



Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State

IRF18/488

Ms Ann Prendergast
General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW 2577

Dear Ms Prendergast

I refer to Crown development modification application DA15/0146.01 proposing the addition of a substation, wall and signage as well as removal of developer contributions to the Moss Vale Police Station, 67 Elizabeth Street, Moss Vale.

On 17 March 2017, the Southern Joint Regional Planning Panel (the Panel) resolved to partially refuse consent to the modification application due to inadequate justification for the deletion of the requirement for NSW Police to adhere to Council's Section 94A Developer Contributions Plan.

Under section 4.33(1)(a) (previously section 89(1)(a) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act)), the Panel must not refuse consent to the modification application due to inadequate justification for the deletion of the requirement for NSW Police to adhere to Council's Section 94A Developer Contributions Plan.

Following a thorough review of the information relating to the modification application including a review of the assessment of the original development application, I am satisfied that there not would be significant change to demands on public infrastructure as a result of the redeveloped police station and that the payment of \$109,449.79 towards public infrastructure in the Moss Vale CBD is not necessary.

I have therefore directed the Panel, under section 4.34 (previously 89A(1)) of the EP&A Act, to approve the modification application, as per Council's proposed conditions (enclosed). I have requested this determination be made within 28 days of the date of this letter.

Should you have any further questions in relation to this matter, please contact Karen Harragon – Director, Social and Other Infrastructure Assessments at the Department on (02) 9274 6358.

Yours faithfully,

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

21 MAR 2018

WINGECARRIBEE SHIRE COUNCIL		
Classification: MAILIN		
Doc. No.		
File No. 15/0146.01		
27 MAR 2018		
OFFICER	ACTION	INFO
BT Gorden		✓
H. Williamsen		✓
N. Wilton		✓
M. Park		✓
P. Molloy		✓

GENERAL – DEVELOPMENT CONSENT CONDITIONS

ADMINISTRATION AND COMPLIANCE

Compliance

1. Compliance (Modified INSERT DATE 2018)

Development is to take place in accordance with the approved plans and documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent.

Plans approved by this development consent are:

- Plans 0002 Rev B, 0003 Rev B, 0004 Rev B, 0005 Rev B, 1001 Rev B, 2001 Rev B, 2002 Rev B, 3001 Rev B, 3002 Rev B, 3101 Rev B, 4001 RevB, 4002 Rev B, 4003 Rev B, 5001 Rev B, 5002 Rev B, 8001 Rev B, 9001 Rev B, 9002 Rev B all dated 27/2/15, and Plan 2000 Rev C dated 7/3/16 prepared by Group GSA.
- Plans SKC 00 Rev P2, SKC 01 Rev P2, SKC 10 Rev P2 dated 4/7/13 prepared by Taylor Thomson Whiting
- Plans 2010 Rev A, 3010 Rev A, A5001 Rev C dated 27/7/16 prepared by Gardner Wetherill & Associates approved by s.96 modification approved X February 2017.

2. Use not to Commence

The approved use is not to commence until the proposed development has been completed in accordance with this consent and any other Council approvals which may be required, and a final inspection carried out and approved by Council staff.

3. Qualifications and Responsibility for Documentation

Council requires that all design plans be prepared to Council's standards by a person, who has proven experience and suitable relevant qualifications in the preparation of plans specifications and any other relevant documentation for the approved development. All of these requirements are outlined in Council's Engineering Policies.

The Developer will be responsible for the correctness of all information contained in the drawings, specifications or any other documentation. The Council will not accept responsibility for any errors or inaccuracies that may be found in such documents, regardless of whether these documents have been checked and/or approved by Council.

4. Responsibility for Works

The Council will hold the Developer (Applicant/Owner), to whom the development approval was issued, solely responsible for constructing the required development works to Council's satisfaction and maintaining them during any specified period.

5. Developers Representative during Construction of Works

A minimum of 48 hours prior to commencement of any construction works on site the Developer must nominate to Council in writing their representative (Construction Supervisor) who will be responsible for all aspects of construction and site control, including Traffic Control, Sediment and Erosion Control and liaison with Council Officers and all other Authorities.

Details to be submitted include:-

- Name of Representative:
- Company :
- Position:
- Contact Ph:
- Contact Fax:
- After Hours Contact:
- Signature of Representative:
- Signature & Acceptance of representative by the Developer:
- Council requires that the nominated " Construction Supervisor" either hold qualifications acceptable for Corporate Membership of the Institute of Engineers, Australia, or be Approved by the Director and/or has proven experience and suitable relevant qualifications for the control, supervision and management of civil engineering works as required for carrying land development.

Prior to commencing any works on site the representative shall:-

- Inform Council in writing of their intention 7 days before entering the site.
- Submit to Council a proposed Schedule of Works.

The Developer may be required to arrange for Council to peruse all other contract documentation **PRIOR TO THE CONTRACTOR ARRIVING ON SITE TO COMMENCE WORK** (Schedule of Works, Specifications, Bill of Quantities, Traffic Control Plan and Soil and Water Management Plan).

Failure to comply with the requirements as set out above will result in an immediate stop work order.

6. Hours of Demolition and Construction Works

In order to minimise impacts upon the locality demolition and construction activities must be limited to between 7.00am - 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays with no work on Sundays and public holidays. Any variation of these hours will only occur with Council's consent.

7. Workers Compensation & Public Liability

It is the Developer's responsibility to ensure that Contractors engaged to carry out works indicated on the approved plans carries current Workers Compensation Insurance and hold Public Liability Insurance for \$20,000,000 cover.

8. Other Approvals

Prior to any work commencing, written approval under Section 68 of the *Local Government Act 1993* must be obtained for Stormwater, sanitary drainage and water plumbing, from the Council as the appropriate Water Supply Authority.

9. Management of Construction

A detailed Construction Management Plan is required to be **SUBMITTED TO COUNCIL PRIOR TO COMMENCEMENT OF CONSTRUCTION**. The required Construction Management Plan **MUST** indicate the measures to be implemented to protect the environment as well as public health, safety and convenience. The plans **MUST** detail provisions for:

- (a) Off-street parking for employees, contractors and sub-contractors.
- (b) Site access for construction vehicles and equipment purposes.
- (c) Public safety in the use of roads and footpaths where development activities adjoin such facilities.
- (d) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
- (e) Storage of ALL building materials and equipment wholly within the construction site.
- (f) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- (g) External lighting and security alarms proposed for the construction site.
- (h) Fire fighting measures to be available on site during development and construction.
- (i) Sanitary amenities and ablutions proposed on site during development and construction.
- (j) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site.

Land Title

10. Drainage Protection

Protection of the development and/or property by provision of underground drainage pipelines and fail-safe above ground flow paths to cater for stormwater flooding from all roofed and paved areas of the site and to connect to downstream drainage system.

11. Stormwater Facilities Maintenance

The creation of a "Positive Covenant" on the linen plan and title of the proposed development showing the location of stormwater facilities and requiring that the proposed stormwater facilities be maintained in a safe and functional manner. In addition, the Section 88B Instrument is to make provision for Council to conduct maintenance on the subject stormwater facilities at the owner's expense if the stormwater facilities are not maintained to the agreed standard. Details shall be provided for the approval of Council **PRIOR TO OCCUPATION OF THE BUILDING**.

12. Stormwater Facilities Alterations

The creation of a "Restriction as to User" on the linen plan and title of the proposed development to prevent any change in shape or alteration in structure of the proposed stormwater facilities after the final approval of the structure has been given by Council. Details are to be provided for the approval of Council **PRIOR TO OCCUPATION OF THE BUILDING**.

13. 2.5 metre Footpath Easement

The creation of an easement on the linen plan and title of the proposed development showing a 2.5 metre wide footpath easement burdening the site.

Protection of Council Assets

14. Storage Materials

No storage or placing of any building materials to occur on adjacent public roads or footpath areas in association with the construction, maintenance or use of the development or site, without prior Council approval.

15. Pedestrian Safety

All care to be taken to safeguard both contractors and the public while the works are being carried out. The Contractor shall endeavour to minimise disturbance to pedestrian / vehicle traffic in the vicinity of the site.

16. Maintenance and Bond for Public Assets

The developer shall at their own expense maintain all civil works constructed by them with respect to the development which will be handed over to Council, for a period of twelve (12) months after the date of the approval for the occupation of the development. **PRIOR TO OCCUPATION OF THE BUILDING**, the developer shall lodge a cash bond with regard to maintenance of the public assets constructed in an amount equal to 5% of the total engineering works with a minimum bond value of \$1,000.

17. Developer Must Advise of Damage to Property

The Developer must advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like, prior to commencement of any work on the site. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the Developer's expense.

ENVIRONMENTAL MANAGEMENT

Sediment and Erosion Control

18. Erosion Control

In addition to measures outlined in the Erosion and Sediment Control Plan with Job No 111476 - Drawing No. SKC10 - Revision (P2) prepared by Taylor Thomson Whitting and dated 04 July 2013 and to minimise soil erosion and sediment movement during construction, the following measures shall be implemented:-

- (a) Removal and/or disturbance of vegetation shall be confined to within two metres of the site of required works.
- (b) Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping. Soil is to be retained within the property.
- (c) Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are protected from erosion and do not encroach upon any footpath, nature strip or roadway.
- (d) Vehicular access shall be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where sediment is deposited on adjoining roadways the same shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.
- (e) All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for more than 14 days or such other period as may be approved after earthworks cease. All driveways and parking areas shall be stabilised with compacted sub-grade as soon as possible after their formation.

19. Erosion and Sediment Control

The following control measures shall be installed to minimise the effect of site disturbance and soil erosion:-

- (a) The strategic placement of bales of hay or a geotextile fabric fence to contain soil infiltration and runoff from sites (refer to Council's guidelines for "Erosion and Sediment Control on Building Sites". Sediment control devices shall be installed immediately after any site works have been carried out and prior to construction work commencing and remain in position until disturbed soils are turfed, 70% vegetated or otherwise stabilised.
- (b) Restricting vehicles access to one designated point.
- (c) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.

20. Erosion Control on Completed Development

Adequate erosion and sediment control measures are to be maintained in place on the development to the satisfaction of Council until site stabilisation and revegetation is finalised.

21. Soil and Water Management - Stockpiles

Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

22. Soil and Water Management - Wheel Wash

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed in accordance with the approved site Soil & Water Management Plan before the commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. The device shall be maintained at all times to Council's satisfaction.

23. Soil and Water Management - Site Maintenance

Roads servicing the construction site shall be maintained in a condition free of mud, soil and other construction/demolition materials at all times.

24. Soil and Water Management - Landscape Materials

Landscaping materials (including woodchips bark etc) are to be stabilised and secured on site to avoid being eroded by stormwater runoff. Alternatively, stormwater protection measures shall be put in place to protect stormwater drains so as not to contravene the *Protection of the Environment Operations Act, 1997*.

CIVIL ENGINEERING WORKS AND SERVICES

25. Provision of Works and Services

The provision, by the Developer, at their expense, of the following works and services to be documented and constructed in accordance with Council's Engineering Policies, to the satisfaction of the Development Control Engineer. **PRIOR TO COMMENCEMENT OF CONSTRUCTION** the Developer must obtain approval for the works to be undertaken by submitting adequate documentation including plans, standard notes and completed design checklists, calculations and specifications, to Council which justify that the proposed works are in accordance with all Council's standards and all other relevant Codes and guidelines.

26. Water and Sewer Authority Conditions

PRIOR TO COMMENCEMENT OF CONSTRUCTION, the Developer must obtain approval from Council (as the Water Supply Authority and/or as required under Section 68 of the *Local Government Act*) for the works to be undertaken by submitting adequate documentation including plans, calculations and specifications which justify that the required works are in accordance with all Council's standards and all other relevant codes and guidelines.

(a) Stormwater Drainage

(i) Connection to Kerb

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

(ii) Construction of Stormwater

Provision of adequate stormwater drainage infrastructure (pits/pipes/open channels/detention storage) for the conveyance of stormwater sourced from the development to a discharge outlet to be approved by the Development Control Engineer.

Boundary Grated Catch drains

Prevention of "sheet flows" by provision of a grated catch drain (s) across or inlet pit adjacent to driveway (s) at the property boundary, with piped water discharged to the satisfaction of the Development Engineer/ Council's Building surveyor.

(iii) Roof/Impervious/Stormwater

All stormwater runoff from the development shall be collected within the property and discharged in a manner approved by the Development Control Engineer and/or Council's Building Surveyor.

(iv) Control of Peak Discharge

Adequate and suitable infrastructure is to be provided to ensure the peak discharge from the site is no greater than the pre-developed peak discharge. This infrastructure shall be designed in accordance with Council's Engineering Policies. Calculations to demonstrate that the post-development peak discharge will not exceed the pre-development peak discharge **SHALL BE PROVIDED PRIOR TO COMMENCEMENT OF CONSTRUCTION.**

(v) Control of Water Quality

Provision of adequate infrastructure outlined in the First Floor and Basement Site works and Stormwater Management Plan with Job No 111476 - Drawing No. SKC01 and SKC02 - Revision (P2) prepared by Taylor Thomson Whitting and dated 04 July 2013 and in the DRAINS Model is to be provided to guarantee satisfactory discharge quality from the site.

(b) Parking and Access

(i) Driveways and Parking

Internal driveways, turning areas and 24 off street parking spaces are to be constructed with all-weather surface of reinforced concrete.

The parking spaces are to be line marked.

(ii) Construction of Footway Crossing (s)

Commercial vehicular footway crossings in accordance with Standard Drawing Nos SD 108 and SD123, for access to the development.

Note:

All obsolete footway crossings are to be closed off in Elizabeth and Clarence Streets,

(iii) Parking Space Near Wall

Parking spaces adjacent to walls or other obstructions which may affect door opening or vehicle manoeuvring to be widened by 300mm on the side of the obstruction(s) to facilitate safe use of these spaces

(iv) Vehicle Manoeuvring

All vehicles are to enter and leave the site driving forwards to ensure traffic/pedestrian safety. A sign worded "No Reversing Across Footpath" is to be provided adjacent to the vehicular entry and clearly visible to users of the car park to inform drivers of this requirement. Sign to be to the satisfaction of the Director Environment and Planning and of approximate dimensions 0.3m x 0.6m.

(v) Disabled Carparking

Carparking spaces shall be provided and shall comply with the requirements for parking in the current version of AS 2890.1 for people with disabilities.

(vi) First Response Vehicles On Street Car Parking

All First Response Vehicle on street car parking in Elizabeth St shall be endorsed by Council's Traffic Committee prior to installation.

(vii) Approval Required for Work within Road Reserve - Section 138 Roads Act 1993

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

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

- A copy of approved design plans related to the development and proposed works to be undertaken.
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "*Traffic Control at Work Sites*". Warning

and protective devices shall comply with the provisions of AS1742.3 - 2002 *Traffic Control Devices for Works on Roads*. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.

- Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

General

27. Energy Service Provider Requirements

The provision of underground electricity to service the development in accordance with the requirements of the Energy Service Provider. The Developer **PRIOR TO COMMENCEMENT OF CONSTRUCTION** will be required to submit to Council documentary evidence from the Energy Service provider qualifying that the requirements of that provider have been obtained. The requirements of the supply authority will need to be met prior to occupation of the development.

28. Works as Executed Plans

Following the completion of the works, one full set of work-as-executed drawings shall be submitted to and retained by Council. Sufficient details including locations and levels of the below ground infrastructure are required in order to enable a complete check of the work as executed as compared to the original approved design. Any deviation from the approved engineering plans shall be shown on the work-as-executed drawings. Each sheet of the drawings shall carry the certification of the developers supervising engineer. It is accepted that floor plan details will not identify specific areas within the station due to security considerations.

29. Assets Management

The Developer is to provide detailed summary of the assets that will fall into Council's care and control at the end of the maintenance period. The details are to be provided in a tabular form so as to allow Council to update its Assets Register.

The assets to be identified include.

- Drainage systems length and size of renewed pipe.

30. Certification of Internal Civil Works

On completion of works and prior to occupation, certification from a practising appropriately qualified Engineer shall be submitted to Council detailing that all internal civil works (ie, internal driveways, paths and stormwater drainage systems including any onsite detentions) are in accordance with the approved plans and specifications.

31. Demolition Approval

The buildings shall only be demolished in accordance with the requirements of AS2601-2001 "The Demolition of Structures".

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales and Council's Water and Sewer Asset Protection, including:-

- (a) Protection of site workers and the general public.
- (b) Erection of hoardings where appropriate.
- (c) Asbestos removal handling and disposal where applicable by licensed contractors.
- (d) Ensuring only licensed demolition contractors are used as required pursuant to Occupational Health and Safety Legislation.
- (e) Appropriate precautions are taken in regard to lead based paints.
- (f) Water and Sewer Asset Protection

All water and sewer assets on the site or on adjacent road reserve or lands that may be affected by the demolition works are to be clearly identified on site and protected from damage. Those water and sewer protection measures are to be shown on the site plan and are to be approved by Council's Water and Sewer Planning and Development Engineer before any demolition works can commence.

- (g) Sewer Assets Temporary Disconnection or Closure

The site sanitary drainage is to be temporarily disconnected or closed off by a suitably qualified Plumber from any of Council's sewer sidelines, sewer junctions and or boundary traps that are to be retained and reused to prevent ingress contaminants into Council's sewer mains. This work shall be sited and approved by Council's Water and Sewer Planning and Development Engineer before demolition works can commence.

- (h) Removal of Redundant Council Sewer Assets and Water Services

The site sanitary drainage is to be temporarily disconnected or closed off by a suitably qualified Plumber from any of Council's sewer sidelines, sewer junctions and or boundary traps that are to be disconnected by Council to prevent ingress of contaminants into Council's sewer mains. This work shall be sited and approved by Council's Water and Sewer Asset Inspector before demolition works can commence.

Make application and pay fees for the removal of redundant sewer assets and or water services. These fees shall be paid before any demolition works can commence.

Redundant water meter shall not be removed to allow for final readings and removal by Council staff.

- (i) Temporary Use of Council Sewer Junctions and Water Services

During demolition or building works Council may permit temporary use of sewer junctions and water services. Details of the proposed use shall be shown on the site plan and are to be approved by the Water and Sewer Planning and Development Engineer before any demolition works can commence.

Water services that are to be temporarily retained shall not have the water meter disconnected or removed. An approved backflow prevention device shall be installed.

Details shall be shown on the site plan and are to be approved by the Water and Sewer Planning and Development Engineer before any demolition works can commence.

The disposal of refuse is to be to approved locations. Council will require documentary proof of destination for hazardous materials such as asbestos and contaminated soils and may request evidence on disposal of other demolition materials – refer approved Waste Management Plan.

32. Large Development Landscaping

Details to be submitted for approval by the Director Environment and Planning **PRIOR TO COMMENCEMENT OF CONSTRUCTION.**

Approved landscaping is to be maintained at all times to the satisfaction of the Director Environment and Planning. Detailed landscaping plans to indicate the proposed species to be used, height and spread at maturity, and a specification for soil preparation, drainage, weed control, watering, fertilising and general maintenance during establishment.

33. Street Landscaping

Landscaping shall be provided in Clarence St on the frontage to the property to the satisfaction of the Town Planner or Manager of Parks and Property. Details to be submitted for approval by the Director Environment and Planning **PRIOR TO COMMENCEMENT OF CONSTRUCTION.**

34. Environmental site investigation

PRIOR TO COMMENCEMENT OF CONSTRUCTION, a Stage 2 environmental site investigation / site validation shall be undertaken to assess the soil and groundwater contamination conditions at the site. The underground petroleum storage tank located on site shall be removed in accordance with Australian Standard AS 4976-2008 and any applicable codes of practices and guidelines. Validation and reporting of the condition of the Underground Petroleum Storage System site following tank removal must address all areas of the site consistent with the requirements of the UPSS Regulation and SEPP 55. This is to be undertaken by a suitably qualified environmental consultant in accordance with the Guidelines for Assessing Service Station Sites NSW EPA 1994, demonstrating that there are no contaminated soils surrounding the underground storage tank, and the site is suitable for the intended purpose. Details to be submitted to the satisfaction of Council.

35. Disposal of Waste

Any potentially contaminated excavated material must be suitably tested and classified to determine the class of waste and the suitable means of disposal. Excavated waste must only be disposed of at a waste facility which can legally receive the waste.

36. Hazardous Building Materials Survey

Prior to demolition of any on-site structures a Hazardous Building Materials Survey should be undertaken to assess for material such as asbestos and lead paint. Details to be submitted to the satisfaction of Council.

37. Water NSW

General

- (i) The site layout shall be as shown on the Site Plan prepared by Group GSA Architects (Project 12032, Drawing 1001, Revision B, dated 27 February 2015). No revised site layout, staging or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1 – Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Stormwater Management

- (ii) All stormwater management measures shall be implemented as specified in the Civil Engineering Report and Engineering Plans prepared by Taylor Thomson Whiting (Project No 111476, SKC00 to SK002, Revision P2; dated 4 July 2013). The stormwater management measures include:
- pits, pipes and inlet filters
 - rainwater tank
 - onsite detention basin, and
 - stormwater filter device.
- (iii) The proprietary stormwater treatment device shall be a cartridge filter device (or endorsed equivalent), that achieves a Water NSW agreed pollutant removal efficiency of at least 75% for total suspended solids; 40% for total phosphorus and 25% for total nitrogen.
- (iv) A 10,000 litre rainwater tank shall capture roof runoff, with water reused for toilet flushing, garden irrigation and vehicle washing.
- (v) No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.
- (vi) A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Reason for Conditions 2 to 6 – To ensure appropriate stormwater treatment and quality control measures are implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

- (vii) An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the occupation of the building. The OEMP shall include but not be limited to:
- details on the location, description and nature of stormwater management structures such as pits, pipes, inlet filters, cartridge filter, rainwater tanks and detention system.
 - an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
 - the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
 - checklists for recording inspections and maintenance activities.

Reason for Condition 7 – To ensure stormwater quality management measures are appropriately maintained so as to ensure a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

Construction Activities

- (viii) The Concept Erosion and Sediment Control Plan prepared by Taylor Thomson Whiting (Project No 111476, SKC10, Revision P2; dated 4 July 2013), shall be updated by a person with knowledge and experience in the preparation of such plans for all works proposed or required as part of the development. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book" and be to the satisfaction of Council.
- (ix) Effective erosion and sediment controls shall be installed prior to any construction activity and shall prevent sediment or polluted water leaving the construction site or entering any natural drainage system or stormwater drain. The controls shall be regularly maintained and retained until works have been completed and groundcover established.

Reason for Conditions 8 & 9 – To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.

38. Archival Photographic Record

Prior to demolition, a social history of the building and archival photographic record should be lodged in 2 copies, in electronic form for the council file and in a clearly labelled hard copy for forwarding to the local historical society archives, to the satisfaction of Council.

39. Advertising Signs

Advertising signs are not to be erected, painted or displayed without the prior approval of the Council and the licensing thereof, in accordance with the provisions of the Wingecarribee Shire Council's Advertising Sign Code.

40. Occupation Certificate

The building, or part of the building, shall not be occupied or used until such time as the development has been completed in accordance with this Development Consent.

41. Waste Management

An approved litter receptacle with a tight fitting lid shall be provided on site for the disposal of builder refuse that may be wind blown (all polystyrene waste must be bagged and securely contained). The bin shall be onsite during all demolition and construction works. Sorting of waste materials shall occur on site in accordance with the approved Waste Management Plan.

42. Waste Management Plan

The approved Waste Management Plan must be displayed on site and implemented during construction and ongoing operation of the development. Evidence of recycling/disposal actions and waste management contracts are to be maintained for three years from the date of commencement of work.

43. Compliance with Building Code of Australia

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

44. Erection of Signs

A sign shall be prominently displayed on any site on which building, subdivision or demolition work is being carried out by the builder / developer:

- (a) showing the name, address and telephone number of the principal certifying authority for the work;
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- (c) stating that unauthorised entry to the work site is prohibited.

45. Toilet Facilities

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

46. Deleted

47. Other Approvals

Prior to any work commencing, written approval under Section 68 of the *Local Government Act 1993* shall be obtained the On Site Sewage Management System, from the Council as the appropriate Water Supply Authority.

Separate approval by the Roads Authority is required pursuant to Section 138 of the *Roads Act 1993* for any works within the road reserve.

48. Development involving Bonded Asbestos Material & Friable Asbestos Material

Works where asbestos removal is involved are subject to the following conditions:

- (a) Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under Clause 318 of the *Occupational Health and Safety Regulation 2001*.
- (b) The person having the benefit of the complying development certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the complying development certificate commences.
- (c) Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.

- (d) If the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

49. Street Tree Retention

All trees in Council's road reserve are to be preserved with the exception of two trees in Elizabeth St which are to be removed to enable driveway to Van Dock to be constructed. .

50. Tree Removal

In removing the trees Council advises that approval is not granted for the burning of any vegetation or foliage on site. The owner is responsible for ensuring contractors engaged have appropriate Occupational Health and Safety procedures in place and also they have appropriate Public Liability insurances. If the work involves any impacts upon Council property appropriate precautions to protect the public shall be implemented. This may include the need for a Traffic Management Plan.

51. Roof Cladding

Roof cladding of zincalume, stainless steel, unetched zinc or copper is not permitted.

52. Sample Materials

Details of all samples of all external building materials and finishes, including proposed colours, shall be submitted for the approval of Council **PRIOR TO COMMENCEMENT OF CONSTRUCTION**.

53. Section 94A Contributions – Modified INSERT DATE 2018

Section 94A Contributions deleted INSERT DATE 2018

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

Notes:

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

As a precondition to the issuing of a Certificate of Compliance Council requires the payment of Developer Charges, prior to the issue of **Occupation** Certificate, as prescribed by Wingecarribee Shire Council's Development Servicing Plans:

- **Water Supply Development Servicing Plan;**
- **Sewerage Development Servicing Plan; and**
- **Stormwater Development Servicing Plan**

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

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

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

The Water and Sewerage Development Servicing Plans (DSP's) were adopted by Council on 22 November 2006 and came into effect on 1 January 2007. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

CPI Period	Water DSP	Sewer DSP	Stormwater DSP
1 August 2012 to 31 October 2012	\$6499 per ET	\$8271 per ET	\$1,453 per ET
Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, www.abs.gov.au .			

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

Compliance Certificate

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

Water \$90 + Sewer \$90 + Stormwater \$90 = \$270.00

Prior to final release, you will need to contact Council's Environmental Assessment Branch for an inspection to ensure that Council will accept the infrastructure constructed. In response, the Development Engineer of Water and Sewer will specify requirements which will have to be met.

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

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

54. Liquid Tradewaste

A Trade Waste Agreement is to be obtained **PRIOR TO COMMENCEMENT OF CONSTRUCTION**. The application must be accompanied with manufacturer's details/specifications of the trade waste treatment system proposed to be used.

55. Washbay wastewater, oils and solid wastes

- All wastewater from the washbay must be drained to a collection well and be treated by an approved pre-treatment device with an oil collection container and a sludge withdrawal system.
- A coarse filter must be installed to strain out gross solids (such as rags, cigarettes) before the wastewater enters the pre-treatment device.
- Oils and solid wastes produced from the washbay must be removed by a contractor to a licensed waste disposal or recycling facility.
- The overland flow of water to and from the washbay must be prevented by either the installation of bunds or a change in grade.