Date:

SMEC Australia Pty Ltd

Suite 2, Level 1, 243 Northbourne Avenue

LYNEHAM ACT 2602

Dear SMEC,

**Development Application DA210262** **– 209 Comur Street YASS**

Thank you for lodging your Development Application.

Enclosed is your approval which has been granted subject to conditions under Section 4.18(1)(a) of the *Environmental Planning and Assessment Act 1979*.

Please read your approval to ensure that all requirements are met throughout the construction process and if you have any questions feel free to contact me.

Yours faithfully,

TBA

**TBA**

 **DEVELOPMENT APPLICATION**

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| **NOTICE OF DETERMINATION – APPROVAL** |
| *Issued under Section 4.18(1)(a) Environmental Planning and Assessment Act 1979* |

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| **Development Consent:** | DA210262 |
| **Applicant:** | SMEC Australia Pty Ltd |
| **Applicant Address:** | Suite 2, Level 1, 243 Northbourne AvenueLYNEHAM ACT 2602 |
| **Development Site:** | 209 Comur Street, Yass, NSW 100/-/DP1222562820/-/DP1133811G/-/DP24503 1/-/DP995339 1/-/DP154508 |
| **Proposed Development:** | New Crago Mill Precinct Development.Demolition of existing buildings, construction of a new single-storey public administration building, a new single-storey community library, a new two-storey commercial office building, an at-grade parking lot, additional 38 at-grade parking spaces, a public plaza, refurbishment of the local heritage mill building – Crago Mill, and consolidation of development site. |
| **Proposed Use:** | Public administration building, commercial premises (café and office premises) and information and educational facility (library) |
| **Determination:** | The application is approved by the Southern Regional Planning Panel subject to the attached conditions of consent. |
| **Date of Determination:** | TBA |
| **Operation Date:** | TBA |
| **Lapse Date:** | TBA*In accordance with [s.4.53(4)](https://www.legislation.nsw.gov.au/view/html/inforce/2020-08-31/act-1979-203%22%20%5Cl%20%22sec.4.53) of Environmental Planning and Assessment Act 1979 , this consent will not lapse if work relating to the building is physically commenced before the lapse date.*  |
| **Reasons for Conditions:** | The imposition of the attached conditions is to ensure that the development is carried out in such a manner to ensure that the environmental, social and economic assets of the Yass Valley are protected. |

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| **CONDITIONS OF CONSENT** |

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|  | **General Conditions** |
|  | Development must be carried out in accordance with the following approved plans and supporting documentation, except where the conditions of this consent expressly require otherwise. |
| **PLANS** |
| **Plan Title** | **Plan No.** | **Revision No.** | **Drawn By** | **Dated** |
| **Architectural Plans** |
| **Cover Sheet and 3D Image** | A01 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Cover Sheet and 3D Image** | A01 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Location Plan** | A02 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Site Plan – Demolition** | A03 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Site Plan – New Works** | A04 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Site Plan – Staging** | A05 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Site Plan – Roof Plan** | A06 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Civic Administration Level 1 Plan** | A07 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Library Level 1 Plan** | A08 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Crago Mill Level 1 Plan** | A09 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Crago Mill Basement, Level 2, Level 3 Plans** | A10 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Commercial Level 1 Plan** | A11 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Commercial Level 2 Plan** | A12 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Context Elevations 1, 2, 3** | A13 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Library Elevations 4, 5, 6** | A14 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Library Elevations 7, 8** | A15 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Civic Admin Elevations 9, 10** | A16 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Civic Admin Elevations 11, 12** | A17 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Commercial Elevations 13, 14** | A18 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Sections 1 and 2** | A19 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Section 3** | A20 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Shadow Diagrams** | A21 | B | Brewster Hjorth Architects | 21.9.2021 |
| **External Material Palette** | A22 | B | Brewster Hjorth Architects | 21.9.2021 |
| **Schematic Design and Development** **Application Report – Architectural** | 22101-3.05-01 | 2 | Brewster Hjorth Architects | 21.9.2021 |
| **Landscape Plans and Report** |
| **Yass Civic Precinct Public Realm & Landscape** | L01 | B | oxigen | August 2021 |
| **Civil/Engineering Plans** |
| **COVER SHEET** | C000 | B | van der Meer Consulting | 27.8.2021 |
| **SITE & STAGING PLAN** | C101 | B | van der Meer Consulting | 27.8.2021 |
| **EROSION & SEDIMENT CONTROL - STAGE 1** | C210 | B | van der Meer Consulting | 27.8.2021 |
| **DRAINAGE LAYOUT - SHEET 1 OF 2** | C401 | B | van der Meer Consulting | 27.8.2021 |
| **DRAINAGE LAYOUT - SHEET 2 OF 2** | C402 | B | van der Meer Consulting | 27.8.2021 |
| **DRAINAGE DETAILS** | C403 | B | van der Meer Consulting | 27.8.2021 |
| **OSD TANK DETAILS** | C404 | B | van der Meer Consulting | 27.8.2021 |
| **PRE-DEVELOPMENT CATCHMENT PLAN** | C421 | B | van der Meer Consulting | 27.8.2021 |
| **POST DEVELOPMENT CATCHMENT PLAN** | C422 | B | van der Meer Consulting | 27.8.2021 |
| **ADELE STREET PUBLIC DOMAIN PLAN** | C501 | B | van der Meer Consulting | 27.8.2021 |
| **POLDING STREET PUBLIC DOMAIN PLAN** | C502 | B | van der Meer Consulting | 27.8.2021 |
| **COMUR STREET PUBLIC DOMAIN PLAN - SHEET 1 OF 2** | C503 | B | van der Meer Consulting | 27.8.2021 |
| **COMUR STREET PUBLIC DOMAIN PLAN - SHEET 2 OF 2** | C504 | B | van der Meer Consulting | 27.8.2021 |
| **SITE & STAGING PLAN** | C101 | C | van der Meer Consulting | 28.9.2021 |
| **Detailed Survey** |
| **DETAIL PLAN** | 201206 | 3 | Geomatic & Property Services | 10.5.2021 |
| **Documents** |
| **Document Title** | **Version No.** |  | **Prepared By** | **Dated** |
| **PROPOSED YASS CIVIC PRECINCT SITE HERITAGE REPORT** | Reference No. 20285 | Issue No. 3 | Eric Martin & Associates Architects | 28.7.2021 |
| **STORMWATER MANAGEMENT REPORT** | Job No. CA202-009 | Rev. 2 | van der Meer Consulting | 7.9.2021 |
| **Schematic Design Report – Civil** | Job No. CA200-033 | Rev. B  | van der Meer Consulting | 6.9.2021 |
| **Geotechnical Investigation Report** | Reference No. C-0733.00 R1 | Rev. 0 | D & N Geotechnical | 18.5.2021 |
| **Remediation Action** **Plan** | Reference No. P21071\_RAP Yass\_20210726 | Rev. R01 | Lanterra Consulting | 28.1.2021 |
| **Detailed Site Investigation and Remediation Action Plan**  | Reference No. P22135 | Addendum | Lanterra Consulting | 25.11.2022 |
| **Access Review –** **Final** |  | Version: Final | Morris Goding Accessibility Consulting | 24.9.21 |
| **Traffic Impact Assessment** |  | Version: 1.1 | Genium Civil Engineering | 21.9.2021 |
| **Crime Risk and Crime Prevention Through Environmental Design Report** |  | Version: Final | Harris Crime Prevention Services | 2021 |

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|  | Work must not commence until a Construction Certificate has been issued. The conditions in Part B of this consent must be satisfied before a Construction Certificate can be issued. |
|  | This approval relates only to the development referred to in the Development Application and does not approve or accept any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior approval. |
|  | The capacity and effectiveness of runoff and erosion control measures, including techniques to suppress dust and the tracking of sediment onto existing sealed roads, must be maintained at all times to the satisfaction of Council. |
|  | All adjustments to existing utility services, whether caused directly or indirectly by the approved development, must be undertaken at no cost to Council.  |
|  | The removal of trees from the site must be in accordance with Drawing Site Plan – Demolition A03 B Brewster Hjorth Architects dated 21.9.2021, unless otherwise approved by Council.  |
|  | All engineering design and construction work must be undertaken in accordance with the following, current at the time of the Construction Certificate being issued:• Council's Road Standards Policy RD-POL-09• Council’s Design and Construction Specification – AUS-SPEC #1• Australian Standards • Austroads publications for the posted speed limit• Austroads Guide to Road Design• Australian Rainfall and Runoff - 2016• Water Supply Code of Australia, WSAA• Sewerage Code of Australia, WSAA• Plumbing Code of Australia |
|  | The capacity and effectiveness of dust suppression control measures must be maintained at all times to the satisfaction of Council.  |
|  | The use of plant and machinery should not cause vibrations which are felt or are capable of being measured at neighbouring premises. |
|  | The developer shall make any necessary alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed works. |
|  | No vehicular access is allowed from the Council carpark to the Aldi customer carpark. |
|  | **Before the issue of a Construction Certificate** |
|  | An **Application for a Construction Certificate** must be lodged with the Principal Certifier. |
|  | A **Construction Environmental Management Plan (CEMP)** with a suitable unexpected finds procedure is prepared by a suitably qualified environmental consultant and submitted to Council in accordance with the Preliminary and Detailed Site Investigation Report by Lanterra Consulting Pty Ltd - 18 May 2021. |
|  | **Structural drawings**, prepared by a suitably qualified and experienced structural engineer, must be submitted to the Principal Certifier.The plans must detail (as applicable to the development):1. All reinforced concrete floor slabs and/or beams or raft slab, having regard to the possible differential settlement of the cut and fill areas
2. Footings of the proposed structure/s
3. Structural steel wall frames, roof framing members, beams, columns, bearers, joists and wall/roof bracing and
4. Retaining walls greater than 600mm in height
 |
|  | Details of **external materials and colours** must be submitted to Council’s Heritage Advisor for approval. These must be compatible with those of existing development in the locality.The details must include the type of finish (e.g. ashlar coursed render/timber weatherboard) and the profile of finishes where appropriate. Details of all new external joinery shall also be provided. |
|  | The detail of the new doorway (and door jamb) cut into the existing double brick wall shall be in keeping with the construction of the existing historic building; Plans and details are to be submitted to Council’s Heritage Advisor for approval.  |
|  | An **[Application for Water Service](https://www.yassvalley.nsw.gov.au/our-council/contact-us/forms/)** (Form 33) must be lodged with Council. The water meter must be connected while work associated with the development is being carried out.  |
|  | Plans and specifications demonstrating **compliance with the NCC/BCA** must be submitted to and approved by the Principal Certifier.  |
|  | Plans and calculations prepared by a suitably qualified and experienced hydraulic engineer for all **essential fire safety services that rely on a reticulated water supply** (i.e. Fire Hose Reels/Fire Hydrants/Sprinkler Systems etc.) must be submitted to the Principal Certifier.Where compliance with the deemed to satisfy provisions of the NCC/BCA is proposed these plans and calculations must demonstrate compliance with the requirements of the relevant Australian Standard. New water main connections can only be carried out by Council. A separate application to Council’s Infrastructure and Assets Division is required if a new water mains connection is required.  |
|  | An application for disconnection of existing water services and meters shall be made to Council. An application to have new metered connections to Council’s water supply shall be lodged with Council. This meter shall remain connected for at least the full period of construction. The fee for the provision of these services shall be levied in accordance with the Council’s Management Plan relevant at the time of payment. |
|  | Engineering drawings and calculations associated with the drainage of **stormwater** must be submitted to the Principal Certifier for approval. These documents must include: * Details of the discharge of stormwater off the site (including quantities for various storm events and is to include stormwater that falls on the site or enters the site from upstream)
* What is proposed to manage the discharge (including details of any infrastructure etc.)
* The potential downstream effects of such discharges and actions proposed to ameliorate such effects and
* What is proposed to ameliorate any effects on the site from stormwater from upstream of the site.

The stormwater system must be designed to ensure that discharge from the site post development is not exceeded when compared to pre-development flows for a 1 in 5 and 1 in 100-year ARI. |
|  | Engineering drawings associated with the drainage of **sewer** must be submitted to the Principal Certifier for approval. The drawings must include the following details: * Sewer reticulation shall be designed and laid to satisfy hydraulic requirements in accordance with Sewerage Code of Australia.
* All sewer reticulation mains shall be with PVC, RRJ, **Class SN8** with a minimum diameter of 150 mm.
* Trench stops / concrete bulkheads shall be installed for mains designed for grades 5% and above as per the Sewerage Code of Australia.
* **Sewer** mains shall be air pressure tested as per approved methods and **sewer** manholes shall be vacuum tested as per approved methods.
* Sewer connections to existing sewer manholes or existing main shall be carried out by a licensed plumber in accordance with Council requirements.
* Each building shall have separate sewer ties and sewer ties are to be raised with a boundary riser. Boundary risers shall be accessible for maintenance at all times.
* Decommission existing sewer mains and their staging are including the locations for capping to be provided. Expose buried manhole MM1/16.
* Demolish and reinstate existing sewer vent at an appropriate location. New sewer vent shall be aesthetically blending with the surrounding development.
* All liquid trade waste discharge to Council sewer shall comply with the requirements of “NSW Liquid Trade Waste Discharge Guidelines 2021” and its updates.
* Separate pre-treatment facilities (Grease Arrestor) shall be designed and installed to pre-treat liquid trade waste. Required volume of in ground grease trap shall be determined and verified with the sizes and shapes of commercially available and approved grease traps. (Note: designated areas 2.5m x 2.5 m are not sufficient)
* Access for maintenance of pre-treatment facilities to be provided.
* A Liquid Trade Waste Application shall be lodged separately for each activity. Council / DPE Concurrence is required prior to any discharge to Council’ sewer.
* Design drawings shall be certified by qualified hydraulic engineers.

If connecting to Council’s infrastructure, the drawings must also be approved by Council’s Manager Water and Wastewater.  |
|  | Approval under s.68 *Local Government Act 1993* must be obtained from Council for connection to Council’s sewer infrastructure, unless otherwise approved by Council.  |
|  | Engineering drawings associated with the supply of **water** must be submitted to the Principal Certifier and Council’s Manager Water and Wastewater for approval. The drawings must include the following detail:* Fire services shall be designed by qualified designers and installed for the proposed development.
* Water mains shall be designed and laid in accordance with the Water Supply Code of Australia and Plumbing Code of Australia as applicable.
* Water mains in common areas shall be of MPVC, PN 16, S2 except at road crossings. Road crossings shall be DICL pipe class PN 35.Minimum diameter shall be 100 mm.
* Location of water required water services and their sizes shall be specified.
* Separate (sub) water meters are required for each building. Water Meters shall be supplied by Council on payment.
* Tapping saddle, main cock and meter cock shall meet Council requirements.
* All meter cocks of each property service shall be installed at 200mm – 300mm below finished ground level and shall be covered with meter boxes. Meter boxes will be supplied by Council.
* All valves shall be anti-clockwise closing and shall conform to Council standards.
* All mains shall be tested in accordance with Council requirements.
* Water service connections to the existing water main at Comur Street and Adele Street shall be carried-out by Council at the Developer’s cost.
* A testable RPZD (Reduced Pressure Zone Device) shall be installed 300mm above ground in accordance with the National Plumbing Code to each water service.
* Design drawings shall be certified by qualified hydraulic engineers.
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|  | A Certificate of Compliance shall be obtained for the augmentation of Council's water supply system under section 305 *Water Management Act 2000*. The fee for the Certificate of Compliance is $75,181.00.**It should be noted that:*** The total fee is based on a 5.0 ET unit increase in demand.
* The unit increase has been calculated based on the NSW Water Directorate Guidelines and information provided by the applicant.
* The fee has been calculated on a base rate of $15,188.00 per unit.
* Deferred payments can be made upon the registration of a Voluntary Planning Agreement which provides for such arrangements.
* The base rate utilised above was the rate applicable at the time the application was determined.
* The amount payable will be calculated on the rate applicable at the time of payment, rather than at the time the application was determined.
* The base rate per connection may vary over time.
* Compliance under Section 305 does not include the physical installation of any infrastructure.
 |
|  | A Certificate of Compliance shall be obtained for the augmentation of Council's sewer system under section 305 *Water Management Act 2000*. The fee for the Certificate of Compliance is $34,828.00.**It should be noted that:*** The total fee is based on a 5.0 ET unit increase in demand.
* The unit increase has been calculated based on the NSW Water Directorate Guidelines and information provided by the applicant.
* The fee has been calculated on a base rate of $7,036.00 per unit.
* Deferred payments can be made upon the registration of a Voluntary Planning Agreement which provides for such arrangements.
* The base rate utilised above was the rate applicable at the time the application was determined.
* The amount payable will be calculated on the rate applicable at the time of payment, rather than at the time the application was determined.
* The base rate per connection may vary over time.
* Compliance under Section 305 does not include the physical installation of any infrastructure.
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|  | Elevations and detailed plans showing the proposed Business Identification Signs shall be submitted to and approved by Yass Valley Council prior to the issue of a Construction Certificate.The design of the proposed signage shall be consistent with the heritage report by Eric Martin & Associates Architects dated 28.7.2021. The sizes of proposed signs shall be restricted as follows:* Under awning sign facing e.g. Comur Street – Dimensions not greater than 450mm deep x 2700mm wide.
* Under awning sign facing the footpath – Dimensions not greater than 300mm deep x 2200mm wide.
* The ‘Sandwich board footpath sign – Dimensions not greater than 1000mm wide and 1200mm in height.
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|  | A full detailed landscape plan to be provided to Council for approval prior to issuing Construction Certificate identifying plant genus, species, location and planting guide details. |
|  | A Certificate of Adequacy, issued by a suitably qualified and experienced structural engineer, certifying the adequacy of existing structure to support the additional loads, must be submitted to the Principal Certifier. |
|  | Engineering drawings for the provision of access to the development shall be submitted to Council’s Infrastructure & Assets Directorate for approval in accordance with:(1) Council’s Roads Standards Policy RD-POL-09 and (2) Council’s Design and Construction Specification – AUS-SPEC #1. |
|  | Engineering drawings for the provision of internal driveways and carparking areas for the development shall be submitted to Council’s Infrastructure & Assets Directorate for approval in accordance with:(1) Council’s Roads Standards Policy RD-POL-09 and (2) Council’s Design and Construction Specification – AUS-SPEC #1.  |
|  | A Design Certification Report relating to the detailed engineering design work shall be submitted to the principal certifier as per Council’s Design Specification - AusSpec #1, Annexure DQS-A. This Design Report shall provide evidence that suitably qualified designers have designed each component for the construction of the development.Stormwater drainage design plans prepared by Van Der Meer consulting and dated 27 August 2021 have been assessed as concept only. Fully detailed design plans shall be submitted with the application for the Engineering Works Certificate. |
|  | Prior to the issue of the Construction Certificate, an acoustic assessment is to be submitted to the Principal Certifier prepared by an accredited acoustic engineer to address the potential impact of any air-conditioning plants proposed on adjoining residential properties. |
|  | **Before the commencement of building works** |
|  | Work shall not be commenced until the person having the benefit of this Development Consent provides at least two days’ notice to Council of their intention to commence work. |
|  | Prior to undertaking works in an existing Council road reserve, the contractor shall obtain an approval under Section 138 of the Roads Act 1993 and submit details requested in the approval that include but not limited to:• A current work Licence.• A current public liability certificate with a minimum cover of $20 million• Current Plant / vehicle insurances• A certified traffic control plan for proposed worksAny works required within a classified road reserve requires Transport for NSW concurrence and/or approval for design plans and approval under Section 138 of the Roads Act 1993. |
|  | The environmental management requirements identified in the approved CEMP must be implemented.  |
|  | Council must be informed of the following, no later than two days prior to works commencing:* Name and details of the Principal Certifier
* Date construction work is proposed to commence ([Form 131](https://myportal.yass.nsw.gov.au/download/260505/aca01cc21bcc403182f57691ac17be14) to be submitted).
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|  | A garbage receptacle must be provided at the work site before works commence and must be maintained until the works are completed.The garbage receptacle must have a tight-fitting lid and be suitable for the reception of food scraps and papers. |
|  | A Soil and Water Management Plan shall be submitted to the Principal Certifier for approval in accordance with Council’s Design and Construction Specification – Ausspec#1. The plan shall include construction techniques to minimise site disturbance and the potential for soil erosion by wind or water, erosion control on any watercourse on the property, revegetation of disturbed areas and any other matters that are deemed necessary. An indicative plan may be prepared to complement the design plans, however, the final plan for approval shall be prepared in consultation with the construction contractor.  |
|  | Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land by:1. diverting uncontaminated run-off around cleared or disturbed areas and
2. erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties and
3. preventing the tracking of sediment by vehicles onto roads and
4. stockpiling topsoil, excavated materials, construction and landscaping supplies and debris within the lot.
 |
|  | A sign must be erected in a prominent position on the site which indicates: 1. the name, address and telephone number of the Principal Certifying Authority for the work, and
2. the name and after-hours contact phone number of the principal contractor (if any) for any building work, and
3. unauthorised entry to the site is prohibited.

This sign must be maintained while work is being carried out and must be removed upon completion of the work.  |
|  | Hoarding or temporary construction site fence must be erected between the site and adjoining properties, if the works: 1. could cause a danger, obstruction or inconvenience to the public, pedestrian and/or vehicular traffic, or
2. could cause damage to adjoining lands by falling objects, or
3. involve the enclosure of a public place or part of a public place.

The hoarding or temporary construction site fence must be erected before works commence and be removed immediately after the work in relation to which it was erected has finished, if no safety issue will arise from its removal. |
|  | Toilet facilities must be available or provided at the work site before works commence and must be maintained until the works are completed. The toilets must be provided in accordance with the following:1. at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site and
2. be a standard flushing toilet connected to a public sewer or
3. be connected to an on-site effluent disposal system approved under the *Local Government Act 1993* or
4. be a temporary chemical closet approved under the *Local Government Act 1993*.
 |
|  | The building/s must be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries. Evidence that the building/s were set-out and have been located in accordance with the approved plans must be submitted to the Principal Certifier or Council upon request. |
|  | In accordance with the *Plumbing and Drainage Act 2011,* each plumber and drainer that works on the development must submit to Council a [Notice of Work](https://myportal.yass.nsw.gov.au/download/261626/6977c64d323749419619f3b0f6cae03f) (Form 11) notifying Council of their intention to carry out works.The minimum amount of notice under this Act is two business days. |
|  | If a wall is to be constructed on a boundary and there is less than 900mm to a wall (adjoining wall) on an adjoining lot, a dilapidation report on the adjoining wall must be submitted to the Principal Certifier. If access is denied to the adjoining lot for the purpose of inspecting the adjoining wall, the report may be prepared from an external inspection of the adjoining wall. |
|  | Prior to the commencement of construction (including demolition), suitable on-site car parking facilities or alternative on-street ‘work zone’ shall be made available for construction workers accessing the site. No construction vehicles are permitted to utilise the Aldi car park for parking during construction. |

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| **Tree Protection Measures** |
|  | Tree protection measures are to be established on site in accordance withthe recommendations of the Arboricultural Impact Assessment prepared byHugh the Arborist (Revision A) dated 19 February 2021.  |
|  | **While building works are being carried out** |
| **Environmental Heritage**  |
|  | If an Archaeology object is discovered during the course of work:1. All work must stop immediately and
2. The *Department of Planning, Industry and Environment* must be advised of the discovery.

Depending on the significance of the object, an archaeological assessment and excavation permit issued under the *Heritage Act 1997*, may be required before work can continue. |
|  | If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of work:1. All must stop immediately and
2. The *Department of Planning, Industry and Environment* must be advised of the discovery in accordance with s.89A *[National Parks and Wildlife Act 1974](http://www.legislation.nsw.gov.au/xref/inforce/?xref=Type%3Dact%20AND%20Year%3D1974%20AND%20no%3D80&nohits=y" \t "main).*

Depending on the nature of the discovery, an Aboriginal Heritage Impact Permit issued under the *[National Parks and Wildlife Act 1974](http://www.legislation.nsw.gov.au/xref/inforce/?xref=Type%3Dact%20AND%20Year%3D1974%20AND%20no%3D80&nohits=y" \t "main),* may be required before work can continue. |
| **Earthworks, Internal Driveways and Importation of Material** |
|  | Earthworks, internal driveways and the importation of associated material is restricted to that which can be undertaken as exempt development under the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, unless otherwise approved by a condition of this consent or the stamped approved plans.  |
|  | Any earthworks, including any structural support or other related structure for the purposes of the development:1. must not cause danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot and
2. must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property and
3. that is fill brought to the site - must contain only virgin excavated natural material (VENM) as defined in [Part 3 of Schedule 1](https://www.legislation.nsw.gov.au/view/html/inforce/2020-05-14/act-1997-156%22%20%5Cl%20%22sch.1-sec.50) to the *[Protection of the Environment Operations Act 1997](http://www.legislation.nsw.gov.au/xref/inforce/?xref=Type%3Dact%20AND%20Year%3D1997%20AND%20no%3D156&nohits=y" \t "main)* and
4. that is excavated soil to be removed from the site - must be disposed of in accordance with any requirements under the *[Protection of the Environment Operations (Waste) Regulation 2005](http://www.legislation.nsw.gov.au/xref/inforce/?xref=Type%3Dsubordleg%20AND%20Year%3D2005%20AND%20No%3D497&nohits=y" \t "main).*
 |
|  | Any excavation must be carried out in accordance with Safe Work Australia’s *[Excavation Work: Code of Practice](https://www.safeworkaustralia.gov.au/doc/model-code-practice-excavation-work)*, published 26 October 2018. |
|  | Material imported to the site must be suitable for the proposed application and be:1. Sourced from a suitably licensed facility (i.e. landscaping supplies or quarry operation) or
2. [VENM](https://www.legislation.nsw.gov.au/view/html/inforce/2020-05-14/act-1997-156%22%20%5Cl%20%22sch.1-sec.50) as defined in the *Protection of the Environment Operations Act 1997*.

Documentation demonstrating compliance with this condition must be provided to Council upon request.  |
|  | Heavy vehicle movements associated with the development must be as set out below: * Weekdays: 7am – 6pm
* Saturdays 7am – 6pm
* Sundays & Public Holidays: No movements permitted.
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| **Demolition** |
|  | All demolition work must be carried out in accordance with the provisions of *AS 2601:1991 The Demolition of Structures*.  |
|  | All utility services must be disconnected to the requirements of the relevant authorities. |
|  | Asbestos waste, if present in the building proposed to be demolished, is to be removed, handled, transported and disposed of in accordance with the following:* *NSW WorkCover* requirements and
* *Protection of the Environment Operations Act 1997 and*
* *Protection of the Environment Operations (Waste) Regulation 2014*.

The transportation of asbestos waste may require to it to be reported to the NSW Environment Protection Authority (EPA) using *WasteLocate*. Please refer the [WasteLocate website](https://wastelocate.epa.nsw.gov.au/) for more information. There is no waste facility licensed to receive asbestos within the Yass Valley Local Government Area. The nearest suitably licensed waste management facilities are located in Jugiong and Canberra.  |
|  | All waste is to be disposed of at a suitably licensed waste management facility. Copies of receipts relating to the disposal of waste must be submitted to Council upon request. |
|  | The deliberate burning of demolition materials is not permitted. |
|  | All demolition work must be carried out wholly within the lot boundaries and must not extend onto the public footpath, public roadway or adjoining properties. |
|  | Vehicles transporting demolition material off site must have loads secured against any loss during transit. |
|  | Where possible bricks removed from the existing Crago Mill building shall be retained and stored on site for future use. |
|  | All previously connected services must be appropriately disconnected prior to demolition works.Due to the age of the structures, asbestos sheeting and lead paint may be present and any demolition work must be done strictly in accordance with AS2601 – Demolition of Structures.Disposal of contaminated soil shall be in accordance with:* RAP Lanterra Consulting Pty Ltd – 26 July 2021
* NSW EPA (2014) Waste Classification Guidelines: Part 1 Classifying Waste.
* National Environmental Protection Council “National environment Protection (Assessment of the Site Contamination) Measure 1999 (amended 2013).

Fill must be taken to either Gundaroo Landfill or Murrumbateman Landfill. All other material may be taken to Yass Transfer Station, Gundaroo Landfill, or Murrumbateman Landfill and deposited in the appropriate separated pile. |
| **Inspections**To arrange an inspection with Council please use the on-line booking system on Council’s website: [yassvalley.nsw.gov.au > Our Services > Planning and Building > Certification and Inspections > Inspections.](https://www.yassvalley.nsw.gov.au/our-services/planning-and-building/certification-and-inspections/inspections/)  |
|  | **BUILDING INSPECTIONS**Critical stage inspections must be carried out by the Principal Certifier, as required by s.162A of the EP&A Regulation, as set out below: |
| **Inspection** | **Hold Point** |
| 1. **After excavation of footings**
 | Prior to pouring concrete, after placement of erosion and sediment control measures, on-site toilet and signage |
| 1. **Bearers and Joists**
 | Prior to placement of floor sheeting |
| 1. **Floor slab**
 | Prior to pouring concrete |
| 1. **Frame/Pre-sheet**
 | Prior to placing internal sheeting, after all internal services including water plumbing and electrical are installed and external cladding has been fixed |
| 1. **Waterproofing of wet areas**
 | Prior to the placement of tiling and/or covering |
| 1. **Stormwater**
 | Prior to backfilling or covering pipes and connections to services |
| 1. **Final**
 | All works relating to the proposed development are complete and all conditions of development consent are complied with. |
|  | Roof truss and wall bracing details are to be supplied to the Principal Certifier prior to frame inspection. |
|  | **PLUMBING & DRAINAGE INSPECTIONS**As the local plumbing and drainage regulator **Council must undertake inspections** at the following stages of construction: |
| **Inspection** | **Hold Point** |
| 1. **All internal sanitary drainage**
 | Prior to backfill |
| 1. **All external sanitary drainage**
 | Prior to backfill |
| 1. **Connection to Council’s sewer main**
 | Prior to backfill |
| 1. **Connection to Council’s stormwater system (street or inter-allotment)**
 | Prior to backfill |
|  | 1. **At the completion of all plumbing and drainage works**
 | Prior to occupation of the structure |
|  | **ENGINEERING INSPECTIONS**A compliance certificate must be **obtained from Council’s** Infrastructure and Assets Division (Water & Wastewater) at the following stages of construction:  |
| **Inspection** |
| 1. **Installation of Combination Meters, RPZD device and water meters**
 |
| 1. **Installation of sewer drainage connections to Council’s main –** prior to backfilling
 |
|  | **ENGINEERING INSPECTIONS**A Compliance Certificate shall be obtained from Council’s Infrastructure & Assets Directorate (Engineering Services) at the following stages of construction: **Roads*** **Completion of property access**. This inspection is for access dimensions and to ensure there are no ‘trip-fall’ hazards. Compliance with change in longitudinal grade will only be undertaken where it can be confirmed via WAE drawings

**Stormwater*** **Completion of stormwater drainage line** **and associated pits in Comur Street** – prior to backfilling
* **Completion of stormwater detention infrastructure**

**Other** * **Completion of streetscaping and other public landscaping**
* **Practical Completion**
 |
|  | Upon inspection of each stage of construction, the Principal Certifier is required to ensure that adequate provisions are made for the following measures (as applicable):1. Run-off and erosion control
2. Provision of perimeter fence, hoarding or temporary construction site fence for public safety and restricted access to building sites
3. Maintenance of the public place free from any unauthorised materials, waste containers or other obstructions.
 |
|  | If Council is selected as the Principal Certifying Authority for engineering works, the fee per inspection shall be levied in accordance with Council’s Fees and Charges, relevant at the time of payment. |
| **Construction** |
|  | Work must be carried out in accordance with the plans and specifications to which the consent relates. |
|  | All building work must be carried out in accordance with the provisions of the NCC/BCA and all relevant Australian Standards.  |
|  | Construction may only be carried out between 7.00 am and 6.00 pm on Monday to Saturday. No construction is to be carried out at any time on a Sunday or a public holiday. |
|  | All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held. |
|  | Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and disposed of at a waste management facility.Copies of receipts relating to the disposal of waste at a licensed waste management facility must be submitted to Council upon request. |
|  | Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads. |
|  | During construction:1. all vehicles entering or leaving the site must have their loads covered, and
2. all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
 |
|  | At the completion of the works, the work site must be left clear of waste and debris. |
| **Plumbing and Drainage** |
|  | All plumbing and drainage work must comply with the provisions of the following:* *Plumbing and Drainage Act 2011*
* *Plumbing and Drainage Regulation 2012*
* Plumbing Code of Australia
* AS/NZS 3500:2018 Plumbing and Drainage
 |
|  | The *Plumbing and Drainage Act 2011* requires each plumber and drainer that works on the development to submit the following information to Council:* Notice of Work (NoW)
* Sewer Service Diagram (SSD)
* Certificate of Compliance (CoC).
 |
|  | The sewer boundary riser must be located and exposed at all times.If there is no existing sewer boundary riser, a sewer boundary riser must be installed by a licensed plumber in accordance with *AS/NZS 3500.2:2018 Plumbing and Drainage - Sanitary Plumbing and Drainage*.  |
| **Stormwater Drainage** |
|  | Stormwater drainage work must comply with *AS/NZS 3500.3:2018 Plumbing and Drainage - Stormwater Drainage.*  |
|  | Stormwater collected from the development must not cause nuisance to adjoining landowners.  |
|  | Where up-stream surface water flows through the lot the development must not redirect or divert this water in such a manner that would intensify flows onto adjoining properties. |
|  | The roof stormwater drainage system must be installed and connected prior to the roof installation.  |
| **Decommissioning and Removal of Existing Underground Petroleum Storage System (UPSS)** |
|  | The existing underground petroleum storage system (UPSS) and associated infrastructure shall be decommissioned, removed and remediated in accordance with Protection of Environment Operations (Underground Petroleum Storage Systems) Regulation 2019. |
|  | The underground petroleum storage tanks must be removed and disposed of in accordance with AS 1940-2017: The Storage and Handling of Flammable and Combustible Liquids and AS 4976:2008 The Removal and Disposal of Underground Petroleum Storage Tanks.  |
|  | Prior to any bulk earth works commencing the USTs shall be removed and the resultant excavations validated in accordance with RAP Lanterra Consulting Pty Ltd – 26 July 2021.Any fill required to be imported to the site during construction shall only be VENM and accompanied by supporting VENM certificate. |
|  | All waste materials generated as a result of the proposed development must be classified and disposed of in accordance with the Environment Protection Authority NSW Waste Classification Guidelines 2014. |
|  | No excavated material is to be removed from the site until the level of contamination has been validated. |
|  | Contamination of ground and surface water must be prevented and controlled in accordance with the Department of Environment and Conservation NSW Guidelines for the Assessment and Management of Groundwater Contamination, 2007. |
|  | The Remediation of the site shall be carried out in accordance with the Remediation Action Plan by Lanterra Consulting Pty Ltd – dated 26 July 2021. |
|  | At the completion of the remedial works, a Validation Report shall be prepared in general accordance with NSW EPA Consultants reporting on contaminated land – Contaminated Land Guidelines documenting the works completed. |
|  | **Before the issue of an Occupation Certificate** |
|  | An **application for an Occupation Certificate** must be lodged with the Principal Certifier. |
|  | The relevant parts of [s. 6.10](https://www.legislation.nsw.gov.au/view/html/inforce/2020-08-31/act-1979-203%22%20%5Cl%20%22sec.6.10) of the EP&A Act must be satisfied, including:1. a Construction Certificate has been issued for this development
2. all conditions in this part of the consent have been complied with
3. the completed building is suitable for occupation or use in accordance with its classification under the NCC/BCA.
 |
|  | In accordance with [s.154](https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2000-0557%22%20%5Cl%20%22sec.154) of the EP&A Regulation, an Occupation Certificate authorising a person to commence occupation or use of part of a building, must not be issued unless the building will not constitute a hazard to the health or safety of the occupants of the building. |
|  | **Product testing** demonstrating compliance with the requirements of specification C1.10 of the National Construction Code / Building Code of Australia Volume 1 for all relevant floor coverings must be submitted to the Principal Certifier.  |
|  | The **fire safety measures**, as detailed in the relevant Fire Safety Schedule are to be installed and maintained in accordance with the provisions of Clause 168 *EP&A Regulation.* |
|  | A **fire safety certificate** in accordance with the EP&A Regulation is to be submitted to Council. |
|  | **Certificates of Compliance** for contractor’s work must be submitted to the Principal Certifier.  |
|  | An **identification survey**, prepared by a registered surveyor must be submitted to the Principal Certifier indicating the location of the constructed development in relation to property boundaries, easements and building envelopes. |
|  | **Landscaping** must be completed in accordance with the approved plans.  |
|  | **Stormwater infrastructure** is to be constructed in accordance with the plans approved with the Construction Certificate.  |
|  | **Water supply infrastructure** is to be constructed in accordance with the plans approved with the Construction Certificate.  |
|  | **Sewer infrastructure** is to be constructed in accordance with the plans approved with the Construction Certificate and the s.68 approval issued by Council.  |
|  | The **sewer boundary riser** must be located above the finished ground level. |
|  | Any damage caused to Council owned infrastructure or property must be repaired or replaced at no cost to Council.  |
|  | Prior to the issue of any Occupation Certificate of a premises which involves the discharge of liquid trade waste, the developer shall apply to and obtain written approval from Yass Valley Council stating the conditions of discharge to sewer. This approval shall state any pre-treatments, ongoing requirements and whether a Liquid Trade Waste Agreement needs to be entered into with Yass Valley Council. |
|  | Stormwater drainage and any quality/quantity devices to be constructed in accordance with either Council’s Road Standards Policy RD-POL-09 or, where required, designs/drawings approved with the Construction Certificate.  |
|  | Carparks are to be constructed per the designs/drawings approved with the Construction Certificate.  |
|  | The property vehicular access from the road to the property boundary shall be constructed in accordance with either Council’s Road Standards Policy RD-POL-9, or where required, the designs/drawings approved with the Construction Certificate.  |
|  | The developer shall restore, replace or reconstruct any damage caused to road pavements, surfaces, street furniture, roadside drainage, street lighting or underground facilities as a result of the construction of the development. |
|  | 1. One complete set of “Works as Executed” (WAE) drawings based on the approved construction plans indicating all as built details and signed by registered surveyor shall be submitted to Council for all new assets that will be gifted to Council.

The WAE drawings shall be submitted in the following format:* Auto CAD LT 2011 on MGA 94 Zone 55 Coordinates;
* Auto CAD R12/LT2 DXF;
* PDF;
* 2 (A1) Hard copies
* 2 (A3) Hard
1. A detailed summary of the assets shall be submitted to Council.

 The details shall be provided in tabular form (copies to be provided) The assets to be identified include* Roads and Transport
* Stormwater
* Sewer
* Water
* Landscape
 |
|  | Evidence that the plan of consolidation has been registered with the NSW Land Registry Service (LRS) is to be submitted to the Principal Certifier. |
|  | Evidence shall be submitted to the Principal Certifier that a Right of Carriageway has been registered with the NSW Land Registry Service (LRS) benefiting Lot 2 DP 1152503 over Lot 100 DP 1222562 for vehicular access to the existing grade car park. |
|  | An easement is to be created towards the northern end of the site to connect the existing sewer in accordance with Council requirements.Evidence that the easement has registered with the NSW Land Registry Service (LRS) is to be submitted to the Principal Certifier.  |
|  | A new easement is required for the proposed substation in accordance with the electricity supply authority requirements. Evidence that the easement has registered with the NSW Land Registry Service (LRS) is to be submitted to the Principal Certifier.  |

**Right of Review by Applicant:** [Division 8.2 EP&A Act](https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-203%22%20%5Cl%20%22pt.8-div.8.2) gives an applicant the right to have Council [review](https://myportal.yass.nsw.gov.au/download/261625/797e94b8196247e8a15da4d868ee86e7) the determination within 6 months after the date on which the notice of determination is received, if no appeal is made under s.8.7 EP&A Act.

**Right of Appeal by Applicant:** [S.8.7 EP&A Act](https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-203%22%20%5Cl%20%22sec.8.7) gives an applicant the right to appeal against the determination to the Land and Environment Court within 6 months after the date on which the notice of determination is received.

**Right of Appeal by Objector:** The EP&A Act makes no provision for an objector to appeal against the determination.

[s.9.45 EP&A Act](https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-203%22%20%5Cl%20%22sec.9.45) gives an objector the right to bring proceedings in the Land and Environment Court for an order to remedy or restrain a breach of the EP&A Act, within 3 months after the date on which public notice of the granting of a consent is given.

**Signed on behalf of consent authority**

TBA

**TBA**

TBA

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| **Advisory Notes Accompanying Development Consent DA210262** |
|  | All fees and charges associated with this consent will be adjusted annually from the date of this consent in accordance with seasonal movements in the CPI for the Canberra region. |
|  | This development consent does not guarantee compliance with land specific agreements, by-laws, covenants, 88B restrictions, community management plans, or other similar development restrictions that may be applicable to the land. It is the responsibility of the landowner, applicant and developer to make their own enquiries in order to be satisfied that compliance with these restrictions has been achieved. |
|  | The applicant must ensure all sub-contractors are licensed by the NSW Department of Fair Trading. |
|  | All persons undertaking work in connection with this consent must ensure all required risk control measures and procedures are complied with. The *Work Health and Safety Act 2011*, the *Work Health and Safety Regulation 2011* and various Australian Standards provide a comprehensive set of risk control measures and procedures for development sites. This legislation is administered by WorkCover New South Wales which has produced a variety of guidelines and other supporting documents for the information of developers. |
|  | The following items shall be considered where the proposed development looks to achieve compliance with the ‘deemed to satisfy’ provisions of the Building Code of Australia:* A complying fire hydrant system must be provided to serve the building. A compliant system satisfies this requirement if it complies with Australian Standard 2419.1 Fire Hydrant Installations – System Design, Installation and Commissioning and Part E1.3 of the Building Code of Australia.
* Fire Hose Reels shall be designed and installed in the building and/or on-site in accordance with Part E1.4 of the Building Code of Australia and AS 2441.
* Portable fire extinguishers shall be installed in the building or portions of the building compatible to the hazard/s posed by equipment or functions associated with the use of the building, in accordance with Part E1.6 of the Building Code of Australia and AS 2444 (Portable Fire Extinguishers and Fire Blankets Selection and Location).
* Required exit doors are to swing in the direction of egress in accordance with clause D2.20 of the Building Code of Australia.
* The proposed exits are not to be blocked at the point of discharge. Where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit or access to it.
* A door in a required exit, forming part of a required exit or in the path of travel to a required exit, must be readily openable without a key from the side that faces a person seeking egress, by a single hand action on a single device which is located between 900mm and 1100mm from the floor.
* An emergency lighting system which complies with *AS 2293.1- 2005 Emergency escape lighting and exit signs for buildings* shall be installed within the building.
* All required exit doors shall be provided with Illuminated exit signage which complies with *AS 2293.1- 2005 Emergency escape lighting and exit signs for buildings*.
* All new walkways, platforms, ladders, stairs, ramps, landings, handrails or balustrades providing access to the building shall comply with Part D of the *Building Code of Australia*.
* Access for people with disabilities is to be provided to the building from any required accessible car parking space on the allotment by means of a continuous path of travel in accordance with *AS 1428.1, ‘Design for Access and Mobility’*.
* The accessible sanitary facility and the sanitary facility for persons with ambulant disabilities shall be constructed in accordance with *AS 1428.1: ‘Design for Access and Mobility*’.
* The main points of pedestrian entry into the building shall achieve compliance with *AS 1428.1-2009 ‘Design for Access and Mobility*’. Particular attention should be given to the following:
* Colour contrast between the door and the door frame.
* The width of the door.
* Door hardware.
* Tactile ground surface indicators shall be provided in accordance with Clause D3.8 of the *Building Code of Australia*, Volume 1 and *AS1428.4*.
* Signage shall be provided in accordance with Clause D3.6 of the *Building Code of Australia*, Volume 1 and *AS1428.1*.
* The unobstructed width of each path of travel to an *exit* must be not less than 1m;
 |