessment addressing the proposed development against them is offered below:

Zone 1(a)(Rural Zone)

Objectives of zone

(a) to protect and conserve agricultural land and to encourage continuing viable and sustainable agricultural land use,

Given the size of the development site and the dense vegetation that occupies the site, it is unlikely the site could support a viable and sustainable agricultural land use. In addition to this the proposed development will provide an extension of the existing monastery and church contained on an adjoining site. The proposed development will not impact on the agricultural use of any surrounding land.

(b) to promote the protection and preservation of natural ecological systems and processes,

The subject site contains a creek which is densely vegetated. A 20 metre riparian corridor has been established on the site to ensure the development does not have any adverse impact on the riparian environment.

Works will be undertaken within 40 metres of the waterway. The application was referred to the NSW Office of Water as integrated development. The NSW Office of Water issued their general terms of approval on 3 September 2012 which have been included as conditions I1-I14. The application will be required to obtain a controlled activity approval from the NSW Office of Water under the provisions of the *Water Management Act 2000*.

The control and regulation of the works within 40 metres of the creek will ensure protection and preservation of the riparian corridor.

(c) to allow mining where environmental impacts do not exceed acceptable limits and the land is satisfactorily rehabilitated after mining,

The proposed development does not involve any mining activities.

(d) to maintain the scenic amenity and landscape quality of the area,

The proposed cathedral and monastery service building are to be setback approximately 150 metres from Putty Road. Given the topography of the land and the dense vegetation surrounding the creek, the development will be partially visible, however, will not compromise the scenic qualities of the locality.

The properties to the north, east and south of the development site are also heavily vegetated, effectively screening the development from the locality.

(e) to provide for the proper and co-ordinated use of rivers and water catchment areas,

The proposed development does not seek to use any water from the creek on-site.

(f) to promote provision of roads that are compatible with the nature and intensity of development and the character of the area.

The proposed development includes the upgrading of the existing access road into the site. The access road will remain in the same location, it will however be upgraded to comply with AS2890 – Parking Facilities.

The application was referred to RMS for assessment and comment. The RMS advised they did not object to the proposal and provided a number of conditions that have been included as conditions I15-I22. The RMS also raised concerns that the vehicular access connected to Putty Road did not meet Austroads sight distance requirements. Condition number I15 has been included in the recommendation requiring the access to be relocated to comply with Austroads sight distances.

(a)(ii) the provisions of any draft environmental planning instrument

On 3 December 2012 Draft Singleton Local Environmental Plan (SLEP) 2013 was adopted by the elected Council. The Draft SLEP 2013 has since been referred back to the Department of Planning & Infrastructure for gazettal. It is expected that the instrument will be gazetted by mid 2013.

The development site is proposed to be zoned RU1 Primary Production under the provisions of the Draft SLEP 2013. A place of public worship is permissible with consent in the RU1 Primary Production Zone.

The objectives of the RU1 Primary Production Zone and a planning assessment addressing the proposed development against them is offered below:

- **To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.**
It is unlikely the development site could support a sustainable primary industry given the site of the site and the vegetation currently on the site.
- **To encourage diversity in primary industry enterprises and systems appropriate for the area.**
As discussed above the site is not suitable for a sustainable primary industry.
- **To minimise the fragmentation and alienation of resource lands.**
The development site is not identified as a resource land. Given the adjoining site contains the monastery the proposed cathedral and service building provide an extension of this existing development. The proposed development will not adversely impact on the agricultural use of adjoining lands.

- **To minimise conflict between land uses within this zone and land uses within adjoining zones.**
The land surrounding the development site is also zoned RU1 Primary Production so there will be no conflict with uses in an adjoining zone.

(a)(iii) any development control plans

The Development Control Plan 2012 applies to the proposed development. An assessment of the proposal based on the requirements contained therein follows:

Singleton Development Control Plan 2012

Part D – General Development Provisions

Building Height and Setbacks

Development Standard	Requirement	Proposal	Compliance
Setbacks	Building line 40m		Yes
Setbacks	Side and rear setback 10m		Yes
Building Height	Maximum height limit 8.5m	17.10m to highest dome & 20m to highest cross	No

The proposed cathedral is approximately 20m high to the highest decorative cross. The building is 17m to the top of the highest dome. Given the style and nature of the proposed cathedral the proposed height is considered appropriate. The cathedral is to be located approximately 150m from Putty Road. It will be screened from passing motorist by a stand of mature trees. Given the large setbacks of the cathedral building there will be no adverse impact by way of shading or privacy on adjoining properties.

Parking and Access

Development Standard	Requirement	Proposal	Compliance
Car parking spaces	1 per 20m ² GFA 3506 / 20 = 175	50	Yes
Parking for service and delivery vehicles	1 coach parking space per 1000m ² 3506 / 1000 = 3.5	5	Yes

Singleton Development Control Plan 2012 requires a minimum of 175 parking spaces be provided for the proposed development. The development includes the construction of 50 car parking spaces and 5 coach parking spaces. The 50 car parking spaces will meet the day to day needs of patrons who will utilise the cathedral and monastery service building. There is sufficient and appropriate space on site for overflow parking that can be used as required. As the overflow parking will only be needed occasionally it is not considered necessary to require these parking spaces to be constructed.

Vegetation Preservation and Landscaping

The proposed buildings have been located within a previously cleared area of the site. The car parking area will require the removal of four trees from the site.

The proposed buildings and car parking areas are located on the eastern side of the creek that transects the site. A 20 metre riparian zone has been established to ensure the development does not adversely impact on the creek. The western side of the creek is densely vegetated with native species, which will effectively screen the development from Putty Road. The development will not involve the removal of any vegetation from this area.

A landscape plan has not been submitted as part of this application. The statement of environmental effects identifies that all landscaping on site will be informal native species, which are intended to blend into the existing landscape. Given the rural nature of the area, a structured landscape plan is not considered appropriate for the development. The ad-hoc placement of landscaping will help to blend the development into the locality.

Management of Stormwater

A stormwater drainage plan and report was submitted as part of the application. The development will implement two systems for rainwater harvesting. The first system will capture roof water runoff as a potable water source. The water will be collected and fed into a gravity system of drains which lead to an in ground storage tank. The harvested water will be filtered and ultra violet light treated. The water will be used to supply all amenity basins, showers, sinks, holy water and any fixture from which human consumption or contact will occur.

The second system will be the collection of surface water runoff for non-potable water uses. The surface water will be collected into an in ground storage tank. Gross pollutant traps will be used to remove oils, silt and bulky items. This water will be reticulated into all toilets and urinals, water features and landscape irrigation.

In case of long or heavy rain periods the storage tanks will be fitted with overflows to the creek that runs through the property. The overflow will have a Rocla/CDS pollution unit and headwall fitted with energy dissipaters to prevent erosion.

Council's Development Engineer has assessed the stormwater management plan and considers it satisfactory.

Waste Management

Construction waste

Construction waste will be stored on-site for disposal to an approved landfill. Where possible building waste will be recycled. Condition number E8 has been included in **APPENDIX A** requiring the applicant to manage and dispose of all construction waste in an appropriate manner.

Operational waste

Currently all operational waste is collected and burned on-site. Given the size of the proposed development it is expected that there will be a significant increase in the volume of waste generated. Condition number H8 has been included in **APPENDIX A** requiring the storage and collection of the waste by a contractor for disposal in an approved landfill site.

On-site sewerage management

The development will be serviced by an on-site sewerage management system for the disposal of effluent. An on-site waste water treatment plant will be installed for the treatment of all effluent. Once treated waste water will be pumped to the absorption area for dispersal.

The development site is partially located in the Singleton Local Government Area (LGA), with the remainder of the site in the Hawkesbury LGA. The effluent disposal area is located on the portion of the site in the Hawkesbury LGA. An application under the provisions of the *Local Government Act 1993* has been lodged with Hawkesbury City Council for the effluent disposal area.

Singleton Council has not issued an approval for the on-site sewerage management under the provisions of the *Local Government Act 1993*, as sufficient detail has not been submitted by the applicant. Council's Building Surveyor has reviewed the application and is satisfied that the effluent can be disposed on-site.

Condition number C5 has been included in **APPENDIX A** requiring the applicant to obtain an approval for the on-site sewerage management under the provisions of the *Local Government Act 1993* from Singleton Council and Hawkesbury City Council prior to the issue of a construction certificate.

Bushfire Risk Management

The development site is identified as bushfire prone land. The proposed development is not a special fire protection purpose as defined in the *Rural Fires Act 1997*. A bushfire threat assessment was submitted as part of the development application. The report provides a number of recommendations which will ensure the development complies with the requirements of *Planning for Bush Fire Protection 2006*. The recommendations of the report have been included in **APPENDIX A** as conditions E13-E17 and H3-H7.

(a)(iia) any planning agreement that has been entered into or any draft planning agreement that the developer has offered to enter into

No planning agreements have been entered into for this proposal.

(a)(iv) any matters prescribed by the regulations

No relevant matters are prescribed by the regulations.

(b) the likely impacts of the development

Noise & vibration

The services conducted in the cathedral building do not involve the use of noise amplifying equipment. Condition number H2 has been included in the recommendation to ensure no noise amplifying equipment is used on-site. As a result there will be minimal noise generated by the development.

Access, transport & traffic

The proposed development will result in an increase in traffic to the locality. Putty Road is a classified road. The application was referred to RMS under the provisions of *SEPP Infrastructure 2007* as a traffic generating development. The RMS requires access and intersection upgrade works to be undertaken by the developer. The requirements of RMS have been included in **APPENDIX A** as conditions I15 – I22. The intersection and access upgrade works will ensure that traffic from the proposed development can enter and exit the site in a safe manner.

Safety, security & crime prevention

The development site is in a remote location that does not lend its self to a large volume of passing traffic. As a result of the remote location, it is unlikely that the development would be subject to vandalism. In addition to this the site is provided with a main entrance gate that can be used to prevent vehicular access to the site.

When visitors attend the site they are restricted to the cathedral and monastery service building. Access to the remainder of the site is only permitted under the direct supervision of a father or monk.

Internal Design

The monastery service building consists of two rectangular shaped buildings that are connected by a U shaped building. A main entrance is provided in the middle of the building, with an enclosed walkway extending out to provide access to the remainder of the building. The cathedral is generally rectangular in shape. The building is single storey, with entry towers and domes adding to the overall height of the building. The cathedral provides an entrance hall, large main nave, deacon area, main altar, two side alters, baptism and cry rooms. The architectural style of the buildings is consistent with the traditional Coptic style.

The buildings have been designed to incorporate passive sustainability measures. The applicant identifies that the development will incorporate the provisions of the BCA 2010 in regards to energy efficiency and performance.

Site Design

The site design is considered to be appropriate given the existing site conditions and the locality. The proposed cathedral and monastery service building are a logical extension of the existing monastery located on the adjoining property. The development has been located within a previously cleared section of the site, minimising the need for tree removal. The development will also utilise an existing access into the site, which will be upgraded to ensure it is suitable to accommodate the increased traffic associated with the development.

Construction

The construction works associated with the proposed development are to be staged. It is expected that the works will take 5 to 10 years to complete. The development will be staged as follows:

Stage 1

- Monastery service building
- Car and coach parking areas
- Upgrade of access road

Stage 2

- Cathedral
- Landscaping
- Paved central plaza area

(c) the suitability of the site for development

The subject land is considered suitable for the proposed development for the following reasons:

- a. The level topography of the site reduces the need for significant bulk earthworks;
- b. The development site has little vegetation and as a result no significant flora and fauna communities are impacted by the development;
- c. The development is not expected to create any significant demand on the provision of public amenities or services;
- d. The development is not within close proximity to any residential development thereby reducing the potential for land use conflict.

(d) any submissions made in accordance with this Act or the Regulations

One submission was received as a result of the extensive notification and advertisement of the proposed development. The submission does not raise any planning issues. As a result no assessment regarding this submission is provided.

(e) the public interest

The development proposal represents a suitable use of the rural land. The new development will enable an expansion of the existing monastery established on site and will provide a larger place of worship for the Coptic Orthodox community. The development is therefore considered to be in the public interest.

7. Conclusion

The proposal will enable an expansion of the existing Coptic Orthodox Monastery that currently occupies the site. The application is generally compliant with the requirements of the relevant State Environmental Planning Policies, the Singleton Local Environmental Plan 1996 and the relevant elements of the Singleton Development Control Plan 2012.

An assessment of the application has been carried out under Section 79C(1) of the *Environmental Planning and Assessment Act, 1979* as amended. The proposed development is considered satisfactory in terms of the relevant matters for consideration under the Act and the development application is recommended for approval subject to appropriate conditions

8. Recommendation

That the Joint Regional Planning Panel grant consent to Development Application No. 103/2012, subject to the conditions contained in **APPENDIX A**.

APPENDIX A - Conditions of Consent

A General Conditions

- A1** The development shall be carried out in accordance with the stamped approved plans and documentation detailed in the following schedule and any amendments arising through conditions to this consent or as shown in red colour on the plans:

Drawing Title	Drawing No.	Revision No.	Revision Date	Prepared by:
Location Plan	DA.01	A	18-07-2011	Wood Day Partnership
Site Plan	DA.02	A	18-07-2011	Wood Day Partnership
Cathedral Plans	DA.03	A	18-07-2011	Wood Day Partnership
Cathedral Sect & Elev	DA.04	A	06-07-2011	Wood Day Partnership
Service Building Floor Plan	DA.05	A	18-07-2011	Wood Day Partnership
Service Building Roof Plan	DA.06	A	18-07-2011	Wood Day Partnership
Service Building Elevations	DA.07	A	06-07-2011	Wood Day Partnership

C Conditions which must be satisfied prior to the issue of any construction certificate

- C1** Prior to the commencement of building work the applicant shall obtain a Construction Certificate in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979*. Plans, specifications and engineers designs indicating compliance with the applicable performance provisions of the Building Code of Australia (BCA) and development consent conditions shall be submitted to the accredited certifier or certifying authority with the Construction Certificate Application.

Note: Plans submitted with this development application HAVE NOT been assessed by Council for BCA compliance.

- C2** A suitably drained, gravelled and bitumen sealed driveway shall be constructed with minimum pavement width of 5m, with the exception of the first 20 metres which shall have a minimum pavement width of 7 metres. The driveway shall be constructed in accordance with Council Engineering specifications (Minor Rural Road Design and Construction).

Carparking areas are to be designed in accordance with AS2890.1 & 2 - Parking Facilities. The carparking areas shall be constructed with a base course of adequate depth to suit design traffic loadings with an all-weather

surface treatment, graded and drained in accordance with Council's Development Engineering Specifications.

Full details shall be submitted to and approved by Principal Certifying Authority prior to release of the Construction Certificate.

All works are to be completed prior to issue of Occupation Certificate.

- C3** All stormwater run-off from trafficable areas subject to contamination shall be disposed of by means which do not pollute waters and comply with The Singleton Development Control Plan 2012.

All other stormwater run-off from the site is to be managed to prevent erosion and avoid concentrated flows and to adequately manage risk to life and property generally in accordance with guideline "Soils and Construction" Volume 1 – Managing Urban Stormwater (Blue Book)

Water quality and quantity management plans shall be prepared and submitted in conjunction with the engineering plans detailing management practices to be utilised during construction and on-going the life of the development.

Full details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

Construction shall be completed prior to the release of the Occupation Certificate.

- C4** The registered proprietor of the land shall provide structural and hydraulic design details of the proposed road crossing of the creek and natural watercourses.

The crossing shall be designed and constructed in accordance with Council's Development Engineering Specifications, except as varied to comply with the NSW Department of Primary Industries – Office of Water General Terms of Approval, and shall include flood warning signage, depth indicators and reflective guideposts in accordance with AS 1743.

The detailed plans, specifications, and copies of the calculations, including existing and proposed surface levels, catchments and conduit sizing appropriate for the development are to be prepared by an engineer suitably qualified and experienced, and shall be submitted to and approved by Principal Certifying Authority prior to release of the Construction Certificate.

Crossings are to be designed to cater for the 1:10 year ARI storm event for private roads, as well as provide appropriate stream bank protection for the surrounding area for all storm events up to and including 1:100 year ARI storm event.

The creek crossing shall be constructed prior to the issue of the Occupation Certificate.

- C5** Prior to the issue of a construction certificate for the cathedral or service building the applicant shall obtain an approval for the proposed on-site sewage management system under Section 68 of the *Local Government Act 1993*, from both Singleton Council and Hawkesbury City Council.

D Conditions which must be satisfied prior to the commencement of any development work

- D1** The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's Development Engineering Specifications, Landcom's 'Managing Urban Stormwater –Soils and Construction' Volume 1, 4th Edition, March 2004.

Erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

- D2** The correct survey position of the site boundary/boundaries shall be ascertained prior to commencement of work.

E Conditions which must be satisfied during any development work

- E1** The excavated and/or filled areas of the site are to stabilised and drained to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water and to ensure the free flow of water away from the building and adjoining properties.

- E2** The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

- E3** The applicant shall ensure arrangements are made for inspections to be carried out during the course of construction and as required by the Principal Certifying Authority.

- E4** It is the responsibility of the applicant to construct the building in compliance with the *Environmental Planning & Assessment Act 1979* and amendments thereto.

- E5** All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety) health, amenity and energy efficiency.

- E6** Any building work (which is audible in adjoining dwellings) must be carried out between 7.00am and 6.00pm Monday to Friday and 8.00am to 5.00pm Saturdays, but not on Sundays or public holidays.
- E7** A temporary chemical closet, supplied by a contractor approved by Council, shall be provided on site from the commencement of building work. No inspections will be made until the closet is installed.
- E8** Suitable provision for the containment of building waste materials generated by the building process, shall be provided within the boundaries of the building site prior to any construction work being commenced above natural or excavated ground level, as follows:-
- a) Such containment measures are to be either by means of a screened area of silt stop fabric or shade cloth, having dimensions of 1.8 x 1.8 x 1.2 metre high area OR equivalent size waste disposal bin.
 - b) The provision of a suitable enclosure or bin shall be maintained for the term of the construction to the completion of the project.
 - c) The enclosure or bin shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
 - d) Building waste shall be disposed of at an approved waste disposal or recycling facility. Building waste shall not be disposed of by burning on site.
- E9** All plumbing and drainage works shall be carried out by a licensed plumber in accordance with the provisions of the National Plumbing and Drainage Code AS 3500, and Singleton Council where applicable.
- E10** Access to the buildings shall be provided for disabled persons in accordance with the provisions of Part D3 of the Building Code of Australia and AS1428.1.
- E11** The buildings shall be provided with disabled facilities in accordance with the provisions of Table F 2.4 of the Building Code of Australia.
- E12** A signboard (minimum size 600mm x 400mm) must be erected in a prominent position indicating the following:-
- a) Name, address and telephone number of the Principal Certifying Authority for the work; and
 - b) Name of the principal contractor for any building work and a telephone number on which that contractor may be contacted outside working hours; and
 - c) Stating that unauthorised entry to the work site is prohibited.

The signboard must be maintained during the course of building/demolition works and removed upon completion.

- E13** The new cathedral and services building must be constructed to comply with the provisions for general fire safety construction requirements of the Building Code of Australia (BCA).
- E14** For each new building all new guttering and roof valley areas shall be fitted with a material or device that will stop leaves collecting in roof valleys, gutters or down pipes and it shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2-1993 *Methods for fire tests on building materials, components and structures. Part 2: Test for flammability of materials*.
- E15** The new driveways are to be constructed in accordance with the provisions of section 4.1.3 Access (2) – Property Access of *Planning for Bush Fire Protection 2006*.
- E16** The supply of electricity and telephone services to the new buildings shall be underground where possible.
- E17** Where a gas supply is installed to the new buildings it shall be undertaken and maintained in accordance with AS1596-2002 and the requirements of the relevant authorities.

F Conditions which must be satisfied prior to any occupation or use of the building

- F1** The building shall not be occupied or used until an Occupation Certificate has been issued by the Principal Certifying Authority.

Please be advised that Section 109H (1B) of the *Environmental Planning and Assessment Act, 1979* prevents the Principal Certifying Authority from issuing an occupation certificate until all pre-determined conditions of development consent have been completed.

- F2** On-site car parking shall be provided for a minimum of 175 vehicles. 50 car parking spaces and 5 bus parking spaces are to be constructed and sealed as set out generally in accordance with Council's Car Parking Code. The parking spaces shall be constructed prior to the issue of any Occupation Certificate.

The remaining 120 parking spaces are to be made available on-site as required.

- F3** The applicant will repair any damage to a public road or associated structures such as kerb & gutter, drains, footpath and utility services caused as a consequence of the development works.

The work is to be completed to Council's satisfaction prior to occupation of the subject premises.

- F4** The on-site sewage management system must be completed and an approval to operate obtained from Singleton Council and Hawkesbury City Council prior to issue of any Occupation Certificate and occupation of the building.

H Conditions which must be satisfied during the ongoing use of the development

- H1** Any vehicle owned or operated by the occupants of the premises in connection with the conduct of their business will be parked within the confines of the site in spaces designated on the submitted plans.

- H2** No amplifying equipment shall be used to project music or the like from the development.

- H3** The section of the site depicted in figure 8, on page 12 of the Bushfire Hazard Assessment prepared by Control Line Consulting ref no. 12.08.98 dated 04/09/2012, where not built upon shall have the vegetation reduced where necessary to satisfy the requirements of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service document "Standards for Asset Protection Zones" as an inner protection area of an asset protection zone and this area shall be maintained at this vegetation level for the lifetime of the development.

- H4** No future landscaping features, planting of shrubs, trees or other vegetation shall occur in such a manner as to comprise the integrity of the asset protection zone.

- H5** The development shall maintain a reserve water supply for use during a bushfire event of not less than 20,000 litres stored in a non-combustible tank. All plumbing associated with this tank shall be such as to not allow for the inadvertent use apart from during a bushfire event.

Any water supply reserve tank located above the ground it must have a gate or ball valve with a 65mm Storz outlet fitting located at the base of the tank or if the tank is below ground level it must provide an access hole of not less than 200mm in diameter. A hardened surface must be provided to within 4 metres of the access hole or outlet point that can be safely and easily access by a fire fighting tanker.

All plumbing associated with an above ground reserve water supply shall be metal.

The approved NSW Rural Fire Service static water supply signage is to be installed for the development.

- H6** Services and equipment (fire protection measures) are to be provided to and within the proposed buildings in accordance with Part E of the Building Code of Australia.

- H7** Bushfire evacuation procedures for the proposed buildings shall be included within any existing emergency management plan for the monastery or, if no such plan exists, a bushfire evacuation plan shall be prepared in accordance with the NSW RFS *Guide to Develop a: Bushfire Evacuation Plan*. The plan shall be prepared by a suitably qualified and practicing professional. The plan is to be completed and the recommendations implemented prior to the issue of an occupation certificate.
- H8** All operational waste shall be collected and disposed of by a contractor to an approved waste disposal facility.

I Other Agency Conditions

Department of Primary Industries – Office of Water

The following conditions have been imposed through the integrated development provisions of the *Environmental Planning and Assessment Act 1979* by the Department of Primary Industries – Office of Water in correspondence dated 3 September 2012, a copy of which is attached.

Plans, standards and guidelines

- I1** These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA103/2012 and provided by Council:
- (i) Statement of Environmental Effects prepared by Wood + Day Partnership Architects, dated August 2011
 - (ii) Hydraulic Services Report prepared by Sparks & Partners, dated July 2011 (Ref. 11415, Revision A)
 - (iii) On-Site Wastewater Management Report prepared by Envirotech Environmental & Engineering Consultancy Services, dated 15th June 2011 (Ref. REP-41011-A).
 - (iv) Drawings 11935-DA01 and 11935-DA02 prepared by prepared by Wood + Day Partnership Architects, dated July 2011
 - (v) Drawing HSK-02 Hydraulic Services Concept Project Site Plan prepared by Sparks & Partners, dated May 2011.

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.

- I2** Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
- I3** The consent holder must prepare or commission the preparation of:
- (i) Erosion and Sediment Control Plan
 - (ii) Stormwater Outlet Structure design

(iii) Vegetation Management Plan

- 14** All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at

www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx

- (i) Vegetation Management Plans
- (ii) Laying pipes and cables in watercourses
- (iii) Riparian Corridors
- (iv) In-stream works
- (v) Outlet structures
- (vi) Watercourse crossings

- 15** The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.

Rehabilitation and maintenance

- 16** The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.

Reporting requirements

- 17** The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.

Disposal

- 18** The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.

Drainage and stormwater

- 19** The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.

- 110** The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.

Erosion control

- I11** The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.

Excavation

- I12** The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
- I13** The consent holder must ensure that any excavation does not result in (i) diversion of any river (ii) bed or bank instability or (iii) damage to native vegetation within the area where a controlled activity has been authorised, other than in accordance with a plan approved by the NSW Office of Water.

River bed and bank protection

- I14** The consent holder must clearly mark (with stakes using a GPS or peg out survey), protect and maintain a riparian corridor with a width of 20 metres measured horizontally landward from the highest bank of the river for the length of the site directly affected by the controlled activity in accordance with a plan approved by the NSW Office of Water.

Roads and Maritime Services

The following conditions have been recommended to be imposed by the NSW Roads and Maritime Services as the responsible roads authority for Putty Road, in correspondence dated 14 June 2012, a copy of which is attached.

Intersection/vehicular access

- I15** The Putty Road intersection/vehicular access connection to the proposed development shall be designed and constructed in accordance as a Rural Type CHR(S)/BAL intersection in accordance with Austroads Guide to Road Design (with RMS supplements) and located to the north of the existing access, to the satisfaction of RMS and Council.

Based on observation, the location of the existing vehicular access does not appear to meet the Austroads Guide to Road Design (with RMS supplements) sight distance requirements for the posted speed limit, as it is located to the south of a crest on Putty Road.

- I16** The access road shall be sealed and of sufficient width to accommodate two-way bus movement from its intersection with Putty Road to the property boundary (as a minimum).

- I17** On completion of the intersection/vehicular access road, the existing access from Putty Road shall be removed and reinstated to natural conditions, to the satisfaction of RMS and Council.

General

- I18** A Construction Traffic Management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and Traffic Control Plans. It shall be prepared with the intention of having minimal impact to the operation of the road network during construction. The CTMP shall be submitted to RMS and Council for review and approval prior to any construction activities occurring onsite.
- I19** As road works are required on a State road, RMS will require the developer to enter into a Works Authorisation Deed (WAD) with RMS. RMS will exercise its powers under Section 87 of the *Roads Act 1993* (the Act) and the functions of the roads authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Act, as applicable, for all works under the WAD.
- I20** Prior to issuing a construction certificate for the proposed development, the developer shall enter into a WAD with RMS and complete all works under the WAD to practical completion, as determined by RMS.
- I21** Prior to issuing an occupation certificate (interim or final) for the proposed development the developer shall complete all works under the WAD to practical completion, as determined by RMS.
- I22** All works associated with the proposed development shall be at full cost to the developer and at no cost to RMS or Council, to the satisfaction of RMS.

Further information regarding the WAD is provided in Attachment A.

J Advisory Notes

- J1** The applicant is advised that assessment and approval of this application by Council does not guarantee that the building will comply with the provisions of the *Disability Discrimination Act 1993*. The applicant should ensure that investigations are carried out to determine liability under this Act.

The application to build is assessed in accordance with the relevant building laws and it remains the responsibility of the builder/applicant to ensure compliance with other laws, including anti-discrimination legislation.

APPENDIX B – Plans and Elevations

APPENDIX C – Referral Comments

Comments from External Agencies

- RTA
- NSW Office of Water