

**DATE**

JIM GILVARRY & ASSOCIATES PTY LTD  
PO BOX 960  
BOWRAL NSW 2576

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**  
Pursuant to section 80(1) of the Environmental Planning and Assessment Act 1979

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<b>APPLICATION NO:</b>	16/1198
<b>APPLICANT:</b>	Jim Gilvarry & Associates Pty Ltd
<b>OWNER:</b>	Harbison Memorial Retirement Village
<b>PROPERTY DESCRIPTION:</b>	Lot 811 DP1176908
<b>PROPERTY ADDRESS:</b>	2 Charlotte Street BURRADOO NSW 2576
<b>PROPOSED DEVELOPMENT:</b>	Master Plan for Seniors Housing and Stage 1
<b>DETERMINATION:</b>	Determined by granting of DEFERRED COMMENCEMENT CONSENT.
<b>CONSENT TO OPERATE FROM:</b>	<b>DATE</b>
<b>CONSENT TO LAPSE ON:</b>	<b>DATE + 5 YRS</b>

This Notice of Determination grants Deferred Commencement Consent to the Master Plan and Stage 1. Part 1 of the Notice of Determination provides conditions for the Master Plan and Part 2 provides conditions for Stage 1.

**Rights of Appeal**

If you are dissatisfied with the determination of Council (including determination of a review under section 82A of the *Environmental Planning and Assessment Act 1979*, you may appeal to the New South Wales Land and Environment Court within 6 months after the date on which you receive the notice of determination or review, if your application was lodged after 27 February 2011. Otherwise the appeal period is 12 months after the date in which you receive this notice.

**Review of Determination**

You have the right to request a review of determination under section 82A of the *Environmental Planning and Assessment Act 1979*, provided that this determination is not made with respect to an integrated development. The determination cannot be reviewed after the time limit for making an appeal to the Land and Environment Court expires or after an appeal to the is disposed of by the court.

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Ellie Varga  
Acting Team Leader Town Planners

**DATE**  
Date of Determination

Civic Centre, Elizabeth St, Moss Vale, NSW 2577. PO Box 141, Moss Vale. t. (02) 4868 0888 f. (02) 4869 1203  
e. mail@wsc.nsw.gov.au ABN 49 546 344 354

## CONDITIONS OF DEVELOPMENT CONSENT THAT MUST BE SATISFIED BEFORE THE CONSENT CAN OPERATE

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The following condition shall be satisfied prior to the operation of the consent:

### **DC1 Detailed Stormwater Drainage System Design - Master Plan**

A detailed storm water hydraulic drainage plan for the disposal of storm water from the whole development site, prepared in accordance with Council's Design Standards shall be submitted and approved by Council's Development Engineer prior to the issue of an Operational Consent.

In this regard, the detailed plan shall show the location and size of the existing Council trunk drainage storm water pipeline presently traversing the site and proposed works and final layout of buildings associated with the future functioning of this trunk storm water drainage system.

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

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

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

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

**Reason:** *To ensure adequate storm water management.*

### **DC2 Water and Sewer Engineering Design**

The submission to and approval by Council's Development Engineer - Water and Sewer of a master plan indicating how the provision of water supply and sewer collection is to be carried out including all mains, services, pumping stations as required prior to the issue of an Operational Consent. The developer shall determine, where applicable, the normal size of the sewer trunk main required to service any upstream areas which may be developed in the future. The master plan shall include details of calculations of the loads adopted for the system and peak flows throughout the system.

The developer shall undertake water and sewer modelling to determine the impact of the development on the existing water and sewer infrastructure. The developer may engage an approved hydraulic consultant or request Council's Modelling Engineer to complete the modelling and development assessment. Council will quote the modelling works at cost, on a case by case basis. The developer is required to complete the Water/Sewer Development Assessment Application form which is available from Council's website. All relevant information for the development must be included on the application form including the number of lots, proposed water and sewer connection points, pump station details including capacity, pump size, rising main diameter (as required) and anything else relevant to water and sewer. Any upstream development potential must be included to ensure a

comprehensive assessment can be completed. A copy of master plans and/or design plans will assist with the assessment. Upon receipt of the application form, Councils Engineer will send a quotation to the applicant to undertake the modelling works. Typically, the modelling will be completed within 6-8 weeks of approval of the quotation. The modelling report will be issued via email and an invoice will follow. The outputs of the modelling will determine if and where upgrades of the water and/or sewer network are required.

**Reason:** *Ensure appropriate servicing of water and sewer reticulation.*

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Evidence of compliance with the above conditions, sufficient to satisfy the Council as to those matters, must be provided within 12 months of this notice. If satisfactory evidence is produced in accordance with this requirement, the Council shall give notice to the applicant of the date from which this consent operates.

If Council has not notified the applicant within a period of 28 days after the applicant's evidence is produced to it, the Council is, for the purposes only of section 97 of the *Environmental Planning and Assessment Act 1979*, taken to have notified the applicant that Council is not satisfied as to those matters on the date on which that 28 day period expires.

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## PART 1: MASTER PLAN CONDITIONS OF DEVELOPMENT CONSENT

### ADMINISTRATION CONDITIONS

#### 1. Development Description

Development consent has been granted in accordance with this Notice of Determination for a Master Plan for Seniors Housing pursuant to section 83B of the *Environmental Planning and Assessment Act 1979*. The stages of the Master Plan shall be as follows:

- Stage 1 Construction of new 28 bed Dementia Unit and 56 space on site car park in north eastern corner of site.
- Stage 2 Demolition works, formalisation of Park Road\* and construction of new 72 bed Residential Aged Care Facility, basement car park (initial 20 spaces) including underground kitchen, laundry and storage area, and an 11 space at-grade car park in north western corner of site.
- Stage 3 Demolition works and construction of new Living Village, Living Village Services, Administration, basement car park (final 66 spaces) with storage) and new 72 Bed Assisted Living facility.
- Stage 4 Demolition works and construction of 32 new Independent Living Units (ILUs) in four detached buildings, 34 space at-grade car park, provision of the Village Green, and Child Care Centre within the old administration rooms.

Approval is granted for Stage 1 as part of this Notice of Determination pursuant to section 83B of the *Environmental Planning and Assessment Act 1979*. Conditions pertaining to Stage 1 are at Part 1 of this Notice of Determination.

*\* Park Road shall be constructed to the satisfaction of the relevant roads authority prior to the issue of a construction certificate for Stage 2 works*

**Reason:** To define the components of the Master Plan.

#### 2. Development in Accordance with Plans and Documents

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

Plan Title/Supporting Docs	Ref/Version	Prepared By	Dated
Existing Site Plan	A001 / E	Calder Flower Architects	14/06/2017
Site Analysis	A002 / E	Calder Flower Architects	14/06/2017
Consolidated Site Demolition Plan	A003 / E	Calder Flower Architects	14/06/2017
Delineation of Stages by Precinct	A004 / E	Calder Flower Architects	14/06/2017

Construction Management Plan	A005 / E	Calder Flower Architects	14/06/2017
Traffic Management Plan	A006 / E	Calder Flower Architects	14/06/2017
Existing Site Coverage	A007 / E	Calder Flower Architects	14/06/2017
Proposed Site Coverage	A008 / E	Calder Flower Architects	14/06/2017
Site Masterplan – Stage 1 Staging Plan	A010 / E	Calder Flower Architects	14/06/2017
Site Masterplan – Stage 2 Staging Plan	A011 / E	Calder Flower Architects	14/06/2017
Site Masterplan – Stage 3	A012 / E	Calder Flower Architects	14/06/2017
Site Masterplan – Stage 4	A013 / E	Calder Flower Architects	14/06/2017
Site Elevations – Streetscape	A015 / F	Calder Flower Architects	10/08/2017
Elevations – Stage 1 & 2	A016 / F	Calder Flower Architects	10/08/2017
Elevations – Stage 3	A017 / F	Calder Flower Architects	10/08/2017
Elevations – Stage 4	A018 / F	Calder Flower Architects	10/08/2017
Site Existing Shadows	A020 / F	Calder Flower Architects	14/06/2017
Site Proposed Shadows	A021 / F	Calder Flower Architects	14/06/2017
Statement of Environmental Effects	-	Lee Environmental Planning	Undated
Bushfire Hazard Assessment Report	161280	Building Code & Bushfire Hazard Solutions Pty Ltd	31/08/2016
Traffic Report	10216	Colston Budd Rogers & Kafes Pty Ltd	October 2016
Additional Planning Letter - JRPP deferral matters		Lee Environmental Planning	06/04/2017
Drainage Concept Plan	4655-1A	A&R Engineering Design	12/04/2017
Landscape Strategy	-	Chris & Charlotte Webb Landscape Designers	Undated
Retained Trees	L1 / A	Chris & Charlotte Webb Landscape Designers	30/03/2017
Trees to Remove	L2 / A	Chris & Charlotte Webb Landscape Designers	30/03/2017
Stage 4 Landscape Concept	L3 / A	Chris & Charlotte Webb Landscape Designers	30/03/2017

**Reason:** To ensure the development is carried out in accordance with the approved

*plans and documentation.*

**3. Separate Development Approvals**

The developer shall seek separate development consent for the purposes of Stages 2, 3 and 4 (as per Condition 1) of the Master Plan of this Notice of Determination.

**Reason:** *To control the future development of the site.*

**4. Inconsistency between Documents**

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

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

**5. Compliance with Disability Discrimination Act 1992**

This approval does not protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is therefore advised to investigate their liability under this Act.

**Reason:** *To inform of relevant access requirements for persons with a disability.*

**Note:** *Disability (Access to Premises - Buildings) Standards 2010 -As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.*

**6. NSW Roads and Maritime Services - Requirements for subsequent Development Applications**

The conditions provided by NSW Roads and Maritime Services are provided at Attachment 1 and form part of this Notice of Determination. They shall be complied with for the preparation of each subsequent Development Application.

**Reason:** *To ensure the development does not result in an adverse traffic outcome.*

**7. Car Parking**

Further to the requirements stipulated in **Attachment 1** regarding the provision of car parking plans for each subsequent Development Application, the car parking plans shall ensure:

- Compliance with Australian Standard AS2890 *Parking Facilities*; and
- 5% of parking spaces to be designed to enable the width of the spaces to be increased to 3.8m.

**Reason:** *To comply with engineering standards and the Bowral Development Control Plan.*

**8. Upgrades to Park Road**

As part of the Stage 2 Development Application, designs for the upgrade and construction of Park Road shall be provided as follows:

- (a) Park Road shall be upgraded from Moss Vale Road to the new driveway access to provide access to the proposed development.
- (b) Layout and general construction shall comply with Standard Drawing SD101 and SD106.
- (c) Council's minimum standard is a 6.9m bitumen sealed pavement with roll kerb.
- (d) Road design shall ensure preservation of vegetation within the road reserve. All trees proposed to be removed within the road reserve shall be clearly identified by survey on the site plan.

**Note:** *Future Stage 2 Development Application shall be conditioned to ensure the construction of Park Road is completed prior to the issue of a Construction Certificate for Stage 2 works.*

**Reason:** *To ensure that there is legal and physical access to the property.*

## **9. Design for Access and Mobility**

As part of each subsequent Development Application, it shall be demonstrated that the development can comply with *Australian Standard AS1428.1 Design for Access and Mobility* and *Australian Standard AS 4299 Adaptable housing*, particularly with regard to the following matters nominated in the Bowral Development Control Plan:

- Part C Section 10.10 pertaining to access for wheelchairs, pathway lighting and letterboxes;
- Part C Section 10.12 pertaining to widths of entry doors and internal corridors and circulation areas;
- Part C Section 10.13 pertaining to space within each dwelling and a clear area for services surrounding the bed area;
- Part C Section 10.14 pertaining to bathroom design;
- Part C Section 10.15 pertaining to other requirements.

Provision of this detail shall be submitted in the form of an Access Report prepared by a suitably qualified person.

**Reason:** *To comply with Australian Standards and the Bowral Development Control Plan.*

## **10. Landscape and Open Space Plan**

As part of each subsequent Development Application, a Landscape and Open Space Plan shall be provided which is consistent with the Landscape Master Plan (**Condition 43**) and approved Landscape Strategy and includes:

- Detailed landscaping for the subject stage including
  - Location of all existing and proposed landscape features including materials to be used;
  - Delineate and identify all trees to be retained, removed or transplanted;
  - Existing and proposed finished ground levels;
  - Detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, height and spread at maturity, quantities of each species, pot sizes and the estimated size at maturity;
  - Pot size and planting out stage
  - Soil treatment prior to planting out, fertilizing and water maintenance schedule.

- Landscaping, design and screening of infrastructure such as electricity substations, taking into consideration easements and underground assets;
- Means of barrier protection between public places, vehicle access ways, parking areas and the surrounding landscaped areas, to prevent vehicular movement on any landscaped area;
- Playground facilities to be provided by the Applicant, at the Applicant's expense, for the enjoyment of children and visitors;
- Compliance with *Planning for Bushfire Protection 2006* and any 88B restrictions for bushfire on the land;
- All proposed passive/recreational open space areas, including the Village Green (Stage 4 only);

**Reason:** *To ensure consistency with the Landscape Master Plan.*

**11. Outdoor Lighting Plan**

As part of each subsequent Development Application, an Outdoor Lighting Plan shall be submitted to, and approved by Council. The Outdoor Lighting Plan shall demonstrate sound compliance with Part A Section 10 of the Bowral Development Control Plan.

**Reason:** *To ensure compliance with the Bowral Development Control Plan.*

**12. Energy Service Provider Requirements**

As part of each subsequent Development Application, documentary evidence shall be provided from the Energy Service Provider qualifying that the requirements of that provider have been obtained.

**Reason:** *To ensure appropriate infrastructure is provided to the development.*

**13. Waste Management Plan**

As part of each subsequent Development Application, a Waste Management Plan shall be prepared and submitted to Council.

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

**14. Demolition Plan**

As part of each subsequent Development Application, a Demolition Plan shall be prepared and submitted to Council. The Demolition Plan shall have regard for Australian Standard *AS2601 Demolition of structures*.

**Reason:** *To ensure compliance with the consent.*

**15. Construction Management Plan**

As part of each subsequent Development Application, a Construction Management Plan (CMP) shall be submitted and approved by Council prior to issue of the Construction Certificate for each stage. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP shall include the following:

- (a) Management of off-street parking for employees, contractors and sub-contractors.
- (b) Site access for construction vehicles and equipment purposes, involving details of site access from Park Road, ongoing use of the car park for staff and visitors of Harbison during development construction works after the completion of Stage 1.



Construction traffic shall utilise Charlotte Street until intersection upgrade works at the junction of Moss Vale Road and Park Road are approved and constructed. This shall be clearly identified in the Construction Management Plan.

- (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 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.

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

#### **16. Design of Development**

A materials board and architectural statement shall be submitted with each subsequent DA demonstrating each Stage's consistency with the locality of Burradoo and the existing development on the site in terms of roof pitch, materials, design, scale, architectural features landscape embellishments etc.

#### **17. Stormwater - Control of Peak Discharge**

Adequate and suitable infrastructure shall be provided to ensure the peak discharge from the site is no greater than the pre-developed peak discharge. This infrastructure shall be designed in accordance with Council's Engineering Policies. Calculations to demonstrate that the post-development peak discharge will not exceed the pre-development peak discharge shall be provided as part of each subsequent Development Application.

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

## PART 2: STAGE 1 CONDITIONS OF DEVELOPMENT CONSENT

### ADMINISTRATION CONDITIONS

#### 18. Development in Accordance with Plans and Documents

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

Plan Title/Supporting Docs	Ref/Version	Prepared By	Dated
Existing Site Plan	A001 / E	Calder Flower Architects	14/06/2017
Site Analysis	A002 / E	Calder Flower Architects	14/06/2017
Consolidated Site Demolition Plan	A003 / E	Calder Flower Architects	14/06/2017
Delineation of Stages by Precinct	A004 / E	Calder Flower Architects	14/06/2017
Construction Management Plan	A005 / E	Calder Flower Architects	14/06/2017
Traffic Management Plan	A006 / E	Calder Flower Architects	14/06/2017
Site Plan - Stage 1 Dementia Unit	A101 / E	Calder Flower Architects	14/06/2017
Site Plan Stage 1 Dementia Unit Floor Plan	A102 / E	Calder Flower Architects	14/06/2017
Stage 1 Dementia Unit Roof Plan Proposed Finishes	A103 / E	Calder Flower Architects	14/06/2017
Stage 1 Dementia Unit Elevations	A201 / E	Calder Flower Architects	14/06/2017
Stage 1 Dementia Unit Sections	A202 / E	Calder Flower Architects	14/06/2017
Landscape Concept	L1 / C L2 / B	Chris & Charlotte Webb Landscape Designers	29/09/2016
Statement of Environmental Effects	-	Lee Environmental Planning	Undated
Bushfire Hazard Assessment Report	161280	Building Code & Bushfire Hazard Solutions Pty Ltd	31/08/2016
Additional Planning Letter - JRPP deferral matters		Lee Environmental Planning	06/04/2017

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

#### 19. Inconsistency between Documents

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

extent of the inconsistency.

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

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **20. Application for a Construction Certificate (Building Works)**

The applicant shall apply to Council or an Accredited Certifier for a Construction Certificate to carry out the relevant building works for Stage 1 in accordance with this consent. The details to be included in a Construction Certificate are:

- (a) Architectural plans and building specifications complying with the National Construction Code (NCC) relevant Australian Standards, and the development consent and conditions.
- (b) If Council or a private accredited certifier issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.
- (c) Geotechnical report for the site, prepared by a qualified geotechnical engineer detailing the foundation conditions of the site and solutions for consideration by a structural Engineer.
- (d) Essential services plan outlining the existing and proposed fire safety measures.
- (e) Disabled access provisions to common and public areas in accordance with AS1428 Design for Access and Mobility and the Premises Code.
- (f) If an alternative solution to the “deemed to satisfy” provisions of National Construction Code is proposed, the following details must be lodged:
  - Performance requirements that the alternative solution intends to meet.
  - Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
  - A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body.

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

**Note:** *Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifying Authority (PCA), and lodgement of Notice of Commencement.*

**Note:** *Please note that if demolition works forms part of the extent of works approved in the same application, then demolition must not commence prior to the issue of a Construction Certificate.*

**21. Section 68 Local Government Act 1993 Approvals**

Prior to the issue of a Construction Certificate for Stage 1, an application under section 68 of the *Local Government Act 1993* shall be made to, and issued by, Wingecarribee Shire Council, for the following approvals:

- Water supply
- Storm water drainage works
- Sewer works

Adequate documentation shall be submitted including plans, calculations and specifications which justify that the required works are in accordance with all Council's standards and all other relevant codes and guidelines.

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

**22. Section 94 Contributions**

Under section 94 of the *Environmental Planning and Assessment Act 1979* (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Section 94 Developer Contributions Plans are applicable to the development:

- Roads & Traffic Management Facilities
- Resource Recovery Centre 2009
- Central Library Facility
- Section 94 Administration 2011 to 2031
- Open Space & Recreation Facilities

A "Developer Charges - Notice of Payment" is attached to the back of this consent, and outlines monetary contributions and unit rates applicable at the time of issue of this consent. The contributions listed in the Notice of Payment must be paid prior to the issue of the Construction Certificate for Stage 1.

All contributions are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics ([www.abs.gov.au](http://www.abs.gov.au) <<http://www.abs.gov.au>>); Section 25I of the *Environmental Planning and Assessment Regulation 2000*; and Council's Developer Contributions Plans.

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

**Note:** *Payment of the attached contributions is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 94". Should the Applicant pay by personal or*

*company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).*

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

## 23. Water Management Act - Certificate of Compliance

A Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* shall be obtained prior to the issue of Construction Certificate for Stage 1.

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

As a precondition to the issuing of a Certificate of Compliance Council requires the payment of Developer Charges prior to the issue of Construction 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 headworks levies are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics ([www.abs.gov.au](http://www.abs.gov.au) <<http://www.abs.gov.au>>); and Council's Development Servicing Plans.

Copies of Development Servicing Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website [www.wsc.nsw.gov.au](http://www.wsc.nsw.gov.au) <<http://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 2017 to 31 October 2017	\$6,641 per ET	\$8,453 per ET	\$3,495 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, <a href="http://www.abs.gov.au">www.abs.gov.au</a> < <a href="http://www.abs.gov.au">http://www.abs.gov.au</a> >.			

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

**NOTE:** *Payment of the above charges is to be by BANK CHEQUE OR CASH and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 94". Should the Applicant pay by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e., a minimum of 10 days).*

### **Compliance Certificate**

Compliance Certificate fees, in accordance with Council's Revenue Policy are as follows and shall be paid prior to the issue of Construction Certificate for Stage 1:-

Water \$92.50 + Sewer \$92.50 + Stormwater \$92.50 = \$277.50

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

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

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

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

## **24. Construction Management Plan**

A Construction Management Plan (CMP) is required to be submitted and approved by Council prior to issue of the Construction Certificate for Stage 1. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:

- (a) Off-street parking for employees, contractors and sub-contractors.
- (b) Site access for construction vehicles and equipment purposes, involving details of site access from Park Road for ongoing use of the temporary car park for staff and visitors of Harbison during development construction works after the completion of Stage 1. Construction traffic shall utilise Charlotte Street until intersection upgrade works at the junction of Moss Vale Road and Park Road are approved and constructed. This shall be clearly identified in the Construction Management Plan.
- (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 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.

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

**25. Provision of Works and Services**

Prior to the issue of the Construction Certificate for Stage 1 the Developer shall 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.

**Reason:** *Statutory requirement.*

**26. Stormwater - Control of Peak Discharge**

Adequate and suitable infrastructure shall be provided to ensure the peak discharge from the site is no greater than the pre-developed peak discharge. This infrastructure shall be designed in accordance with Council's Engineering Policies. Calculations to demonstrate that the post-development peak discharge will not exceed the pre-development peak discharge shall be provided with the application for a Construction Certificate for Stage 1.

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

**27. Relocation of Existing Services**

Where existing services including drainage, sewerage and water may be required to be relocated as a result of the development, a plumber's permit is required from Council prior to commencing work. Inspection of these works by Council as the Water Supply Authority is required.

**Reason:** *Statutory requirement.*

**28. Relocation of Sewerage**

If any new structures are to be constructed over existing sewer assets, the sewer assets shall be relocated clear of proposed structures in accordance with Council's building over/adjacent requirements (Development Specifications D12.07-7 and associated standard drawings) prior to the issue of a Construction Certificate for Stage 1. Relocation of sewer main shall be clear of buildings and all superseded mains and structures shall be removed from the site prior to the issue of a Construction Certificate for Stage 1.

**Reason:** *To protect public utilities.*

**29. Tree Retention - Road Design and Construction**

The proposed road design and construction shall preserve and retain existing vegetation

within the road reserve. Any trees proposed to be removed within the road reserve must be approved by Council and are to be clearly identified by survey and shown on submitted Construction Certificate plans.

All trees shown on approved engineering plans as being retained are to be appropriately marked and protected during construction works.

**Reason:** *To ensure preservation of as many existing trees as possible.*

**30. Vehicular Crossings**

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footway at the entrance(s) and/or exit(s) to the site, subject to approval by Council's Development Engineer. In this regard the Applicant shall obtain a copy of Council's Standard Drawing and lodge an application for vehicular crossing(s) (available from Council's Customer Services Centre or downloaded from Council's website), and pay the appropriate fees and charges prior to the lodgment of the Construction Certificate.

**Reason:** *To ensure appropriate access to the site can be achieved.*

**31. Works on Crown Roads**

Written approval for works to be carried out on Park Road (being a Crown road) shall be obtained from Land and Property Information (LPI) and shall be submitted to Council prior to the issue of the Construction Certificate for Stage 1.

**Reason:** *Statutory requirement.*

**32. Off Street Parking Provision**

An onsite car parking area providing a minimum 56 spaces shall be provided in the northern eastern corner of the site prior to commencement of Stage 1 works. The car park shall be constructed in accordance with Australian Standard *AS2890.1 Off-street car parking* and shall remain available to construction vehicles until such time as all four stages of the development are complete.

Car parking plans shall also demonstrate compliance with *AS2890.6 Off-street car parking for people with disabilities*.

Details shall be submitted to the Accredited Certifier prior to the issue of a Construction Certificate for Stage 1 showing compliance with this condition.

**Reason:** *To ensure adequate parking and access.*

**33. Car Park Design**

The car park shall be designed to accommodate the turning movements of the largest vehicle servicing the development. The car park design shall incorporate the following:

- (a) The site shall accommodate the turning movements of 8.8m service vehicle.
- (b) Service vehicles shall manoeuvre into and out of the site in a forward direction.
- (c) The front overhang, and swept path made by the service vehicle shall not obstruct car park traffic or encroach onto parking spaces.
- (d) The vehicle swept path shall be reflected on the engineering design plans.



- (e) Loading and unloading of service vehicles shall be undertaken onsite with no intrusion onto the road system.
- (f) The footpath crossing shall be splayed from the property boundary to the kerb line to accommodate the swept path made by the service vehicle.

**Reason:** *To ensure that the car parking area is constructed to Council requirements.*

#### **34. Pedestrian Safety**

The Contractor shall endeavour to minimise disturbance to pedestrian/vehicle traffic in the vicinity of the site. If required by Council a hoarding shall be erected and consent required in accordance with section 138 of *Roads Act 1993*.

Details shall be submitted to the Accredited Certifier prior to the issue of a Construction Certificate for Stage 1 showing compliance with this condition.

**Reason:** *To ensure pedestrian and vehicular safety.*

#### **35. Water and Sewer Engineering Design**

Prior to the issue of a Construction Certificate for Stage 1, a Master Plan (for the whole development) indicating how the provision of water supply and sewer collection shall be carried out including all mains, services, pumping stations as required for each stage of the development shall be submitted to and approved by Councils Development Engineer. This shall include all existing infrastructure, to which it is proposed to be connected. The master plan shall include details of calculations of the loads adopted for the system and peak flows throughout the system.

The developer shall undertake water and sewer modelling to determine the impact of the development on the existing water and sewer infrastructure. The developer shall request Councils Modelling Engineer to complete the modelling and development assessment. Council will quote the modelling works at cost, on a case by case basis. The developer is required to complete the Water/Sewer Development Assessment Application form which is available from Councils website. All relevant information for the development must be included on the application form including the proposed water and sewer connection points, pump station details including capacity, pump size, rising main diameter (as required) and anything else relevant to water and sewer. Any upstream development potential must be included to ensure a comprehensive assessment can be completed. A copy of master plans and/or design plans will assist with the assessment. Upon receipt of the application form, Councils Engineer will send a quotation to the applicant to undertake the modelling works. Typically, the modelling will be completed within 6-8 weeks of approval of the quotation. The modelling report will be issued via email and an invoice will follow. The outputs of the modelling will determine if and where upgrades of the water and/or sewer network are required. The modelling will not include analysis or investigation/design of the internal pipe network to service the development. The developer shall (as part of the design) ensure pipework installed internally to the development is sufficient in capacity to provide the required pressure and flow as per council's standards. Upgrades identified in the modelling process shall be completed prior to the issue of a construction certificate for Stage 1.

**Reason:** *Ensure appropriate servicing of water and sewer reticulation.*

#### **36. Water and Sewer Assets Identification and Location**

The site plan as per the water or sewer engineering design shall include the detailed locations, materials, sizes and depths of any water mains or water services, rising mains private or Council owned, or sewer mains, manholes, sewer sidelines, sewer junctions and or boundary traps. The site plans that include these water and sewer assets shall be approved

by Council's Development Engineer before any demolition works can commence.

**Reason:** *Ensure appropriate servicing of sewer and water reticulation.*

**37. Waste Management Plan**

A Waste Management Plan shall be completed and submitted to Council for approval, prior to the issue of the Construction Certificate for Stage 1.

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

**38. Erosion and Sediment Control Plan**

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

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

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

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

**39. Tree Retention**

All trees shown on the development consent as being retained shall be appropriately marked

and protected during construction works with fencing that shall be maintained throughout construction activities.

**Reason:** *To ensure retention and preservation of local vegetation.*

#### **40. Outdoor Lighting Plan**

Prior to the issue of a Construction Certificate for Stage 1, an Outdoor Lighting Plan shall be submitted to, and approved by Council. The Outdoor Lighting Plan shall demonstrate sound compliance with Part A Section 10 of the Bowral Development Control Plan.

**Reason:** *To ensure compliance with the Bowral Development Control Plan.*

#### **41. Disabled Persons Access and Facilities**

- (a) Detailed drawings shall be provided to Council for the fit out to the disabled person's facilities with the construction certificate application for Stage 1. Details shall be in accordance with AS 1428.1 Design for Access and Mobility and the Premises Code.
- (b) No work is to commence on disabled persons access routes until details of the routes are submitted to and approved by the Principal Certifying Authority. The details shall include a site plan clearly identifying the proposed route for access by disabled persons. It is noted that access from the allotment boundary, carpark and any other building on the allotment which access for people with disabilities is required, to the entrance of the subject building. Access shall be in accordance with AS 1428.1 Design for Access and Mobility.
- (c) Access for people with disabilities shall be provided to and within buildings as set out in Table D3.2 of the National Construction Code (NCC) by means of a continuous path of travel in accordance with AS1428.1:
  - (i) from the allotment boundary at the main points of entry; and
  - (ii) from any carparking space on the allotment (whether within or outside the building) provided in accordance with D3.5; and
  - (ii) from any adjacent and associated accessible building on the allotment; and
  - (iv) through the principal public entrance.
- (d) Sanitary facilities must be provided in accordance with Table F2.4 of the National Construction Code (NCC) for:
  - (i) every Class 3, 5, 6, 7, 8 and 9 building that is required by the deemed to satisfy provisions of Part D3 to be accessible to people with disabilities and may be calculated as part of the number of facilities required by Table F2.3; and
  - (ii) a Class 10a building to which the public will have access and which contains sanitary facilities, showers or hand basins etc.
  - (iii) The construction and layout of all facilities provided in accordance with Table F2.4 must comply with AS1428.1.
  - (iv) A unisex facility must be located so that it can be entered without crossing an area reserved for one sex only.
- (e) Identification of Accessible Facilities, Services and Features

In every building required to be accessible, clear and legible Braille and tactile signage complying with Specification D3.6 and incorporating the international symbol of access or deafness or other symbol as appropriate in accordance with AS1428.1 must identify all items as specified in Clause D3.6 of the National Construction Code (NCC).
- (f) Hearing Augmentation

- (a) Where an inbuilt amplification system, other than one used for emergency warning purposes only, is installed, a hearing augmentation system complying with AS1428.1 must be provided in the locations specified in Clause D3.7 of the National Construction Code (NCC).
  - (b) In a Class 9b building, any screen or scoreboard capable of displaying public announcements must be capable of supplementing any public address system, other than a public address system used for emergency warning purposes only.
- (g) Tactile Indicators

- (a) For a building required to be accessible, tactile ground surface indicators must be provided to warn people with vision impairment that they are approaching any area as specified in Clause D3.8 of the National Construction Code (NCC).
- (b) Tactile ground surface indicators required by (a) must be Type B indicators in accordance with AS1428.4.
- (c) A hostel for the aged, nursing home for the aged or a residential aged care building, need not comply with (a) (i) of D3.8 of the National Construction Code (NCC) if handrails incorporating a raised dome button in accordance with AS1428.1 are provided to warn people with impaired vision that they are approaching a stairway or ramp.

(h) Braille Signage

In every building required to be accessible, clear and legible Braille and tactile signage complying with Specification D3.6 of the National Construction Code (NCC) and incorporating the international symbol of access or deafness or other symbol as appropriate, in accordance with AS 1428.1 must identify:

- (a) each
  - (i) sanitary facility; and
  - (ii) accessible space with a hearing augmentation system; and
- (b) where an entrance or lift is not accessible, identify each accessible -
  - (i) entrance; and
  - (ii) lift or bank of lifts; andthe path of travel from the principal public entrance to these features and facilities where their location is not apparent to the building occupant (see National Construction code (NCC) D3.6 Braille and Tactile Signs).

(i) Disabled Sanitary Facility

The sanitary facility shall be constructed in accordance with the requirements of AS1428.1 Design for Access and Mobility General Requirements for Access.

**Note:** *The Applicants/property owner should note that the Commonwealth Disability Discrimination Act 1992 provides opportunity for public complaint potentially leading to legal action if access to premises by people with disabilities or their carers is precluded. This may require action to provide or improve access in addition to the minimum requirements of the National Construction Code (NCC), particularly if such work would not cause "unjustifiable hardship" for the proprietors or owners.*

*The Human Rights and Equal Opportunity Commission can provide further information on this issue).*

**Reason:** *Statutory requirement.*

#### **42. Pedestrian Management Plan**

Prior to the issue of a Construction Certificate, a Pedestrian Management Plan for the site shall be submitted to Council for approval which includes the following:

- (a) Provision of footpath to the full Charlotte Street frontage minimum 1200mm wide, taking into consideration the removal of the easternmost vehicular access as part of Stage 4.

**Note:** *Footpaths shall be required to be provided to the full length of Charlotte Street prior to the issue of the first Occupation Certificate (Interim or Final) for Stage 4.*

- (b) Pedestrian access within the site for each stage, taking into consideration:

- (i) pedestrian access to and from the temporary car park,
  - (ii) at the Park Road vehicular entrance.

**Reason:** *For pedestrian management and safety.*

#### **43. Landscape Master Plan**

Prior to the issue of a Construction Certificate for Stage 1, a detailed Landscape Master Plan shall be prepared and submitted to Council which defines the landscaping for each stage of the development.

The Landscape Master Plan shall be consistent with the Landscaping Strategy and plans prepared by Chris and Charlotte Webb, dated 30 March 2017.

The Landscape Master Plan shall clarify which trees are to be retained, relocated and removed for each particular stage. The Landscape Master Plan shall only permit tree removal for each stage after a construction certificate has been issued for each stage.

Consideration within the Landscape Master Plan shall be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the site and of the area, potential views, solar access and privacy, within and neighbouring the development.

**Reason:** *To understand staged landscaping to the site and to ensure consistent landscaping to the development.*

#### **44. Tree Assessment and Management Plan**

As referred to in the Landscape Strategy prepared by Chris and Charlotte Webb, submitted to Council on 30 March 2017, a Tree Assessment and Management Plan shall be prepared for the overall development site to ensure the ongoing health and structural stability of all retained trees. The plan shall address management during construction and operation of all stages of the master plan and shall be provided to the satisfaction of Council prior to the issue of a Construction Certificate for Stage 1.

**Reason:** *To protect and manage established site vegetation.*

### **CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK**

#### **45. Appointment of Principal Certifying Authority**

No work shall commence in connection with this Development Consent for Stage 1 until:

- (a) A Construction certificate for the building work has been issued by:
  - (i) the consent authority; or
  - (ii) an accredited certifier; and
- (b) the person having the benefit of the development consent has:
  - (i) appointed a principal certifying authority for the building work, and
  - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- (b1) the principal certifying authority has, no later than 2 days before the building work commences:
  - (i) notified the Council of his or her appointment, and
  - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (b2) the person having the benefit of the development consent, if not carrying out the work as an owner builder, has:
  - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
  - (ii) notified the principal certifying authority of such appointment, and
  - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (c) the person having the person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

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

#### **46. Principal Certifying Authority Sign**

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- The Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- The sign must state that unauthorised entry to the work site is prohibited.

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

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

**Advice:** *Where Council is the PCA, signage is available from Council.*

**Reason:** *Statutory requirement.*

#### **47. Developers Representative during Construction of Works**

A minimum of 48 hours prior to commencement of any construction works on site the Developer shall 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:-

- 1 Name of Representative:
- 2 Company:
- 3 Position:
- 4 Contact phone:
- 5 Contact fax:
- 6 After Hours Contact:
- 7 Signature of Representative:
- 8 Signature & Acceptance of representative by the Developer:
- 9 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:

- 10 Inform Council in writing of their intention 7 days before entering the site.
- 11 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 Quantity, 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.

**Reason:** *Statutory requirement.*

#### **48. 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.
- Advice:** *Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans, Traffic Control Plans and approvals under Section 138 of the Roads Act 1993.*

**Reason:** *Statutory requirement.*

**49. Relocation of Existing Services**

Where existing services including drainage, sewerage and water may be required to be relocated as a result of the development, a plumber's permit is required from Council prior to commencing work. Inspection of these works by Council as the Water Supply Authority is required.

**Reason:** *Statutory requirement.*

**50. Fencing of the Construction Site**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

**Reason:** *To ensure that the safety of the public is not compromised.*

**51. Developer to advise of damage to Council 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 (dilapidation report). Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the Developer's expense.

The construction supervisor is responsible to ensure that all contractors, sub-contractors, and delivery trucks use a designated access point to prevent damage to Council's property. Repairs to damaged grass verges, concrete footpath, kerb and gutter are to be carried out by the contractor/builder to Council's specification and supervision prior to occupation of the Stage 1.

**Reason:** *Public safety.*

**52. Erosion and Sediment Control**

Erosion and sediment control measures (as per the approved Erosion and Sediment Control Plan) shall be installed prior to the commencement of works for Stage 1.

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



**53. Car Park**

The onsite car parking area providing a minimum 56 spaces (designed as per **Condition 34**) shall be completed in the northern eastern corner of the site prior to commencement of Stage 1 construction works.

The car park shall be constructed in accordance with Australian Standard AS2890.1 Off-street car parking and shall remain available to construction vehicles until such time as all four stages of the development are complete.

**Reason:** *To ensure adequate parking and access.*

**CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE**

**54. Approved Plans to be Available On Site**

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

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

**55. Imported 'Waste-derived' Fill Material**

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

- Virgin excavated natural material within the meaning of the *Protection of the Environment Operations Act 1997* (POEO); or
- Any other waste-derived material the subject of a resource recovery exemption under cl.51A of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material

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

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under cl.51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

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

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

**56. Structure not to be built over easements/infrastructure**

No portion of any structure shall be erected over any existing sillage or stormwater disposal drains, easements, sewer mains, or proposed sewer mains.

**Reason:** *To protect infrastructure.*

**57. Engineering Inspections by Council**

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

- (a) stormwater drains. (Note Council only inspects stormwater drains for residential outbuildings, detached single dwellings and additions thereto. Internal stormwater drainage for medium density residential, commercial and industrial developments will need to be inspected and certified by the developer's Hydraulic Consultant. Any drainage works on Council property must be inspected by Council).
- (b) stormwater absorption trenches;
- (c) internal drainage under water test;
- (d) external drainage under water test;
- (e) water plumbing;
- (f) septic tank or aerated wastewater treatment system;
- (g) pump well and associated pump lines;
- (h) absorption trenches;
- (i) Piers associated with external drainage designed to distribute weight of structure away from sewer main prior to pouring of concrete.
- (j) Sewer / water main extensions (Technical Services).
- (k) final inspection of water plumbing, sanitary drainage and stormwater drainage.
- (l) final inspection of water and sewer main construction (those to be handed over to Council).
- (m) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves;

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

**Reason:** *Statutory requirement.*

**58. Storm water - Construction**

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

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

**59. Storm water - Discharge**

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

**Reason:** *To ensure that storm water is appropriately disposed of.*

**60. Disruption of Traffic**

During any construction works on the public road that is associated with this approval, the Applicant shall provide appropriate signage and traffic control facilities as per the requirements of AS 1742.3-2009 Manual of uniform traffic control devices - Traffic control for works on roads and the RMS "Traffic Control at Works Sites" manual.

**Reason:** *Safety and information.*

**61. Erosion and Sediment Control Plan Compliance**

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

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

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

**62. Prevention of Nuisance**

All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the demolition, excavation and building works.

**Reason:** *Health and amenity.*

**63. Dust Control**

The following measures must be taken to control the emission of dust on site:

- (a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- (b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the stormwater system.
- (c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.

**Reason:** *Environmental amenity*

**64. Vegetation Management**

A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation without the prior consent of Council (unless considered exempt development).

Any vegetation removed with Council consent and any other vegetation cleared in association of the approved development shall be disposed of in accordance with the approved Waste Management Plan.

For minor development, vegetation shall be either mulched for reuse on site or transported to an approved waste/recycling facility.

**Reason:** *To ensure compliance with Clause 5.9 of the Wingecarribee Local Environmental Plan 2010 by preserving the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.*

**Note:** *Failure to comply with this condition may result in prosecution by Council.*

**Note:** *No vegetation shall be burnt except with an approval issued by Council pursuant to the Protection of the Environment Operations (Clean Air) Regulation 2010. Failure to comply may result in a penalty of up to \$500 for an individual or up to \$1,000 for a corporation.*

**Advice:** *Tree removal should be carried out by a competent person to avoid any risk to life or damage to property. This person should have adequate public liability insurance cover.*

#### **65. Council Reserve / Street Tree Retention**

All trees in Council's road reserve are to be preserved except where removal is separately approved by Council via a tree preservation order permit or development application, to ensure the continued amenity of the streetscape and to retain the ecological integrity of the roadside area.

**Advice:** *Reference should be made to Council's Urban Street Tree Master Plan.*

**Reason:** *To ensure the continued amenity of the streetscape and to retain the ecological integrity of the roadside area.*

#### **66. Disposal of Vegetation**

Any trees removed with Council consent and any other vegetation cleared in association with this development shall be disposed of in accordance with the Waste Management Plan approved with this development application. For minor additions and outbuildings removed vegetation shall be either mulched for reuse on site or transported to an appropriately licensed waste/recycling facility.

**Reason:** *Environmental amenity.*

#### **67. Approved Hours of Construction/Demolition**

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

<b>DAY</b>	<b>HOURS</b>
Monday to Saturday	7:00am to 5:00pm
Sunday	Nil
Public Holidays	Nil

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

**Note:** *Any variation to these hours shall require Council consent via the lodgement of an application under section 96 of the Environmental Planning and Assessment Act 1979.*

**68. Construction Management Plan**

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

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

**Reason:** *Compliance with condition of consent.*

**69. Maintenance of the site**

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

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

Any run-off and erosion control measures required shall be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

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

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

**Reason:** *Environmental amenity.*

**70. Storage of Building Materials, Plant and Equipment**

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

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

**Advice:** *Specific approval may be obtained via a section 138 Roads Act 1993 application.*

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

**71. Protection of Public Places**

The adjoining or adjacent public area shall not be obstructed by any materials, vehicles, refuse skips and the like, under any circumstances unless approved in writing by Council.

If the work involved in the demolition or construction of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work subject to approval of a Traffic Management Plan.

An application to occupy public space shall be submitted to Council for approval prior to

commencement of works.

Where a hoarding is required, an application for hoarding shall also be submitted to and approved by Council prior to commencement of any work. Hoardings shall be erected to comply with the requirements of WorkCover, the Principal Certifying Authority and with relevant Australian Standards.

**Reason:** *Public safety.*

**72. Temporary Onsite Toilet**

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

Each toilet shall:

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

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

**73. Waste Management**

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

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

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

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

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN INTERIM OR FINAL OCCUPATION CERTIFICATE**

**74. Occupation Certificate**

In accordance with section 109J of the *Environmental Planning and Assessment Act 1979*, an application for an Occupation Certificate shall be made on completion of the works for Stage 1 and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

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

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

**Note:** *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.*

#### **75. Easements**

The creation or obtaining by the applicant of the following easements, at the applicant's expense and prior to issue of the first Occupation Certificate (Interim or Final) for Stage 1:

- (a) Easement over stormwater drainage pipeline in favour of Council. Easement width to be determined during detailed design.

**Reason:** *To ensure that access to public infrastructure is protected.*

#### **76. Public Infrastructure**

The applicant shall rectify any damage to public infrastructure (including roads, gutters, footpaths, street trees, etc.) prior to issue of the first Occupation Certificate (Interim or Final) certificate for Stage 1 at no cost to Council.

**Reason:** *To ensure that public infrastructure is protected from damage as a result of the development.*

#### **77. Energy Service Provider Requirements**

The requirements of the energy supply authority shall be met prior to the issue of the Occupation Certificate for Stage 1.

Any required electricity substation shall be located within the boundaries of the site and covered by an appropriate section 88B instrument or easement under *the Conveyancing Act 1919*. This restriction shall be registered to the title of the property prior to the issue of the first Occupation Certificate (Interim or Final).

**Reason:** *To ensure appropriate infrastructure is provided to the development.*

#### **78. Civil Engineering Works and Services**

All approved civil engineering works and services as per the approved engineering plans are to be constructed prior to issue of the first Occupation Certificate (Interim or Final).

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

#### **79. Certification of Engineering Works**

Prior to issue of the first Occupation Certificate (Interim or Final) for Stage 1, the following documents shall be submitted to the Principal Certifying Authority. These documents are:

- a) A Certificate from a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers, Australia, and registered on the National Professional

Engineers Register (NPER) under the appropriate professional category, and

b) A "Work - As - Executed" (WAE) plans of the engineering and/or drainage works.  
The abovementioned Certificate shall certify that:

- (i) the stormwater drainage system, and/or
- (ii) the car parking arrangement and area, and/or
- (iii) any related footpath crossing works, and/or
- (iv) the proposed basement pump and well system, and/or
- (v) the proposed driveway and layback, and/or
- (vi) other civil works have been constructed in accordance with the approved plans and details, satisfies the design intent and complies with appropriate SAA Codes relevant Standards and Councils Policies and Specifications.

Where Council is not the Principal Certifying Authority, two (2) copies of the above documents are to be provided to Council on disk in DXF format prior to the issue of any Occupation Certificate. These documents are to be retained on Council's Construction Certificate file.

**Reason:** *Asset management.*

#### **80. Maintenance and Bond for Public Assets - Civil Works**

The Developer shall at their own expense maintain all civil works constructed by them and which will fall into Councils care with respect to the development for a period of 12 months after the date of the signing of the Subdivision Certificate or approval for occupation of the development. Prior to issue of the first Occupation Certificate (Interim or Final) for Stage 1 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. The bond shall be assessed by Council for release after the 12 month period on request by the Developer.

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

#### **81. Asset Management**

Prior to issue of the first Occupation Certificate (Interim or Final) for Stage 1, the developer shall provide a detailed summary of the Assets that will be handed over to Council at the end of the maintenance period. The details shall be provided in a tabular form so as to allow Council to update its Assets register.

The assets to be identified include;

- Drainage systems length and size of pipes, number of pits, total area (m<sup>2</sup>)
- Sewer
- Water

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

#### **82. Storm water Facilities Alterations**

A "Restriction as to User" shall be included on and title of the proposed development to prevent any change in shape or alteration in structure of the proposed storm water facilities after the final approval of the structure has been given by Council. Details shall be provided for the approval of Council prior to issue of the first Occupation Certificate (Interim or Final) For Stage 1.

**Reason:** *To provide appropriate storm water management.*



**83. Storm water Facilities Maintenance**

A "Positive Covenant" shall be included on the title of the proposed development showing the location of storm water facilities and requiring that the proposed storm water facilities be maintained in a safe and functional manner. In addition, the section 88B Instrument shall make provision for Council to conduct maintenance on the subject storm water facilities at the owner's expense if the storm water facilities are not maintained to the agreed standard. Details shall be provided for the approval of Council prior to issue of the first Occupation Certificate (Interim or Final) for Stage 1.

**Reason:** *To provide appropriate storm water management.*

**84. Landscape Plan**

Prior to the issue of the first Occupation Certificate (Interim or Final) for Stage 1, the approved Landscaping Plan shall be completed to the satisfaction of the Group Manager, Planning Development and Regulatory Services.

**Reason:** *To ensure the development is landscaped prior to its occupation.*

**85. Bushfire Hazard**

Pursuant to Condition 1 in Attachment 3, at the issue of the first Occupation Certificate (Interim or Final) of Stage 1, and in perpetuity, the entire property shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. This requirement shall be included as a "Restriction as to User" on the title of the property prior to issue of the first Occupation Certificate (Interim or Final) for Stage 1.

**Reason:** *Bushfire Safety*

**DURING OPERATION****86. Car Park**

Construction vehicular access to the Car Park shall remain via the eastern site entrance off Charlotte Street until such time as the intersection upgrade works at the junction of Moss Vale Road and Park Road have been approved and the approved works are constructed.

**Reason:** *To ensure adequate parking and access.*

**87. Annual Fire Safety Statement**

Each year, the owner of a building to which an essential fire safety measure is applicable shall cause the Council to be given an annual fire safety statement for the building. Such a fire safety statement:

- (a) shall deal with each essential fire safety measure in the building premises; and
- (b) shall be given within twelve months after the last such statement was given, or if no such statement was given, within twelve months after a final fire safety certificate was first issued for the building.

As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:-

- (a) shall cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
- (b) shall cause a further copy of the certificate (together with a copy of the current fire

safety schedule) to be permanently displayed in the building.

**Reason:** *To ensure compliance with fire safety requirements.*

#### **CONCURRENCE CONDITIONS**

**88. Concurrence – Water NSW**

Concurrence has been granted by Water NSW for Stage 1 of the development pursuant to *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*. The conditions provided by Water NSW are provided at Attachment 2 and form part of this Notice of Determination.

#### **INTEGRATED DEVELOPMENT CONDITIONS**

**89. General Terms of Approval – NSW Rural Fire Service**

General Terms of Approval have been granted by NSW Rural Fire Service for Stage 1 of the development pursuant to section 100B of the *Rural Fires Act 1997*. The conditions provided by NSW Rural Fire Service are provided at Attachment 3 and form part of this Notice of Determination.

#### **END OF CONDITIONS**

**ATTACHMENT 1: NSW ROADS AND MARITIME SERVICE  
GENERAL TERMS OF APPROVAL**

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- Traffic Study

A Traffic Impact Study (TIS) that has been prepared by a suitably qualified consultant must be submitted with each subsequent stage/DA (i.e. Stage 2, 3 and 4). The TIS must be prepared in accordance with the RTA Guide for Traffic Generating Developments (refer to Table 2.1 that outlines the key issues that should be considered in preparing a TIS).

- Modelling – Intersections

Intersection modelling using SIDRA needs to be undertaken for the junction of Moss Vale Road with Charlotte Street and Moss Vale Road with Park Road and must be submitted with each subsequent stage/DA (i.e. Stage 2, 3 and 4). This is required to demonstrate that an acceptable level of service is maintained at the above intersections. Intersection modelling using SIDRA for the above junctions needs to consider the following:

- Full development of the site;
- AM and PM peaks volumes and holiday peak volumes;
- Existing traffic volumes with and without development and 10 year projected volumes with and without the development;
- The base SIDRA models must be calibrated with on-site observations in the AM and PM peak (including existing turning volumes). This can be done by measuring existing queue lengths and delays;
- Current and representative traffic counts need to be used;
- Additional works required within the adjoining classified road network to ameliorate any impacts on traffic, efficiency and road safety. This including an assessment against the warrants as detailed in Section 4.8 (Warrants for BA, AU and CH Turn Treatments) of *Austroads Guide to Road Design*;
- Details on any SIDRA defaults that have been changes with supporting justification; and
- Electronic copies of all SIDRA files need to be provided to RMS for review.

- Sight Distances

As part of the Stage 2 DA the applicant must demonstrate that the access proposed at the junction of Park Road and Moss Vale Road would have Safe Intersection Sight Distance in accordance with *Austroads Guide to Road Design – Part 4a: Unsignalised and Signalised Intersection* Table 3.2, in both directions for a design speed of 80km/h.

- Designs

As part of the Stage 2 DA (and any other stage at which upgrades to intersection with the state classified road are required), designs for all works proposed at the junction of Moss Vale Road with Charlotte Street and Moss Vale Road with Park Road must be provided to the RMS for review and comment. The designs provided must take the SP2 Infrastructure zoning (marked classified road) into consideration and ensure works are consistent with the

long term road alignment (e.g. outside the area reserved for road widening as shown on the Land Reservation Acquisition Maps in the Wingecarribee Local Environmental Plan 2010). The designs must also demonstrate compliance with Austroads Guide to Road Design and RMS supplements, be to scale, detail legal property boundaries (existing and proposed after road widening), line marking/signage, lane widths, drainage, lighting, etc.

- Turn Paths (swept paths)

As part of each subsequent stage/DA (i.e. Stage 2, 3 and 4) the applicant must provide a swept path analysis in accordance with Austroads turning templates to demonstrate that the largest vehicle likely to utilise the accesses can enter and exit the driveway in a forward direction and will not cross the centre line of Moss Vale Road and Charlotte Street.

- Car Parking

As part of each subsequent stage/DA (i.e. Stage 2, 3 and 4) the applicant must undertake a car parking assessment that details required car parking to be provided within the site for that stage, car parking previously required and provided, location of car parking (both existing and proposed), etc.

- Construction Traffic

Construction traffic should use Charlotte Street to gain access to the development site until intersection upgrade works at the junction of Moss Vale Road with Park Road have been approved by RMS (i.e. designs) and the approved works constructed.

## ATTACHMENT 2: WATER NSW CONCURRENCE



PO Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
www.waterNSW.com.au  
ABN 21 147 934 787

### Water NSW's Amended Concurrence Conditions DA No 16/1198; Lot 811 DP 1176908; 2 Charlotte Street, Burradoo

#### General

1. The proposal shall be as per the following plans prepared by Calder Flowers Architects:
  - Consolidated Site Demolition Plan and Delineation of Stages by Precincts (Project No. 16080, Dwg. No DA A003 and A004, Issue E, dated 14/06/2017)
  - Site Master Plan for Stages 1 to 4 (Project No. 16080, Dwg. No DA A010, A011, A012 and A013; Issue E, dated 14/06/2017), and
  - Site Plan Stage 1 – Dementia Unit and Dementia Unit Floor Plan (Project No. 16080, Dwg. No DA A101 and A102, Issue E, dated 14/06/2017)

No revisions to layout, works or staging that will impact on water quality, shall be permitted without the prior agreement of Water NSW.

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

#### Stage 1 - Stormwater Management

2. All stormwater management measures for Stage 1 as outlined in the NorBE Assessment prepared by Strategic Environmental and Engineering Consulting (dated 10 July 2017) and associated stormwater quality MUSIC modeling shall be incorporated in the stormwater drainage plan to be prepared **prior to the issuance of Construction Certificate for Stage 1 works**. The stormwater drainage plan shall be to the satisfaction of Council and Water NSW and shall be implemented. The stormwater management measures for Stage 1 works shall be as elaborated in the following conditions.
3. The dementia unit shall have a rainwater collection and reuse system that include the following specifications and requirements:
  - rainwater tanks with a minimum total capacity of 50,000 litres above any volume required for mains top-up
  - roofs and gutters designed so as at least 50% of the roof area drains to capture rainwater in the tanks
  - the tanks plumbed to toilets, laundry and other areas for non-potable use including use for gardens, and
  - rainwater tank overflow shall be directed to site stormwater drainage system.
4. A bioretention basin shall be designed as specified in the NorBE Assessment prepared by Strategic Environmental and Engineering Consulting (dated 10 July 2017) to capture and treat all runoff from the Stage 1 pathways and car parking area as well as the dementia unit rainwater tank overflow. The bioretention basin shall incorporate the following specifications and requirements:
  - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
  - a minimum surface area of 30 square metres and a minimum filter area of 10 square metres

- an extended detention depth of 300 mm
  - a filter depth (excluding transition layers) of 400 mm above the underdrain
  - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
  - a saturated or anoxic zone of 250 mm below the underdrain
  - a saturated media layer consisting of clean coarse sand incorporating 5% by volume of hardwood chips
  - be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
  - direct all discharge and overflow to the unformed park road via an armoured discharge point such that discharge does not cause erosion
  - be accessible from road or driveway by machinery to facilitate cleaning, monitoring and maintenance of the structures
  - be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
  - be protected by sediment and erosion control measures during any construction and post-construction phase (including subsequent stages of development) until the ground surface is revegetated or stabilised.
5. No changes to stormwater treatment and management that will impact on water quality, shall be permitted without the agreement of Water NSW.
6. An Operational Environmental Management Plan (OEMP) for Stage 1 shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The OEMP shall be prepared prior to the issuance of a Occupation Certificate for Stage 1 development. The OEMP shall include but not limited to:
- details on the location, description and function of stormwater management structures such as pits, pipes, inlet filters, bioretention basin, rainwater tanks, and any other stormwater structures and drainage works
  - 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 Conditions 2 to 6 – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality over the longer term.*

#### **Stage 1 Construction Activities**

7. A Soil and Water Management Plan shall be prepared for the proposed demolition and constructions works of Stage 1 by a person with knowledge and experience in the preparation of such plans. 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". The Plan shall be prepared prior to construction commencing and be to the satisfaction of Council.

8. The plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction or demolition activity. The controls shall prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain and shall be regularly maintained and retained until works have been completed and groundcover established.

*Reason for Conditions 7 & 8 – 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.*

**Subsequent Stages of Development in the Masterplan**

9. Any development of subsequent stages of the Masterplan shall be subject to further development applications and the provisions of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) and will need to be assessed according to the Neutral or Beneficial Effect (NorBE) test in relation to the potential effect of the development on water quality.

*Reason for Condition 9 - To ensure all stages of the development achieve a sustainable neutral or beneficial impact on water quality over the longer term.*



### ATTACHMENT 3: NSW RURAL FIRE SERVICE GENERAL TERMS OF APPROVAL

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*All communications to be addressed to:*

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Telephone: 1300 NSW RFS  
e-mail: [pes@rfs.nsw.gov.au](mailto:pes@rfs.nsw.gov.au)

Headquarters  
Locked Bag 17  
Granville NSW 2142

Facsimile: 8741 5433



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The General Manager  
Wingecarribee Shire Council  
PO Box 141  
MOSS VALE NSW 2577

Your Ref: 16/1198  
Our Ref: D16/4292  
DA16121905304 SD

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**ATTENTION:** Ellie Varga

26 July 2017

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Dear Sir / Madam

#### **Integrated Development for 2 Charlotte Street Burradoo 2576**

I refer to your letter dated 22 June 2017 seeking general terms of approval for the above Integrated Development in accordance with Clause 55(1) of the Environmental Planning and Assessment Regulation 2000.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

##### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
2. To allow for emergency service personnel and residents to undertake property protection activities, a defendable space that permits unobstructed pedestrian access is to be provided around the building.

##### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and



electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

3. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

#### **Access**

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

4. New property access roads and internal roads shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

#### **Evacuation and Emergency Management**

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

5. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

#### **Landscaping**

6. Any proposed landscaping is to conform to the requirements of Appendix 5 of 'Planning for Bush Fire Protection 2006' and the Rural Fire Service 'Standards for asset protection zones'.

This letter is in response to a further assessment of the application submitted and supersedes our previous general terms of approval dated 6 January 2017.

For any queries regarding this correspondence please contact Stephen Dubois on 1300 NSW RFS.

Yours sincerely



Amanda Moylan

**Team Leader Development Assessment and Planning**

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.

## **Notice of Payment – Developer Charges & Section 94**

16/1198

15 August 2017

JIM GILVARRY & ASSOCIATES PTY LTD  
PO BOX 960  
BOWRAL NSW 2576

Re: 16/1198  
Lot 811 DP 1176908  
2 CHARLOTTE STREET BURRADOO NSW 2576

**Development Description:** *Masterplan Application for Seniors Housing, Stage One – 28 Bed Dementia Unit of a Four (4) Stage redevelopment of the site*

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 94 of the Environmental Planning and Assessment Act 1979 and Council's Section 94 Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
S64 Stormwater Compliance Certificate	1.00	\$92.50	\$92.50
S64 Stormwater (Bowral)	1.00	\$3,494.81	\$3,494.81
S64 Sewer Compliance Certificate	1.00	\$92.50	\$92.50
S64 Sewerage (Shirewide)	140.48	\$8,452.96	\$1,187,431.28
S64 Water Compliance Certificate	1.00	\$92.50	\$92.50
S64 Water (Shirewide)	121.00	\$6,641.60	\$803,601.77
Total			\$1,994,805.36

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

**IMPORTANT** – The charges shown above are valid for payment until the date given below. After this period the charge will need to be recalculated due to adjustments in the Consumer Price Index.

**DATE CHARGES ARE VALID TO – 14 Sep 2017**

Prepared by – Bennett Kennedy

Cashier Receipt No: \_\_\_\_\_

Total Paid: \_\_\_\_\_

Date Paid: \_\_\_\_\_

**A COPY OF THIS NOTICE MUST BE PRESENTED WHEN MAKING PAYMENT**