

**NOTICE OF DETERMINATION
OF A DEVELOPMENT APPLICATION**

issued under the *Environmental Planning and Assessment Act 1979*
Section 4.18

Development Application

Applicant Name: Charles Sturt University, C/- Premise NSW Pty Ltd
Applicant Address: PO Box 1963
ORANGE NSW 2800
Owner's Name: Division of Facilities Management
Land to Be Developed: Lot 301 DP 1047282 - 346 Leeds Parade, Orange
Proposed Development: Educational Establishment (new building, alterations and additions to existing building) and Electricity Generating System

**Building Code of Australia
building classification:**

Class TBC

**Determination made under
Section 4.16**

Made On: 25 June 2019
Determination: **CONSENT GRANTED SUBJECT TO CONDITIONS DESCRIBED BELOW:**

Consent to Operate From: 26 June 2019
Consent to Lapse On: 26 June 2024

Terms of Approval

The reasons for the imposition of conditions are:

- (1) To ensure a quality urban design for the development which complements the surrounding environment.
- (2) To maintain neighbourhood amenity and character.
- (3) To ensure compliance with relevant statutory requirements.
- (4) To provide adequate public health and safety measures.
- (5) Because the development will require the provision of, or increase the demand for, public amenities and services.
- (6) To ensure the utility services are available to the site and adequate for the development.
- (7) To prevent the proposed development having a detrimental effect on adjoining land uses.
- (8) To minimise the impact of development on the environment.

Conditions

- (1) The development must be carried out in accordance with:
 - (a) **Plan description:**
Brewster Hjorth Architects drawings DA01, DA03, DA04, DA05, DA06, DA07, DA08, DA09, DA10, DA12, DA13, DA14, DA15, DA16, DA17, DA18, DA19, DA21, DA22 (19 sheets)
Urbis Landscape Plans drawings 6.0 Tree Retention Plan, 7.0 Site Wide Master Plan, 8.0 Academic Hub Illustrative Plan, 9.0 Early Learning Hub Illustrative Plan, 11.0 Planting Strategy (5 sheets)
 - (b) statements of environmental effects or other similar associated documents that form part of the approval

as amended in accordance with any conditions of this consent.

Conditions (cont)

PRESCRIBED CONDITIONS

- (2) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
 - (3) A sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.
- Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.

PRIOR TO WORKS COMMENCING

- (4) Prior to works commencing, the Tablelands Snow Gum, Black Sallee, Candlebark and Ribbon Gum Grassy Woodland Endangered Ecological Community which occurs in the Girinyalanha Aboriginal Nature and Bioscience Park shall be protected by means of access barriers around the EEC, to avoid damage to trees until such time that works are finalised.
- (5) A Liquid Trade Waste Application is to be submitted to Orange City Council prior to works commencing. The application is to be in accordance with Orange City Council's Liquid Trade Waste Policy. Engineering plans submitted as part of the application are to show details of all proposed liquid trade waste pre-treatment systems and their connection to sewer.

Where applicable, the applicant is to enter into a Liquid Trade Waste Service Agreement with Orange City Council in accordance with the Orange City Council Liquid Trade Waste Policy.
- (6) **Payment of contributions for water, sewer and drainage works** is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 1.86 ETs for water supply headworks and 2.98 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions.
- (7) An approval shall be sought from Orange City Council, as the Water and Sewer Authority, for alterations to water and sewer. No plumbing and drainage is to commence until approval is granted.
- (8) Soil erosion control measures shall be implemented on the site.

DURING CONSTRUCTION/SITWORKS

- (9) Building demolition is to be carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures* and the requirements of Safe Work NSW.
- (10) All construction/demolition work on the site is to be carried out between the hours of 7.00 am and 6.00 pm Monday to Friday inclusive, 7.00 am to 5.00 pm Saturdays and 8.00 am to 5.00 pm Sundays and Public Holidays. Written approval must be obtained from the General Manager of Orange City Council to vary these hours.

Conditions (cont)

During construction/siteworks (cont)

- (11) All materials on site or being delivered to the site are to be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* are to be complied with when placing/stockpiling loose material or when disposing of waste products or during any other activities likely to pollute drains or watercourses.
- (12) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.

PRIOR TO OCCUPATION OF THE BUILDINGS

- (13) The landscape treatment is to be extended to include the base of the Water Tower pedestal and associated courtyard using appropriate materials such as crushed decomposed cement stabilised granite and an interpretive plaque to a design and text to be prepared by a heritage consultant indicating the significance of the structure.
- (14) The owner of the building/s must cause the Council to be given a Final Fire Safety Certificate on completion of the building in relation to essential fire or other safety measures included in the schedule attached to this approval.
- (15) A final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a Final Notice of Inspection issued, prior to the occupation of the building.
- (16) All of the foregoing conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All work required by the foregoing conditions is to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

MATTERS FOR THE ONGOING PERFORMANCE AND OPERATION OF THE DEVELOPMENT

- (17) The owner is required to provide to Council and to the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire-safety measures, as required by Clause 177 of the *Environmental Planning and Assessment Regulation 2000*.

Other Approvals

- (1) *Local Government Act 1993* approvals granted under Section 68.
Section 68
- (2) General terms of other approvals integrated as part of this consent.
Nil

Right of Appeal

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court. Pursuant to Section 8.10, an applicant may only appeal within 6 months after the date the decision is notified.

Disability Discrimination Act 1992:

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

Disclaimer - S88B of the Conveyancing Act 1919 - Restrictions on the Use of Land:

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Signed:

On behalf of the consent authority **ORANGE CITY COUNCIL**

Signature:

Name:

PAUL JOHNSTON – MANAGER DEVELOPMENT ASSESSMENTS

Date:

26 June 2019