Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

**Reasons for approval**

The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; Singleton Local Environmental Plan 2013 (SLEP), State Environmental Planning Policy (Resilience and Hazards) 2021, and State Environmental Planning Policy (Housing) 2021, State Environmental Planning Policy (Planning Systems) 2021.

* The proposed development, subject to the recommended conditions, is consistent with the objectives of the Singleton Development Control Plan 2014 (SDCP).
* Subject to the recommended conditions the proposed development will be provided with adequate essential services required under the SLEP.
* The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
* The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
* The proposed development is a suitable and planned use of the site and its approval is within the public interest.
* Council has given due consideration to community views when making the decision to determine the application.

**Right of appeal / review of determination**

If you are dissatisfied with this determination:

**Request a review**

You may request a review of the consent authority’s decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

**Rights to appeal**

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

**Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

**CONDITIONS OF CONSENT**

**Prescribed Conditions**

a) The work must be carried out in accordance with the requirements of the *Building Code of Australia (National Construction Code).*

b) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and

ii) 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

iii) stating that unauthorised entry to the work site is prohibited

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

d) Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

i) in the case of work for which a principal contractor is required to be appointed:

a. the name and licence number of the principal contractor, and

b. the name of the insurer by which the work is insured under Part 6 of that Act,

ii) in the case of work to be done by an owner-builder:

a. the name of the owner-builder, and

b. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under (d) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

**GENERAL CONDITIONS**

1. **Erection of Signs**

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
	1. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
2. showing the name, address and telephone number of the principal certifier for the work, and
3. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
4. stating that unauthorised entry to the work site is prohibited.
	1. The sign must be—
5. maintained while the building work, subdivision work or demolition work is being carried out, and
6. removed when the work has been completed.

This section does not apply in relation to—

1. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
2. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
3. **Approved Plans and Documentation**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of Plan** | **Drawing Number** | **Issue** | **Date** |
| Proposed Contour Survey | 3 | H | 16/07/2024 |
| Proposed Site Plan | 4 | H | 16/07/2024 |
| Proposed Ground Floor Areas | 5 | H | 16/07/2024 |
| Proposed Level 1 Areas | 6 | H | 16/07/2024 |
| Proposed Earthworks Plan | 7 | H | 16/07/2024 |
| Proposed Site Analysis Plan | 8 | H | 16/07/2024 |
| Proposed Shadow Diagrams | 9 | H | 16/07/2024 |
| Proposed Ground Floor Plan | 10 | H | 16/07/2024 |
| Proposed First Floor Plan | 11 | H | 16/07/2024 |
| Proposed Roof Plan | 12 | H | 16/07/2024 |
| Proposed Core Communal Floor Plan | 13 | H | 16/07/2024 |
| Proposed Core Communal Administration Plan | 14 | H | 16/07/2024 |
| Proposed Community Facility Elevations | 15,16 & 17 | H | 16/07/2024 |
| Proposed Group Home Ground Floor Plan | 18 | H | 16/07/2024 |
| Proposed Group Home Level 1 Floor Plan | 19 | H | 16/07/2024 |
| Proposed Group Home Elevations 1 & 2 | 20 & 21 | H | 16/07/2024 |
| Proposed Sections | 22,23,24 & 25 | H | 16/07/2024 |
| Stormwater Management Plan/Site  | STW-01  | Unreferenced | 17/08/2023 |
| Stormwater Management Catchment/ OSD  | STW-02 | Unreferenced | 17/08/2023 |
| Stormwater Management/Roof Drainage | STW-03 | Unreferenced | 17/08/2023 |
| Stormwater Management/Drainage Plan | STW-04 & STW-05 | Unreferenced | 17/08/2023 |
| Stormwater Management/Drainage Details | STW-06 | Unreferenced | 17/08/2023 |
| Stormwater Management Notes/Details | STW-07 & STW-08 | Unreferenced | 17/08/2023 |
| Stormwater Management OSD Calculation | STW-09 |  |  |
| Landscape Concept  | Sheet 1 of 1 | B | 22/06/2023 |

 In the even of any inconsistency with the approved plans and a condition of this consent, the condition prevails

*Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.*

1. **Construction Certificate, Principal Certifier & Notice Required**

In accordance with the provisions of Section 6.6 of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:

a) A Construction Certificate has been issued by the consent authority, Council or an accredited certifier; and

b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with Section 6.5 of the *EP&A Act 1979*; and

c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and

d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

*Reason: To ensure a Construction Certificate is approved before building work commences.*

1. **Energy Efficiency - Class 3, 5,6, 7, 8 and 9 Buildings**

The proposed building(s) must be constructed in accordance with the current requirements for efficient energy use. The Principal Certifier is to be satisfied that the proposed building(s) will comply with Section J and NSW Subsection J(B) of the Building Code of Australia.

*Reason: To ensure the buildings satisfy the relevant energy efficiency requirement.*

1. **Appointment of Principal Certifier and issue of Construction Certificate**

Work shall not commence in connection with this Development Consent until:

a) A Construction Certificate for the building work has been issued by:

1. the Consent Authority (Singleton Council); or
2. a Principal Certifier (PC); and

b) The person having the benefit of the development consent has:

1. appointed a Principal Certifier (PC) for the building work, and
2. notified the Principal Certifier that the person will carry out the work as an owner-builder, if that is the case; and

c) The PC has, no later than 2 days before the building work commences:

1. notified the Council of their appointment, and
2. 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

d) The person having the benefit of the development consent, if not carrying out

the work as an owner-builder, has

1. appointed a Principal Contractor for the building work who must be the holder of a contractor license if any residential building work is involved, and
2. notified the Principal Certifier of such an appointment, and
3. 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

e) The person having the benefit of the development consent has given at least two (2) days notice to the Council of the person’s intention to commence the erection of the building.

Note: If Council is appointed as the PC, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates. Completion of a contract for appointment of Council as the PC is required to be submitted to Council prior to commencement of any works.

*Reason: To ensure the development complies with the requirement to appoint a Principal Certifier and gain a Construction Certificate.*

1. **Water and Sewer**

Where a new water or sewer connection or modification to an existing connection is required, an application shall be made to Singleton Council’s Water and Sewer Department for the provision of services.

*Reason: To ensure water and sewer connection is provided*

1. **Section 138 Approval**

Any work within a public road must be inspected and approved by Council under the *Roads Act 1993* as the Roads Authority. The applicant is to submit an application in order to obtain a permit with conditions prior to starting any works on the Council Road Reserve.

*Reason: To ensure the work complies with the Roads Act 1993*

1. **Plumbing and Drainage Works**

All plumbing and drainage works shall be carried out by a licensed plumber in accordance with the provisions of the *Plumbing and Drainage Act & Regulation 2011*, National Plumbing and Drainage Code AS/NZ 3500, and with the approval of Singleton Council being the Plumbing Regulator under delegation by NSW Fair Trading.

*Reason: To ensure plumbing and drainage is carried out appropriately.*

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

1. **Section 7.11 Charges**

A monetary contribution pursuant to the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979* and Councils Contributions Plan (Singleton Existing Urban Area – Medium Density Dwelling) towards to provision of the following services prior to the issue of a Construction Certificate

 **1 x 3 Bedroom Unit**

 **1 x 2 Bedroom Unit**



 **4 x 1 Bedroom Units**



A copy of the Contributions Plan may be inspected at Council’s Customer Service Section, Administrative Building, Cnr Queen and Civic Avenue, Singleton or can be accessed on Council’s Website [www.singleton.nsw.gov.au](http://www.singleton.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at 25/07/2024. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index (CPI) as published by the Australian Bureau of Statistics.

1. **Earthworks Construction Drawings**

Before the issue of a Construction Certificate, earthwork construction drawings are to be submitted to the Principal Certifier for approval. All earthworks are to be constructed in accordance with Australian Standard 3798, “Guidelines on Earthworks for Commercial and Residential Developments”.

*Reason: To ensure required earthwork details are provided.*

1. **Plans of Retaining Walls and Drainage**

The application for a Construction Certificate is to include plans and specifications that indicate retaining walls or other approved methods of preventing movement of the soil, where any excavation or filled area has been approved via this development consent to exceed 600mm in height. The design shall be carried out by a qualified practicing structural engineer. The structural engineer’s design and structural certification shall be submitted to the Principal Certifier for approval. Adequate provision must be made for drainage in the design of the structures.

*Reason: To ensure engineering details for retaining walls are provided.*

1. **External Lighting and CCTV**

Prior to the issue of a Construction Certificate, a plan outlining arrangement for CCTV and lighting shall be provided to the Principle Certifier for approval. The plan shall demonstrate requirements as demonstrated by the Crime Prevention through Environmental Design principles and all outdoor lighting is to comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.

*Reason: To ensure the development complies with Crime Prevention through Environmental Design principles.*

1. **Access for People with Disabilities**

Before the issue of the Construction Certificate, the Principal Certifier shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building is provided. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Principal Certifier prior to the issue of the Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act 1992 and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS1735.12.

*Reason: To ensure the plans comply with the requirements for access for people with disabilities.*

1. **Accessible Toilet Facilities**

Before the issue of the Construction Certificate plans and details of the accessible toilet(s) complying with the relevant Australian Standards, the Building Code of Australia (National Construction Code) and with regard to the Disability Discrimination Act 1992, shall be provided to and approved by the Principal Certifier.

*Reason: To ensure the plans comply with the requirements for access for accessible toilet facilities.*

1. **Building Waste**

Prior to any construction work commencing, containment of building waste materials shall be provided within the boundaries of the building site, above natural or excavated ground level, by a screened area of silt stop fabric or shade cloth, having minimum dimensions of 2.4 x 2.4 x 1.2 metres high OR equivalent size waste disposal bin.

*Reason: To ensure building waste is appropriately contained.*

1. **Sediment and Erosion Control Plan**

Prior to the issue of a Construction Certificate, a sediment and erosion control plan is to be submitted and approved by the nominated Principal Certifier. The sediment and erosion control plan shall be prepared in accordance with Council’s Development Engineering Specifications and Landcom’s ‘Soil and Construction – Managing Urban Stormwater – Current edition.

*Reason: To ensure a sediment and erosion control plan is in place.*

1. **Excavation Protection of Adjoining Property**

If an excavation associated with the approved development extends below the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person’s own expense, comply with the requirements of clause 74 of the Environmental Planning and Assessment Regulation 2021, including:

1. protect and support the adjoining premises from possible damage from the excavation;
2. where necessary, underpin the adjoining premises to prevent any such damage; and
3. giving at least seven (7) days’ notice before excavating to the owner of the adjoining allotment.
4. The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Details must be submitted to the Principal Certifier before the issue of the Construction Certificate.

1. **Water and Sewer Services – Compliance Requirements**

**Make Application**

Prior to issue of a Construction Certificate application is to be made to Council’s Water and Sewer Group for requirements for compliance with Section 307, Water Management Act (NSW) 2000.

In response to this application, Council’s Water and Sewer Group will issue a Notice of Requirements under Section 306 of the Water Management Act (NSW) 2000, which will detail conditions, that must be satisfied.

**Comply with Pre- Construction Requirements**

Provide evidence of compliance with pre-construction requirements of the s306 Notice of Requirements. The Notice of Requirements will include conditions which must be satisfied prior to release of a Construction Certificate including any requirements for completion of water and sewer servicing strategies and associated detailed designs.

*Reason: To ensure the development complies with Singleton Council Water and Sewer requirements*

1. **Parking and Vehicle Movements**

Prior to the issue of the Construction Certificate, all driveways, access corridors and car parking areas are to be designed in accordance with council specifications and AS2890 Parking Facilities (as amended). The plans must show four (4) carparking spaces with one (1) being accessible.

The plans submitted in association with the Construction Certificate application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a Construction Certificate.

**PRIOR TO COMMENCEMENT OF WORKS**

1. **Notice of Commencement**

At least 48 hours prior to the commencement of any development (including demolition, excavation, shoring or underpinning works), a notice of commencement of building or subdivision work form and appointment of the Principal Certifier form shall be submitted to Council.

*Reason: To ensure notice of commencement received before work commences.*

1. **Construction Certificate**

Before the commencement of any construction work, a Construction Certificate shall be obtained from a Principle Certifying Authority.

Note: If the Construction Certificate is issued by a Principal Certifier that is not Council it will be necessary to lodge the Construction Certificate and other approved documents with Council within two days of such approval.

*Reason: To ensure a construction certificate is submitted as required.*

1. **Principal Certifiers Signage and Contact Details**

Prior to the commencement of works, a sign must be erected in a prominent position on the site on which the proposal is being carried out. The sign must state:

a) Unauthorised entry to the work site is prohibited;

b) The name of the principal contractor (or person in charge of the site) and a telephone number on which that person may be contacted at any time for business purposes and including outside working hours; and

c) The name, address and telephone number of the Principal Certifier for the work.

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

*Reason: To ensure Principal Certifier contact details are displayed as required.*

1. **Notice of Builder’s details**

Prior to the commencement of any development or excavation works, the Principal Certifier shall be notified in writing of the name and contractor license number of the owner/builder intending to carry out the approved works.

*Reason: To ensure the Principal Certifier receives the builder's contact details.*

1. **Critical Stage Inspections**

Critical stage inspections must be called for by the Principal Contractor or Owner Builder as required by the Principal Certifier (PC), and PC Service Agreement, and the Act and Regulation.

Work must not proceed beyond each critical stage until the PC is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. Critical stage inspections, means the inspection prescribed by the Regulations for the purpose of section 6.5 of the Act or as by the PC and PC Service Agreement.

*Reason: To ensure critical stage inspections are undertaken as required.*

1. **National Construction Code**

To ensure that the proposed building, when constructed will comply with the National Construction Code, relevant Australian Standards, the approved plans and specifications and to enable progress inspections as required, the following details will need to be provided to the Principal Certifier at least two (2) working days before the relevant inspection.

*Reason: To ensure the development is compliant with the National Construction Code.*

1. **Sediment and Erosion Control**

The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council’s Development Engineering Specifications, Landcom’s ‘Soil and Construction – Managing Urban Stormwater - Current edition. Sediment and erosion control measures are to be implemented before the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

*Reason: To ensure sediment and erosion control measures are appropriately put in place.*

1. **Service Relocations**

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

1. **Hoarding and Construction Site Safety Fencing**

Construction site safety fencing and/or hoarding shall be provided in accordance with WorkCover requirements. Such fencing and/or hoarding shall be erected wholly within the property boundary unless prior approval from Council is obtained.

Council approval is required to install hoarding, site fencing or overhead protective structures over or adjoining a public place i.e. a footpath or a Public Reserve. No work shall commence until written approval is obtained.

*Reason: To ensure the construction site is fenced appropriately.*

1. **National Construction Code**

To ensure that the proposed building, when constructed will comply with the National Construction Code, relevant Australian Standards, the approved plans and specifications and to enable progress inspections as required, the following details will need to be provided to the Principal Certifier at least two (2) working days before the relevant inspection.

*Reason: To ensure the development is compliant with the National Construction Code.*

1. **Temporary Closet Requirements**

A temporary closet shall be provided on site from the commencement of building work. No inspections will be made until the closet is installed.

A temporary closet shall be:

a) A water closet connected to the sewerage system to Council approval; or

b) A chemical closet supplied by a contractor approved by Council.

*Reason: To ensure temporary closets are provided as required.*

**DURING WORKS**

1. **Noise – Construction Sites**

The operating noise level of construction site operations, including machinery, plant and equipment when measured at any affected premises, shall be evaluated and comply with the requirements of the NSW Office of Environment and Heritage publication “Interim Construction Noise Guideline” July 2009.

Approved Construction Times

The approved hours for construction of this development are:

 Monday to Friday - 7.00am to 6.00pm.

 Saturday – 8.00am to 1.00pm.

No construction work shall take place on Sundays or Public Holidays.

*Reason: Control of Construction Noise*

1. **Dust Control**

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the Singleton Council should it fail to adequately control any dust nuisance.

*Reason: To prevent the movement of dust outside the boundaries of the site*

1. **Notification of new contamination evidence**

Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Singleton Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process (where applicable). If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged in compliance with the above, an Occupation Certificate must not be issued until a Section A Site Audit Statement has been submitted to Singleton Council by the Auditor confirming the site is now suitable for the proposed use.

*Reason: To ensure controls are in place for contamination management*

1. **Heritage**

Should any Indigenous or Non-Indigenous relics be discovered, all excavations or disturbance to the area shall cease immediately and the NSW Office of Environment and Heritage, shall be informed in accordance with Section 89A of the National Parks and Wildlife Act 1974.

All necessary approvals from the NSW Office of Environment and Heritage shall be obtained and a copy provided to Council prior to works recommencing.

*Reason: To ensure heritage is preserved*

1. **Classification of Waste**

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified, transported, and disposed of in accordance with the Protection of the Environment Operations Act 1997 and NSW EPA requirements.

*Reason: To ensure controls are in place for waste management*

1. **Importation of Fill**

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

All fill imported onto the site must be validated by either one or both of the following methods:

1. Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
2. Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines.

*Reason: To ensure controls are in place for contamination management*

1. **Excavation and Backfilling - Notice to Owners of Adjoining Land**

All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a professional engineer.

If an excavation extends below the level of the base of the footings of a building on an

adjoining allotment of land, the person causing the excavation must:

1. Preserve and protect the building from damage
2. If necessary, underpin and support the building in a manner certified by a professional engineer.
3. Give at least seven (7) days’ notice to the adjoining owner before excavating, of the intention to excavate

The principal contractor, owner builder, or any person who needs to excavate and undertake building work, must first contact “Dial Before You Dig” and allow a reasonable period of time for the utilities to provide locations of their underground assets.

The owner of the adjoining allotment of land, public road or any other public place is not to be held liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the public road, any other public place or the adjoining allotment of land.

*Reason: To ensure excavation and filling is appropriately contained and notice is provided to adjoining landowners where required.*

1. **Site Management**

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

*Reason: Health and amenity*

1. **Waste Management**

Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off site.

*Reason: Control of waste during construction*

1. **Building Materials On-Site**

All building materials, plant and equipment are to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves, etc.

*Reason: To ensure building materials remain on site.*

1. **Earthworks**

Any earthworks to be carried out on the land is to be in accordance with *Australian Standard 3798-2007, ‘Guidelines on Earthworks for Commercial and Residential Developments’.* Any *a*lterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties.

*Reason: To ensure earthworks are carried out as required.*

1. **Inspection Requirements for Sanitary Drainage**

The applicant shall ensure that Council, being the Plumbing Regulator under delegation by NSW Fair Trading, has been requested to and carried out inspection of the works at the following stages of construction:

a) Internal drainage lines before the floor is laid, or concrete placed.

b) Stackwork before being covered.

c) External drainage lines before backfilling of the trenches.

d) Final - on completion of all sanitary plumbing to drainage work.

Requests for inspections may be made either by telephone (02) 6578 7290 or in person at the Customer Services Counter.

Inspection requests are subject to the following:

a) Applicants are required to nominate the relevant Notice of Work and address prior to the inspection request being granted.

b) Clerical staff only will receive all requests for inspections.

c) Where work is not prepared, ready for inspection, applicants will be required to re-book inspections through the Customer Service Centre for the next available day and a re-inspection fee may be charged.

d) Inspections must be received before 3.30pm on the working day prior to when the inspection is required.

e) Inspections within the township of Singleton will generally be carried out as AM or PM inspections.

*Reason: To ensure inspections for sanitary drainage are undertaken as required.*

**PRIOR TO THE ISSUE OF AN SUBDIVISION CERTIFICATE**

1. **Street Numbering**

Prior to the issue of the Subdivision Certificate, a Council-assigned Street number is to be allocated to each lot. Information on Council’s property addressing and street numbering requirements can be sourced by contacting Council’s Land and Assets Management Systems Team.

*Reason: To ensure properties are address adequately*

1. **Services**

Evidence is to be provided to Council before to the issue of a subdivision certificate demonstrating that the following reticulated services are available to each lot:

1. Electricity.
2. Water.
3. Sewer.
4. Gas (where available).

Should any of the above reticulated services not be available to the development site, a detailed statement is to be provided explaining why connection of the relevant service is not possible or practical.

*Reason: To ensure the approved sites are serviced appropriately.*

1. **Section 88b Instrument**

The applicant must prepare a Section 88B Instrument with all relevant signatures and company seals (where applicable) before to endorsement of the linen plan of subdivision and issue of the Subdivision Certificate. The Section 88B Instrument must incorporate the following easements, positive covenants and restrictions to user where necessary:

a) easement for services;

b) easement to drain water and drainage easement/s over overland flow paths;

c) easement for on-site-detention

*Reason: To ensure the 88b Instrument for the development contains the necessary restrictions.*

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

1. **Driveway Access – Urban Residential**

Before issue of an Occupation Certificate, the driveway access from the road edge to the property boundary shall include a concrete access to the development and shall be designed and constructed in accordance with Council Development Engineering Design and Construction Specifications.

Note: This work within the road reserve will require a section 138 application**.**

*Reason: To ensure Driveway Access is appropriately provided.*

1. **Prior to the issue of an Occupation Certificate**

Prior to the issue of an Occupation Certificate, the earthworks, retaining walls and driveways shall be completed to the satisfaction of the Principal Certifier.

1. **Consolidation of Lots**

Prior to the issue of an Occupation Certificate, Lots 201 and 202 on DP: 12870257 shall be consolidated and registered at the Land and Property Information Services and a copy of the registered plan shall be provided to Council.

*Reason: To ensure lot consolidation is undertaken where required.*

1. **Water and Sewer Contributions**

Prior to the release of an Occupation Certificate, the applicable water and sewer headworks charges must be paid. Water Directorate Guidelines are used to calculate the charges which reflect the additional water and sewer loadings generated by the development.

The value of head works charges will be included in Water and Sewer Group’s Notice of Requirements in response to the developer’s application for a certificate of compliance as under Section 307, *Water Management Act (NSW) 2000*.

*Reason: To ensure Water and Sewer Contributions are paid as required.*

1. **Water and Sewer Certificate of Compliance**

Prior to the issue of an Occupation Certificate, a certificate of compliance with requirements of Section 307, Water Management Act (NSW) 2000 must be obtained from Council’s Water and Sewer group.

A Section 307 Certificate will be issued, upon application to the Water and Sewer Group, after all requirements detailed in the Section 306 Notice of Requirements have been satisfied.

*Reason: To ensure the development complies with Water and Sewer Requirements*

1. **Finish of Excavated &/or Filled Areas Around Site**

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

*Reason: To ensure filled areas are finished before occupation.*

1. **Fire Safety Certificate**

A Final Fire Safety Certificate must be obtained in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, before the issue of an Occupation Certificate for the building.

A copy of the Fire Safety Certificate and Fire Safety Schedule must be:

a) Forwarded to Singleton Council;

b) Forwarded to the Commissioner of NSW Fire and Rescue; and

c) Prominently displayed in the building

*Reason: To ensure a fire safety certificate is obtained prior to occupation.*

1. **Occupation Certificate – Principal Certifier**

Every building or part of a building shall not be occupied or used until an Occupation Certificate has been issued by the Principal Certifier.

Please be advised that Section 6.10 of the Environmental Planning and Assessment Act, 1979 prevents the Principal Certifier from issuing an Occupation Certificate until all conditions of Development Consent have been completed.

*Reason: To ensure the development is not occupied before an occupation certificate is obtained.*

1. **Parking Facilities**

Prior to issue of Occupation Certificate, Parking facilities are to be constructed in accordance with *AS-NZS 2890.1:2004 – Off-Street Parking Facilities and AS-NZS 2890.6:2009 – Off-Street Parking for People with Disabilities.*

*Reason: To ensure all carparks are built to the relevant standards*

1. **Landscaping**

Prior to the issue of an Occupation Certificate, landscaping shall be implemented in accordance with the landscaping plan approved by Council. All landscaping is to be permanently maintained to the satisfaction of Council.

*Reason: To ensure landscaping is provided before occupation certificate*

1. **Damage Caused During Construction**

Prior to issue of an Occupation Certificate, the applicant will repair any damage to a public road or associated structures such as kerb and gutter, drains, footpath and utility services caused as a consequence of the development works. Any remediation work is to be completed to Council’s satisfaction.

*Reason: To repair any damage caused by development works.*

1. **Privacy Screens**

Prior to the issue of a Occupation Certificate The first-floor bedroom windows located on the southern elevation of the independent living unites must have privacy screens installed to prevent overlooking and ensure privacy for the adjoining residential lots.

*Reason: To ensure privacy for the adjoining neighbouring properties.*

1. **Operation Management Plan**

Prior to the issue of an Occupation Certificate, the proponent is to provide an Operational Management Plan for the use of the premises to Council for approval.

The owner (or appointed delegate) shall be responsible for ensuring all workers and contractors are aware of the potential operational issues which may arise under given conditions at the site and instruct those persons to adhere to the management controls as described in the Operational Management Plan.

The owner (or appointed delegate) must hold a copy of the Operational Management Plan on site at all times. All workers and contractors that are engaged to undertake works must receive or review a copy of the Operational Management Plan and sign their acknowledgement and understanding of the requirements prior to work commencing to enable determination of potential issues related to their proposed works.

*Reason: To ensure operations are in line with an approved Operational Management Plan.*

1. **Stormwater Management**

Prior to issue of any Occupation Certificate for the building(s) the stormwater drainage from the building is to be installed and must provide for an onsite stormwater detention, retention and recycling system. The minimum standard for compliance with Council’s Policy is as follows:

1. *Developments with a hardstand area (roof plus impervious surfaces) of greater than 500sqm*must provide a stormwater retention and detention system that ensures that the total of the sites stormwater runoff after development does not exceed the calculated runoff for the site prior to the development for all storm durations for the 5 year, 20 year and the 100 year ARI (Australian Recurrence Level) storm event.

*Reason: To ensure stormwater from the development is managed appropriately.*

1. **Stormwater Disposal**

Stormwater shall be disposed of through a system designed to the satisfaction of the Principal Certifier in accordance with Australian Standard 3500 and be conveyed to:

1. An Easement that the development has entitlement to use
2. the street gutter or kerb inlet pit;

Immediately after completion of any roof, a disposal system shall be installed which disposes of the stormwater without causing any adverse environmental impacts.

*Reason: To ensure stormwater from the development is disposed of appropriately.*

**CONDITIONS TO BE SATISFIED AT ALL TIMES**

1. **Use of Facility**

The facility is to be restricted to accommodating domestic violence victims and their children. Any change in focus for the centre from a domestic violence support facility, will be subject to an application to modify the consent.

*Reason: To ensure the use of the proposal remains consistent with the application.*

1. **Submission of Annual Fire Safety Statement**

An annual Fire Safety Statement must be given to Council and the Fire and Rescue New South Wales commencing within twelve (12) months after the date on which the initial Interim/Final Fire Safety Certificate is issued.

*Reason: To ensure the fire safety statement is kept current on an annual basis.*

1. **Privacy Screens**

The first-floor bedroom windows located on the southern elevation of the independent living unites are to be screened to prevent overlooking and ensure privacy for the adjoining residential lots.

*Reason: To ensure privacy for the adjoining neighbouring properties*

1. **Landscaping to be maintained**

Landscaping shall be maintained in accordance with the approved plans in a healthy state, and in perpetuity, by the existing or future owners of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

1. **Parking Areas to be Kept Clear**

At all times, the loading area, car parking spaces, driveways and footpaths must be kept clear of goods and must not be used for storage purposes.

*Reason: To ensure loading areas, car parking spaces, driveways and footpaths are not used for storage.*

1. **Driveways to be Maintained**

All access crossings and driveways shall be maintained in good order for the life of the development.

*Reason: To ensure access crossings and driveways remain in safe order.*

1. **Outdoor Lighting**

Outdoor lighting must be in accordance with the Australian Standard 4282-1997 – Control of the obtrusive effects of outdoor lighting (as amended).

*Reason: To minimise the impact of the development on neighbouring properties.*

1. **Plan of Management**

The development must always be operated and managed in accordance with the Plan of Management, that has been approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

*Reason: To protect residential amenity*

1. **Waste Management**

An adequate number of suitable waste containers must be kept on the premises for the storage of all garbage and recycling waste generated between collections. Waste storage

areas must be maintained in a clean and tidy condition at all times. The waste bin areas are to be screened to ensure they are not visible from the road.

*Reason: To ensure Waste generated by approved use is managed appropriately*