

Attachment H: Conditions of Development Consent – 2017WES002

GENERAL CONDITIONS

1. Development is to be in accordance with approved plans.

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

| Plan No./ Supporting Document | Prepared by/Reference Details | Date |
|---|--|------------|
| General Arrangement Stage 1 – A001/A | Beechwood | 19/01/2017 |
| Detail Plan Stage 1 – A002/A | Beechwood | 19/01/2017 |
| Detail Plan Stage 1 – A003/A | Beechwood | 19/01/2017 |
| Shadow Plan 9am, 21 June – A004/A | Beechwood | 19/01/2017 |
| Shadow Plan 12pm ,21 June – A005/A | Beechwood | 19/01/2017 |
| Shadow Plan 3pm, 21 st June – A006/A | Beechwood | 19/01/2017 |
| House Facade Types – A007/A | Beechwood | 19/01/2017 |
| Community Hall Facade –A008/A | Beechwood | 19/01/2017 |
| Type A, House Floor Plans & Elevations – A009/A | Beechwood | 19/01/2017 |
| Type B, House Floor Plans & Elevations – A010/A | Beechwood | 19/01/2017 |
| Type C, House Floor Plans & Elevations – A011/A | Beechwood | 19/01/2017 |
| House Plan Types – A012/A | Beechwood | 19/01/2017 |
| House Plan Types – A013/A | Beechwood | 19/01/2017 |
| Location Plan & Drawing Index – C002/A | Fraish Consulting Civil & Structural Engineers | 08/12/16 |
| Staging Plan – C003/A | Fraish Consulting Civil & Structural Engineers | 08/12/16 |
| Civil Notes & Legend – C005/A | Fraish Consulting Civil & Structural Engineers | 08/12/16 |
| General Arrangement Plan – C006/A | Fraish Consulting Civil & Structural Engineers | 08/12/16 |
| Lot Layout Plan – C100/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Lot Layout Plan – C101/A – Sheet 2 | Fraish Consulting Civil & | 12/12/16 |

| Plan No./ Supporting Document | Prepared by/Reference Details | Date |
|---|--|----------|
| | Structural Engineers | |
| Typical Cross Sections – C105/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 08/12/16 |
| Long Sections Road 1 – C120/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 1 – C121/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 1 – C122/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 1 – C123/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 2 – C125/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 2 – C126/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 3 – C127/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 3 – C128/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 4 – C129/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 4 – C130/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 5 – C131/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Long Sections Road 5 – C132/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Cross Sections Road 1 – C133/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 1 – C134/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 1 – C135/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 1 – C136/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 1 – C137/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 1 – C138/A – Sheet 6 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 1 – C139/A – Sheet 7 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 2 – C140/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 2 – C141/A – Sheet 2 | Fraish Consulting Civil & | 14/12/16 |

| Plan No./ Supporting Document | Prepared by/Reference Details | Date |
|--|--|----------|
| | Structural Engineers | |
| Cross Sections Road 2 – C142/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 2 – C143/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 2 – C144/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 3 – C146/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 3 – C147/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 3 – C148/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 3 – C149/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 4 – C150/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 4 – C151/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 4 – C152/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 5 – C153/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 5 – C154/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 5 – C155/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 5 – C156/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Cross Sections Road 5 – C157A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Detail Plan – C160/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Detail Plan – C161/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Detail Plan – C162/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Detail Plan – C163/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Detail Plan – C164/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Detail Plan – C165/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Sediment & Erosion Control Plan C211/A – | Fraish Consulting Civil & | 12/12/16 |

| Plan No./ Supporting Document | Prepared by/Reference Details | Date |
|---|--|----------|
| Sheet 1 | Structural Engineers | |
| Sediment & Erosion Control Plan C212/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Sediment & Erosion Control Notes C213/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Pavement Plan – C220/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Pavement Plan – C221/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Pavement Details – C225/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Pavement Markings & Signage – C230/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Pavement Marking & Signage - C231/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Fencing Plan – C240/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Fencing Plan – C245/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Landscaping Plan & Notes – C250/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Landscaping Plan & Notes – C251/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Stormwater Plan – C305/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Stormwater Plan – C306/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Water Plan – C320/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Water Plan – C321/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Water Plan – C322/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Water Plan – C323/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Water Plan – C324/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Detail Plan – C325/A – Sheet 6 | Fraish Consulting Civil & Structural Engineers | 12/12/16 |
| Water Details – C326/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Water Details – C327/A – Sheet 2 | Fraish Consulting Civil & Structural | 13/12/16 |

| Plan No./ Supporting Document | Prepared by/Reference Details | Date |
|--|--|------------------|
| | Engineers | |
| Water Details – C328/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Water Details – C329/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Water Details – C330/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Sewer Plan – C331/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Sewer Plan – C332/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Sewer Plan – C333/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Sewer Plan – C334/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 14/12/16 |
| Sewer Plan – C335/A – Sheet 5 | Fraish Consulting Civil & Structural Engineers | 15/12/16 |
| Sewer Plan – C336/A – Sheet 6 | Fraish Consulting Civil & Structural Engineers | 15/12/16 |
| Sewer Details – C338/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 15/12/16 |
| Sewer Details – C339/A – Sheet 2 | Fraish Consulting Civil & Structural Engineers | 15/12/16 |
| Sewer Details – C340/A – Sheet 3 | Fraish Consulting Civil & Structural Engineers | 15/12/16 |
| Sewer Details – C341/A – Sheet 4 | Fraish Consulting Civil & Structural Engineers | 15/12/16 |
| Common Trench Details – C410/A – Sheet 1 | Fraish Consulting Civil & Structural Engineers | 13/12/16 |
| Bushfire Protection Assessment – Yarrabilly Estate | Ecological Australia | 19 December 2016 |
| Yarrabilly Estate Retirement Village State 1 | Biosis | 20 December 2016 |

| Plan No./ Supporting Document | Prepared by/Reference Details | Date |
|--|-------------------------------|------------------|
| subdivision: Aboriginal cultural Heritage due diligence assessment – Final Report | | |
| Flora and Fauna Assessment: Yarrabilly Estate Retirement Village Stage 1 subdivision Cowra, NSW – Final Report | Biosis | 23 December 2016 |
| Landfill Gas Groundwater Investigation | Envirowest Consulting | 19 December 2017 |

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevails.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature shall be kept on site at all times while work is being undertaken.

2. This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate for subdivision works has been obtained and a Principal Certifying Authority has been appointed.
3. The development is required to comply with the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
4. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Environmental Planning and Assessment Regulation 2000 (see attached Advisory Note).
5. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 7.00 pm on weekdays and 8.00 am and 5.00 pm on Saturdays. No work is permitted on Sundays or Public Holidays.
6. All building rubbish and debris, including vegetation and other items capable of being windblown, shall be contained on site in a suitable container for disposal at an appropriately licensed waste management facility. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project.

THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE FOR SUBDIVISION WORKS

7. Prior to the issue of a Construction Certificate for subdivision works a Construction Management Plan shall be submitted for approval by the Council's Director – Environmental Services. The Plan shall address, but not be limited to, the following matters:
 - (a) hours of work;

- (b) contact details of site manager;
- (c) arrangements for site deliveries and removal of material from site;
- (d) details of hoardings;
- (e) details of demolition works and the presence of any asbestos or other hazardous waste;
- (f) traffic and/or pedestrian control measures;
- (g) dust control measures;
- (h) noise control measures;
- (i) screening from adjoining properties.

8. Prior to the issue of a Construction Certificate for subdivision works a Stormwater Management Plan shall be submitted and approved by the Council's Director Infrastructure and Operations, demonstrating that adequate provision will be made for the estimated potential stormwater runoff from the development in accordance with Cowra Shire Council Development Control Plan 2014 and Engineering Standards Manual. Any required stormwater drainage facilities necessary to service the subdivision, including inter-allotment drainage, shall be carried out and detailed in the engineering details submitted to Council for approval for drainage infrastructure. The Stormwater Management Plan must be prepared by an appropriately qualified and experienced Engineer.
9. Prior to the issue of a Construction Certificate for subdivision works all engineering design and details for the proposed sewerage reticulation are to be prepared by a qualified practising Civil Engineer and submitted to the Council's Director – Infrastructure and Operations for approval. The design shall include evidence that the proposed sewerage design will not exceed the capacity of Council's existing sewerage infrastructure. The applicant is advised to liaise with Council's Director - Infrastructure and Operations prior to the finalisation of design.
10. Prior to the issue of a construction certificate for subdivision works the applicant shall submit all engineering design and detail for the proposed water reticulation which are to be prepared by a qualified practising civil engineer and submitted to Council's Director – Infrastructure and Operations for approval. The design is to ensure that the proposed water infrastructure will meet the future demand of the development.
11. Prior to the issue of a Construction Certificate for subdivision works an approval under Section 68 of the Local Government Act 1993 to carry out water supply and sewerage work and to connect to the existing water supply and sewerage system network must be obtained.
12. Prior to the issue of a Construction Certificate for subdivision works the applicant shall submit for approval by Council's Director – Infrastructure and Operations full engineering details prepared by a qualified practising Civil Engineer showing long section, cross section and drainage details for all roadworks in the subdivision and the extension of Yarrabilly Drive from Binni Creek Road to the subdivision, together with a sample of gravel to be used. Including:

- a) Kerb and gutter is to be provided to the subdivision in the form of roll top kerb and gutter to cul-de-sacs and local roads and barrier kerb and gutter to collector and arterial roads in accordance with Council's Engineering Standards Manual.
 - b) A concrete footpath is to be constructed within the public road reserve required to service the site for its entire length in accordance with Council's Engineering Standards manual.
13. Prior to the issue of a Construction Certification for subdivision works an Asbestos Management Plan is to be submitted to Council in relation to the access road in the event of the presence of any asbestos on the site. The Asbestos Management Plan needs to be drafted in accordance with the requirements of SafeWork and the requirements of the Work Health and Safety Regulation 2017.
14. The applicant for a Construction certificate is to include documents/plans which incorporate and demonstrate compliance with the applicable design requirements applied under Schedule 3 – Standards of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 concerning accessibility and useability for hostels and self-contained dwellings.
- Note 1. No building, engineering or excavation work is to be carried out in relation to this development until the necessary Construction Certificates have been obtained.
- Note 2. It is the responsibility of the Applicant to ensure that the development complies with the applicable Council Engineering Standards. This may entail alterations to the proposal so that it complies with these standards.
15. Prior to the issue of a Construction Certificate for subdivision works the applicant shall submit for approval by Council's Director – Infrastructure and Operations, plans and specification demonstrating that cut and fill on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering standards. It is noted that any retaining wall that does not comply with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without affecting the structural integrity of boundary fencing or neighbouring structures.
16. Prior to the issue of a Construction Certificate, the Applicant is to submit a Landscape Plan prepared by a suitably qualified person to Council for approval by the Director - Infrastructure Operations which details the proposed plant species, planting and maintenance schedule. The plan is to be prepared in accordance with Cowra Shire Council Development Control Plan 2014.

17. Prior to the issue of a Construction Certificate for subdivision works the applicant is to demonstrate compliance with Crime Prevention Through Environmental Designs (CEPTED) principals, including the following:

- a) Landscaping
Landscaping in communal areas shall be maintained at all times to a suitable level in accordance with the principles of *Crime prevention and the assessment of development application Guidelines* prepared by the Department of Urban Affairs & Planning (2001).
- b) Lighting
 - i. All pathway lighting within communal areas shall have a minimum light level of 20 lux at ground level.
 - ii. Any lighting within the communal area which require repair/replacement shall be repaired/replaced as soon as possible (e.g. within 72 hours)
- c) Front doors
All front doors within the development shall be fitted with a peep hole at an appropriate height to enable residents to view persons who may approach their dwelling.

18. Prior to the issue of a Construction Certificate for subdivision works, evidence is to be supplied to Council which reflects the Memorandum of Understanding (MOU) between the Cowra Council and the Cowra Pistol Club dated 2012. The MOU includes details of appropriate measures to mitigate the impacts of the development on the existing Pistol Club located adjacent to the development. The mitigation measures shall be approved by NSW Police. All mitigation works will be designed, constructed under the supervision of and be certified for adequacy by an appropriately qualified and practising professional/s and in consultation with the Cowra Pistol Club. All required measures/works will be completed prior to any work commencing on the development site. The cost of all mitigation measures/works including any development approvals necessary will be paid for by the applicant/developer.

Note: Depending on the scope of measures/works required, separate development approval may be required.

19. Pursuant to Section 94 of the Environmental Planning & Assessment Act 1979, the monetary contributions set out in the following table are to be paid to Council prior to the issue of a Construction Certificate for the subdivision works. The contributions are current as at the date of this consent and are levied in accordance with the Cowra Section 94 Contributions Plan 2016, adopted on 26 April 2016. The contributions payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

| Contribution Type ³ | Rate ¹ | Rate Amount | No. of Lots ² | Total Contribution | Rate remains current until |
|--|-------------------|-------------|--------------------------|--------------------|----------------------------|
| Open Space & Sporting Facilities | Lot | \$1,651.36 | 99 | \$169,199.91 | June 2018 |
| Civic and Community Facilities | Lot | \$1,316.06 | 99 | \$134,844.93 | June 2018 |
| Transport Infrastructure | Lot | \$0.00 | 99 | \$0.00 | June 2018 |
| Plan Management Administration | Lot | \$152.87 | 99 | \$15,662.79 | June 2018 |
| Total Contribution Payable | | | | \$319,707.63 | June 2018 |
| Notes ¹ Per Lot ² No. of additional lots created. The original lot is discounted from the calculations. ³ Council's Section 94 Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website www.cowracouncil.com.au | | | | | |

THE FOLLOWING CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

20. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.
21. Prior to the commencement of works on the public road reserve a permit under Section 138 of Roads Act 1993 is to be obtained from Council.
22. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented. All such works shall be maintained during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part Q of Cowra Council Development Control Plan 2014 at all times.
23. During demolition, excavation and construction on the site the trees identified in the development consent for retention are to be retained, maintained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

THE FOLLOWING CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

24. All works involving the removal and disposal of asbestos cement and other products containing asbestos must only be undertaken by contractors who hold a current SafeWork NSW licence appropriate to the work being undertaken.

25. All removal, transport and disposal of asbestos or other contaminated waste materials is controlled by the Work Health and Safety Act 2011 and the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace.

Note: The delivery of asbestos waste to Cowra Shire Council's Materials Recycling Facility (MRF) must be pre-booked by phoning the MRF on (02) 6340 2140.

26. On the completion of any required asbestos removal works, a Clearance Certificate is to be obtained in accordance with the The Work Health and Safety Regulations 2011 and provided to Council.

27. The emission of sound from the premises shall be controlled at all times in accordance with the NSW Industrial Noise Policy so as to not unreasonably impact nearby owners/occupants.

Note: Information relating to the control of noise from the factory premises can be downloaded from the NSW Department of Environment and Climate Change website, www.epa.nsw.gov.au.

28. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.

29. Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

30. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

31. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.

32. The applicant is to ensure that any excess fill (ENM or VENM) removed from the site is to be taken to either:

- (a) a public waste disposal facility; or
- (b) a site authorised for the fill under a State Environmental Planning Policy or by separate development consent by Council.

THE FOLLOWING CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

33. The Applicant is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the original plan and a minimum of four copies for signature. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.
34. Prior to the issue of a Construction Certificate for subdivision works the creation of a Section 88B Instrument is to be submitted to Council for approval by the Director – Environmental Services and at no cost to Council. The final plan of subdivision and accompanying Section 88B of the Conveyancing Act 1919 Instrument are to provide for the items listed in the following table:

| Item for inclusion in Plan of Subdivision and/or Section 88B Instrument | Details of Item |
|---|---|
| Seniors housing | Documents will be submitted to Council confirming that a restriction has been placed on the title of the land the subject of this approval restricting the use of the land to seniors housing residential accommodation as per State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. A notation is to be incorporated naming Cowra Shire Council as the only party permitted to vary the restriction. |
| Drainage Easements | The creation of easements for drainage of water over all drainage pipelines and structures located within the proposed allotments in accordance with Council's policy. |
| Sewer Easements | The creation of easements for drainage of sewage over all sewage pipelines and structures located within the proposed allotments in accordance with Council's policy. |
| Easement for water services | The creation of a 3 metre wide easement for services. The instrument shall benefit and burden the proposed allotments and parties as is appropriate, to the satisfaction of Council, for the purposes of providing access to the system and for maintenance. |
| Easement for electricity and/or telecommunications | The creation of any necessary easements for electricity and/or telecommunication purposes as required by the relevant supply authority. The instrument shall benefit the |

| Item for inclusion in Plan of Subdivision and/or Section 88B Instrument | Details of Item |
|---|--|
| | relevant supply authority and burden proposed allotments as is appropriate, to the satisfaction of Council. |
| Easements for the Disposal of Stormwater and/or Effluent | The creation of any necessary easements for the disposal of effluent and/or stormwater. The instrument shall benefit the relevant supply authority and burden proposed allotments as is appropriate, to the satisfaction of Council. |

35. The Applicant is required to obtain Engineering Certification from Cowra Shire Council or other form of documentary evidence from an Accredited Certifying Authority, demonstrating that all road works and stormwater drainage infrastructure (including road drainage infrastructure, and internal driveways and car parking areas) have been constructed and completed in accordance with Cowra Shire Council Development Control Plan 2014 Part D Subdivision Code and Cowra Council's Engineering Standards Manual. For the purposes of obtaining the certification, the works must be inspected by Council or an Accredited Certifying Authority at the times specified below:

- (a) **Pre-construction:** Prior to construction of works on the roadway and after all sediment controls and traffic controls are in place.
- (b) **Vehicular Access:** When the vehicular access driveways to the site from the proposed new access road have been constructed and prior to sealing.
- (c) **Road Works:** When earth works have been completed to sub-grade level, prior to any gravel being laid. When the road formation is completed, prior to sealing. When road works have been completed and sealed.
- (d) **Kerb and Gutter:** When kerb and gutter/drainage has been completed.
- (e) **Internal driveways:** When the proposed internal manoeuvring areas and car parking areas have been constructed.
- (f) **Stormwater:** – When the stormwater lines have been laid and prior to be backfilling.
- (g) **Water Mains:** When the water reticulated mains and services have been laid and prior to backfilling.
- (f) **Sewer Mains:** When the sewer mains and services have been laid and prior to backfilling.
- (h) **Completion:** When all vehicular accesses, internal driveways, and stormwater works have been completed.

Note 1: The above certification is required irrespective of whether the work has been inspected by a structural engineer, a lending authority or any other person.

Note 2: Necessary inspections must be arranged at least 24 hours in advance.

36. Prior to the issue of a subdivision certificate, the applicant shall construct a dedicated sealed access to each lot in accordance with Council's Engineering Standards Manual.
37. Prior to the issue of the Subdivision Certificate, a Works-as-Executed (WAE) Plan prepared by a registered surveyor is to be submitted to Council. The WAE plan shall show:
- (i) Whether all works have been completed generally in accordance with the approved plans;
 - (ii) Any departure from the approved plan and conditions;
 - (iii) Any additional work that has been undertaken;
 - (iv) Location, levels and sizes of pipes and pits;
 - (v) Finished floor and finished surface levels; and
 - (vi) The location of finished levels should in general correspond with those shown on Council's approved drainage plan.

The above information is to be superimposed on a full sized copy of the approved plan and is to be submitted to Council.

38. Prior to the issue of a Subdivision Certificate, all landscape works shall be completed in accordance with the approved plans.
39. The Applicant is required to obtain a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 certifying that all works, fees and charges required in connection with the provision of sewerage to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Subdivision Certificate.

Note 1: Separate reticulated sewer mains and services must be physically provided to the development in accordance with Cowra Shire Council Development Control Plan 2014 Part D – Subdivision Code and Cowra Shire Council's Engineering Standards Manual. Council will not issue the Subdivision Certificate until the Compliance Certificate has been issued, verifying that all works have been satisfactorily completed.

Note 2: All monetary contributions in relation to the augmentation of reticulated sewerage must be paid in full to Cowra Shire Council before the Subdivision Certificate will be issued.

Note 3: Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.

40. A separate application is to be made to Council, with the appropriate fee/s being paid, for the provision of a suitably sized metered water service to the development in accordance with Council Policy.

41. Prior to the issue of a Subdivision Certificate, the Applicant must provide to Council a certificate from Essential Energy, or another energy provider, to the effect that:
- (a) suitable power supply is available to each lot in the subdivision, or
 - (b) arrangements have been made for suitable power supply to be made to each lot in the subdivision.
42. Prior to the issue of Subdivision Certificate, the Applicant must submit to Council a certificate from Telstra, or another telecommunications provider, to the effect that:
- (a) telephone services are available to each lot in the subdivision, or
 - (b) arrangements have been made for landline telephone services to be made to each lot in the subdivision.
43. Prior to the issue of a Subdivision Certification the application All roads in the subdivision are to be constructed to a sealed road standard to widths as identified on approved plans and in accordance with Cowra Shire Council's Development Control Plan 2014 Part D – Subdivision Code and Cowra Shire Council's Engineering Standards Manual prior to the issue of the Subdivision Certificate.
44. The final plan of subdivision will show details dedicating all roads in the subdivision as public roads.
45. Prior to issue of the Subdivision Certificate, the applicant shall connect all new lots in the plan of subdivision to Council's Reticulated Water Supply System and to the satisfaction of the relevant service provider, being Cowra Shire Council.
46. Proposed landscaping, signage and fencing is not to impede sight lines of traffic and/or pedestrians within the development or when entering and leaving the development. Safe intersection sight distances are to be maintained for the development.

THE FOLLOWING CONDITIONS TO BE COMPLIED WITH PRIOR TO CONSTRUCTION CERTIFICATE FOR BUILDING WORKS

47. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works are in accordance with the Building Code of Australia prior to any building and/or subdivision works commencing.
- Note 1. No building, engineering or excavation work is to be carried out in relation to this development until the necessary Construction Certificates have been obtained.
 - Note 2. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia. This may entail alterations to the proposal so that it complies with these standards.

48. Prior to the issue of a construction Certificate for building works a Waste Management Plan shall be submitted for the approval of the Director – Environmental Services. The Plan shall address, but not be limited to, the following matters:
- (a) details of demolition works and the presence of any asbestos or other hazardous waste;
 - (b) details of waste to be generated by the work;
 - (c) arrangements for removal of waste material from site;
 - (d) destination of waste materials being removed from the site.
49. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.
50. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
51. The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Cowra Shire Council prior to commencing works to and comply with any conditions of that permit.

Note 1: All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia.

Note 2: The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:

- (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
- (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.
- (c) Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
- (d) Stormwater: When the stormwater and roof water drainage system has been completed.

52. In accordance with Clause 109E(3)(d) of the Environmental Planning and Assessment Act 1979, where Council is nominated as the Principle Certifying Authority, the works must be inspected by Council at the times specified below:

- (a) After excavation for, and prior to the placement of, any footings
- (b) In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected;
- (c) Prior to pouring any in-situ reinforced concrete building element;
- (d) Prior to covering of the framework for any floor, wall, roof or other building element;
- (e) Prior to covering waterproofing in any wet areas;
- (f) Prior to covering any stormwater drainage connections; and
- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

Where Cowra Council is required to carry out inspections the principal contractor for the building site, or the owner-builder, must notify Council at least 48 hours before each required inspection needs to be carried out. Failure to obtain an inspection of the works at the times specified above may prevent an Occupation Certificate being issued for the development.

53. As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system. If no Council drainage system is available, the guttering and downpipes must be discharged away from the building site onto a stable vegetated area in a manner that does not cause nuisance or erosion to adjoining properties.

54. An Annual Fire Safety Statement for all the Essential Fire Safety Measures applicable to the building must be given to Council and a copy forwarded to the Fire Commissioner via the dedicated email address afss@fire.nsw.gov.au:

- (i) within 12 months after the date on which an annual fire safety statement was previously given, or
- (ii) if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

Note: A copy of the Annual Fire Safety Statement (together with a copy of the current fire safety schedule) must also be prominently displayed in the building.

THE FOLLOWING CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

64. Fire Safety Certificate shall be furnished to the Principle Certifying Authority for all the Essential Fire Safety Measures specified in the current fire safety schedule for the building, prior to issue of an Occupation Certificate. A copy of the Fire Safety Certificate must be submitted to Council by the PCA with the Occupation Certificate. An electronic copy of the Final Fire Safety Certificate (together with a copy of the current Fire Safety Schedule) shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.au
65. The Applicant must not commence occupation or use of the premises until an Occupation Certificate has been issued from the Principal Certifying Authority appointed for the subject development.
66. A Remediation Validation Report is to be prepared by a suitably qualified environmental consultant following the completion of remediation works identified in the Site Contamination Assessment and approved as part of this development. This report, together with a final site audit statement by an accredited environmental consultant, including Notice of Completion statement, pursuant to clauses 17(2) and 18 of SEPP 55, is to be submitted to the satisfaction of Council prior to occupation of the building.
67. A Fire Safety Certificate shall be furnished to the Principle Certifying Authority for all the Essential Fire Safety Measures specified in the current fire safety schedule for the building, prior to issue of an Occupation Certificate. A copy of the Fire Safety Certificate must be submitted to Council by the PCA with the Occupation Certificate. An electronic copy of the Final Fire Safety Certificate (together with a copy of the current Fire Safety Schedule) shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.au
68. In accordance with the provisions of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 the following must be provided prior to the occupation of the dwellings:
- 1) A bus service is to be provided to residents of the development to provide transport to:
 - a) shops, bank service providers and other retail and commercial services that residents may reasonably require; and
 - b) community services and recreation facilities; and
 - c) the practice of a general medical practitioner.
 - 2) The minimum requirements of the bus service are:
 - a) the provision of a bus able to accommodate a minimum of 10 seated passengers; and
 - b) the provision of a bus able to accommodate a person with a disability (embark and disembark from the bus and a designated area within the bus); and
 - c) must in place at the time the first dwelling in the development is occupied; and

- d) must provide a daily service between Mondays and Fridays to the above referenced commercial centre/community and recreation facilities/medical practice during normal business hours.
 - 3) The service is to be fully funded by the applicant/developer at no cost to Council.
69. Prior to the issue of any occupation certificate for the development's community centre, an appropriately qualified and practising professional is to certify compliance with:
- 1) Section D3 Access for people with a disability of the Building Code of Australia (BCA)
 - 2) AS1428 Design for access and mobility.

ADVICE

Should any Aboriginal objects be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage (Enviroline 131 555) is to be notified in accordance with Section 89A of the National Parks and Wildlife Act 1974 (NPW Act). Aboriginal objects in NSW are protected under the NPW Act. Unless the objects are subject to a valid Aboriginal Heritage Impact Permit, work must not recommence until approval to do so has been provided by the Office of Environment & Heritage.