

PPSSTH-43 - DA20/1069 - DRAFT CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS

1. Development Description

Development consent has been granted in accordance with this notice of determination for the purposes of Tourist and Visitor Accommodation.

Reason: *To confirm the use of the approved development.*

2. Development in Accordance with Plans and Documents

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

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Master Plan (Existing)	1.01	X.PACE	No date
Master Plan (Proposed)	1.01	X.PACE	No date
Elevation Plan		X.PACE	No date
Southern section Level 1	1.03	X.PACE	No date
Southern section Level 2	1.04	X.PACE	No date
Southern section Level 3	1.05	X.PACE	No date
Southern section Level 3	1.06	X.PACE	No date
Southern section Level 4	1.06	X.PACE	No date
Southern section Level 5	1.07	X.PACE	No date
Southern section Level 6	1.08	X.PACE	No date
Southern section Level 7	1.09	X.PACE	No date
Northern section Level 1	1.10	X.PACE	No date
Northern section Level 2	1.11	X.PACE	No date
Northern section Level 3	1.12	X.PACE	No date
Northern section Level 1 Existing and proposed	1.13	X.PACE	No date
Hotel Level 2 Existing and Proposed	1.14	X.PACE	No date
Hotel Level 3 Existing and Proposed	1.15	X.PACE	No date
Hotel Level 4 Existing and proposed	1.16	X.PACE	No date
Hotel Level 5 Existing and proposed	1.17	X.PACE	No date
Site sections proposed	2.01	X.PACE	No date
Site elevations proposed	2.02	X.PACE	No date
Site elevations proposed	2.03	X.PACE	No date
Site elevations proposed	2.04	X.PACE	No date
Site elevations proposed	2.05	X.PACE	No date

Site elevations proposed	2.06	X.PACE	No date
Perspectives 01	3.02	X.PACE	No date
Perspectives 02	3.01	X.PACE	No date
Perspectives 03	3.03	X.PACE	No date
Arboricultural Impact Assessment Report	D3948	Allied Tree Consultancy	December 2019
BASIX certificate No 1074438_M	-	Greenview Consulting Pty Ltd	19/03/20
Access Design Assessment Report	P218_204-2 (ACCESS) FMR	Design Confidence	07/02/20
BCA Design Assessment Report	P218_204-2 (BCA) LB	Design Confidence	07/02/20
Biodiversity Development Assessment Report	Xpac2	NARLA environmental	March 2020
Traffic & Parking Impact Assessment	Final report	Hemanote Consultants	March 2020
Bushfire Assessment	18134	Peterson Bushfire	10/02/20
Geotechnical Assessment	32853PHrpt	JK Geotechnics	18/02/20
Heritage Impact Assessment	-	Zoltan Kovacs	January 2020
NCC BCA 2016 Section J Assessment	-	Greenview Consulting	19/03/20
Statement of Environmental Effects	-	GSA Planning	20/03/20
Vegetation Management Plan	-	Chris & Charlotte Webb Pty Ltd	March 2020
The Robertson Hotel, Plan of Management		Proponent	No date
Landscape Plans	LS-01 – LS-11, Rev. B	Chris & Charlotte Webb	21/02/20
Stormwater Management Plan	Final Issue	Cohort Engineering	22/01/2021
Stormwater Management Plan	1939C01- 101C,	Cohort Engineering	22/01/2021
Road & Site Pavement Plan	1939C01-103C	Cohort Engineering	22/01/2021
Stormwater Management Basin Layout & Sections	1939C01-104C	Cohort Engineering	22/01/2021
Water and sanitary drainage plans	1939H01 – 101A, 102 A	Cohort Engineering	23/03/20
Bin Collection Plan	WP.01, Rev A	LID consulting	07/02/20
Bin Store Layout	WP.02, Rev B	LID consulting	07/02/20
Acoustic Report	R200332R1 Rev 1	Rodney Stevens Acoustics	13/08/20
Vision board and sample palette	REFERENCES Pages 9-13 and 13	X.SPACE	No date
Building Staging Plan	1.01_A	X.SPACE	11/05/21

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

3. Construction Staging of Development

Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the approved development in stages, provided that all conditions of consent relevant to the development incorporated within each stage have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that stage.

This application includes construction stages as follows:

STAGE	BUILDING WORKS	INFRASTRUCTURE WORK
1A	New Bathrooms Rooms Reconfiguration Grooms Room Sandstone Wall / Signage	None
1B	New Roof Roof Rooms Cafe Facades	None
1C	Lift Lounge Bar Main Bar	None
2	Construction Of 5 Ecovillas Construction Of Petting Zoo Parking	Earthworks Roadworks - Main entry, Fountalindale Rd, main roundabout, access to cabins (Cabin Way) Stormwater Management Assets - Basin Z, BioBasins, Illawarra Hwy diversion, rainwater tanks, pit and pipe network Site and Footpath levels and gradings Waterway augmentations Water and sewer fixtures and connections Water and sewer amplification - pump wells Electricity and telecommunications utilities
3	Construction Of 5 Ecovillas Construction Of Petting Zoo Parking	Earthworks Stormwater Management Assets - Basin Y, Interim BioBasins, rainwater tanks, pit and pipe network Site and Footpath levels and gradings Waterway augmentations Water and sewer fixtures and connections Water and sewer amplification - pump wells Electricity and telecommunications utilities
4	Construction Of Entry Traffic Intersection Service Access And Service Road Bus / Coach Parking	Earthworks Roadworks - Service entry, Fountalindale Rd improvements and widening, access road to hotel/carpark (Hotel Pde), Bus parking Stormwater Management Assets - BioBasins, pit and pipe network Site and Footpath levels and gradings Electricity and telecommunications utilities
5	Plazza New Reception Central Garden Underground Parking New Restaurant / Gallery / Museum New Hotel Wing New Function Room Open Amphitheatre "Eco Walk" Paths	Earthworks Roadworks - Old road improvements (Heritage Ave) Stormwater Management Assets - Interim BioBasins, commission BioBasins, large rainwater tank pit and pipe network Site and Footpath levels and gradings Waterway augmentations Water and sewer fixtures and connections Electricity and telecommunications utilities
6	Community Leisure And Health Centre Pool	Site and Footpath levels and gradings Stormwater Management Assets - commission BioBasins, pit and pipe network
7	Ecocabins Paths To Ecocabins	Site and Footpath levels and gradings Stormwater Management Assets - commission BioBasins, pit and pipe network
8	Kitchen (Existing Building) New Toilets (Existing Building) Connection To New Reception Central Garden Extension Connection To Main Restaurant Railway Station Artist In Residence Cottage	Site and Footpath levels and gradings Stormwater Management Assets - commission BioBasins, rainwater tanks, pit and pipe network Water and sewer fixtures and connections

Reason: *To manage the construction of the works*

4. Inconsistency between documents

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

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

5. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.

Reason: *The condition is prescribed under clause 98 of the Environmental Planning and Assessment Regulation 2000.*

6. Erection of Signs

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

- (a) Showing the name, address and telephone number of the Principal Certifier (PC) for the work, and
- (b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) Stating that unauthorised entry to the 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.

Reason: *The condition is prescribed under clause 98A of the Environmental Planning and Assessment Regulation 2000.*

7. Compliance with Disability Discrimination Act 1992

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

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

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

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**8. Application for a Construction Certificate (Building Works)**

The applicant shall apply to Council or a Principal Certifier (PC) for a Construction Certificate to carry out the relevant building works in accordance with this consent. The details to be included in the application for a Construction Certificate are:

- (a) Architectural plans and building specifications complying with the National Construction Code (NCC) relevant Australian Standards, and the development consent and conditions.
- (b) If Council or a Principal Certifier (PC) issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.
- (c) Geotechnical report for the site, prepared by a qualified geotechnical engineer detailing the foundation conditions of the site and solutions for consideration by a structural Engineer.
- (d) Essential services plan outlining the existing and proposed fire safety measures.
- (e) Plans detailing the layout, extent and location of key components of any required Hydraulic Fire Safety System/s (Fire Hydrant and Fire Hose Reels) including Specifications that describe the basis for the design, installation and construction and identify the provisions of the BCA upon which the design of the system is based. The Plans and Specifications shall both be endorsed by a competent fire safety practitioner (CFSP) as complying with the relevant provisions of the Building Code of Australia (BCA).
- (f) Disabled access provisions to common and public areas in accordance with AS1428 Design for Access and Mobility and the Premises Code.
- (g) If an alternative solution to the “deemed to satisfy” provisions of National Construction Code is proposed, the following details must be lodged:
 - ☐ Performance requirements that the alternative solution intends to meet.
 - ☐ Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
 - ☐ A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body.

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

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

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

9. Amendments to Approved Plans

The applicant shall make the following amendments to the approved plans prior to the issue of a Construction Certificate:

- (a) Amended plans shall be prepared that include compliance with all recommended upgrades proposed in the Building Code of Australia Design Assessment Report prepared by Design Confidence, Ref: P218_204-2 (BCA) LB, Dated 07 February 2020 and the Access Design Assessment Report prepared by Design Confidence, Ref: P218_204-2 (Access) FMR, Dated 07 February 2020.
- (b) Prior to the issue of construction certificate, the applicant must submit for Council approval detailed design drawings of the proposed bus layover facilities on Fountaindale Road. The documentation should include the following details:
 - Confirmation of largest vehicle intended to service site and number of vehicles anticipated to utilise the bus bay. We note that the existing drawings for Illawarra Hwy / Fountaindale Rd show the design vehicle is a 12.5m HRV, therefore if the intention is to accommodate a 14.5m coach we would require updated drawings.
 - Swept paths for nominated design vehicle showing draw in and draw out movement and demonstrating how buses / coaches can turn around safely.
 - Sight distance checks to ensure safe egress of buses to the public road.
 - Design detail showing interface of bus bay with public road, including drainage.
- (c) Off-street parking facilities must comply with AS 2890 series.

Note: *This involves a change to the Development Application plans as submitted to and approved by Council.*

Any changes in this regard shall be reflected as amended plans to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate for the proposed development.

Reason: *To confirm and clarify the terms of Council's approval.*

10. Appointment of Principal Certifier (PC)

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

- (a) A Construction Certificate for the building work has been issued by:
 - (i) the consent authority; or
 - (ii) a Principal Certifier (PC); and
- (b) the person having the benefit of the development consent has:
 - (i) appointed a Principal Certifier (PC) for the building work, and

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

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

11. Deposit for Council Infrastructure

A damage deposit in accordance with Councils Bonds Policy shall be paid to Council prior to the issue of the Construction Certificate. This damage deposit shall be refunded upon completion of all works, on the issue of the Final Occupation Certificate. Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the damage deposit.

Note: *Full panel concrete footpath replacement in areas where connection to all services are required. This includes driveways and road concrete panels. This will stop differential settlement and maintain the integrity of council infrastructure and asset.*

Reason: *Protection of Council infrastructure.*

12. Access for People with Disabilities

Access for people with disabilities shall be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992*.

Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

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

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

13. Disabled Toilets

Plans and details of the disabled toilet/s shall comply with the relevant Australian Standards, the Building Code of Australia, and with regard to the *Disability Discrimination Act 1992*.

Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

Note: *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992. The plans must be approved by the Accredited Certifier prior to issue of a Construction Certificate.*

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

14. Developer to provide photos of damage to Council property

The developer must provide Council and the Principal Certifier (PC) with photos of any damage of Council property adjoining the development prior to the issue of the Construction Certificate.

Photos should include any damage to footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter and road pavement and the like.

Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the developer/owners/proponent's expense.

The construction supervisor is responsible to ensure that all contractors, sub-contractors, and delivery trucks use a designated access point to prevent damage to Council's property. Repairs to damaged Council property are to be carried out by the contractor/builder to Council's specification and supervision prior to issue of any Occupation Certificate.

Reason: *To ensure that Council's assets are protected.*

15. Section 68 Local Government Act 1993 Approvals

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

- Carry out Sewerage Works
- Carry out water supply
- Carry out stormwater drainage works.

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

16. Section 138 Roads Act 1993 Approval

Where works are proposed within the road reserve, the developer must obtain approval from Council (as the Roads Authority and/or as required under Section 138 of the *Roads Act 1993*) before any works are undertaken. Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- ☐ A copy of approved design plans related to the development and proposed works to be undertaken.
- ☐ Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual 'Traffic Control at Work Sites'. Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.
- ☐ Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

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

Reason: *Statutory requirement.*

17. Section 7.11 Contributions (formerly Section 94)

Under Section 7.11 of the *Environmental Planning and Assessment Act 1979* (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of, or increase the demand for, public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Section 7.11 Developer Contributions Plans are applicable to the development:

- ☐ Roads & Traffic Management Facilities
- ☐ Resource Recovery Centre 2009
- ☐ Central Library Facility
- ☐ Section 7.11 Administration 2011 to 2031
- ☐ Open Space & Recreation Facilities

The contributions listed in the attached Notices of Payment must be paid prior to the issue of each Construction Certificate for each stage of the works.

All contributions are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics (www.abs.gov.au <<http://www.abs.gov.au>>); Section 251 of the *Environmental Planning and Assessment Regulation 2000*; and Council's Developer Contributions Plans.

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

Note: *Payment of the contributions is to be by BANK CHEQUE OR CASH (bank transfer) and is to be accompanied by the attached sheet entitled "Notice of Payment - Developer Charges & Section 7.11". Should the Applicant pay by personal or company cheque the plans subject to this approval will not be available for collection until the cheque has been honoured (i.e. a minimum of 10 days).*

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

18. Water Management Act - Certificate of Compliance

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

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

As a precondition to the issuing of a Certificate of Compliance Council requires the payment of Developer Charges **prior to the issue of Construction Certificate** as prescribed by Wingecarribee Shire Council's Development Servicing Plans:

Drafting Note: *Assessment Officer to determine which plans apply - delete plans not applicable.*

- ☐ Water Supply Development Servicing Plan;
- ☐ Sewerage Development Servicing Plan; and
- ☐ Stormwater Development Servicing Plan.

A developer Charges - Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent.

The water, sewer and stormwater headworks levies are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics (www.abs.gov.au <<http://www.abs.gov.au>>); and Council's Development Servicing Plans.

Copies of Development Servicing Plans are available at Wingecarribee Shire Council's Administration Building Moss Vale or are available for download from Council's website www.wsc.nsw.gov.au <<http://www.wsc.nsw.gov.au>>.

The Water and Sewerage Development Servicing Plans (DSP's) were adopted by Council and came into effect on 15 September 2017. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

CPI Period	Water DSP	Sewer DSP	Stormwater DSP
Please refer to attached sheets at end of consent	Please refer to attached sheets at end of consent	Please refer to attached sheets at end of consent	Please refer to attached sheets at end of consent
Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward			

movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, www.abs.gov.au <<http://www.abs.gov.au>>.

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

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

Compliance Certificate

Compliance Certificate fees, in accordance with Council's Revenue Policy are as follows and shall be paid prior to the issue of **{Construction/Subdivision/Occupation}** Certificate: -

Water \$ (refer attached sheets) + Sewer \$ (refer attached sheets) + Stormwater \$ (refer attached sheets) = \$ (refer attached sheets)

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

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

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

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

19. Archival Record of a Building prior to Demolition

The building and gardens / grounds shall be recorded in accordance with the following:

- (a) Provide two (2) sets of the Archival Record in A4 plastic binders with clear plastic sleeves.
- (b) Provide two (2) typed pages with:
 - (i) Address.
 - (ii) Author.
 - (iii) Date.
 - (iv) Reason for the record.
 - (v) Contents page including index of photo captions.
 - (vi) Maximum one (1) A4 page outline of the history of the building (year built, previous owners and uses, local stories about the building etc.).

- (c) Provide measured drawings with the floor plan and each elevation of the building, at a scale of 1:100, including a north point, bar scale and dimensions, prepared by a qualified draftsman.
- (d) Provide photographs:
 - (i) From a 35mm film camera.
 - (ii) Photos showing all general oblique views and elevations. Typically, this is a photo of each room in the existing building including hallways, external verandahs, and external appearance of the building and garden.
 - (iii) Photos showing any details of historical signage or construction details.
 - (iv) Postcard size.
 - (v) Pasted as two (2) photos per A4 page.
 - (vi) Each photo to be captioned, including aspect, e.g. view from northeast.
 - (vii) Negatives in an envelope.
- (e) Provide a CD with:
 - (i) Scans from negatives as .jpg files with captions saved as file names.
 - (ii) Minimum image size to be 3000 x 1000 pixels.
 - (iii) Text file of the typed pages (saves as a .rtf file).
- (f) The Archival record shall be submitted to and accepted by Council prior to the demolition of the building or the issue of a Construction Certificate, whichever occurs first.

Reason: *To ensure that there is a record of the building for archival purposes.*

20. Structural Adequacy of Existing Structure

A Certificate of Structural Adequacy prepared and signed by a professional chartered experienced qualified practicing Structural Engineer with suitable professional indemnity cover must be submitted to the Accredited Certifier in respect of the load carrying capabilities of the existing structure to support the proposed additions prior to the issue of a Construction Certificate.

Reason: *To ensure the structural integrity of the building is not compromised.*

21. Geotechnical Survey

The applicant shall submit a Geotechnical Survey report prepared by a suitably professional chartered experienced qualified Geotechnical Engineer certifying the structural adequacy of the site for the proposed development prior to the issue of the Construction Certificate.

Reason: *To certify the structural adequacy of the site for the proposed development.*

22. Structural Engineer's Details

Structural engineering plans are to be prepared by an experienced professional chartered practicing Structural Engineer for the following work shall be lodged with the Principal Certifying Authority and approved prior to commencing the works in accordance with a Construction Certificate:

- (a) Retaining Walls

Advice: *The name, address and qualifications of the practising Structural Engineer certifying the design shall be clearly indicated on the plans and any accompanying documentation. Such engineer is to hold qualifications appropriate to the project as defined in the Building Code of Australia. The design shall relate to the particular site.*

Advice: *Any such Certificate is to set forth the extent to which the Engineer has relied on relevant Specifications, Rules, Codes of Practice or Publications in respect of the construction.*

Reason: *To ensure the structural integrity of the building is achieved.*

23. Construction Management Plan

To undertake development works including demolition, earthworks and construction a Construction Management Plan (CMP) is required to be submitted and approved by Council prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to mitigate construction risks in the protection of the environment as well as public health, safety and convenience. The CMP must address the following:

- (a) Details of site security;
- (b) Off-street parking for employees, contractors and sub-contractors.
- (c) Public safety in the use of roads and footpaths where development activities interacts with existing facilities and operations.
- (d) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
- (e) Provision for loading and unloading materials;
- (f) Location of all building materials, structures, plant and equipment to be stored or placed within the construction site;
- (g) How materials are to be loaded/unloaded and potential impact on Council infrastructure (including but not limited to footpaths and street trees)
- (h) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.
- (i) External lighting and security alarms proposed for the construction site.
- (j) Firefighting measures to be available on site during development and construction.
- (k) Sanitary amenities proposed on site during development and construction.
- (l) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site;
- (m) Details of management of storm water run-off and the propose sediment and erosion control measures including the location of any rubble grids;
- (n) Details of any air and dust management;
- (o) Details of noise and vibration controls, and
- (p) Anticipated staging and duration of works.

- (q) Provision of Construction Traffic Management Plan (CTMP) and Traffic Control Plans (TCP) addressing construction related traffic issues including:

- ☐ Surrounding traffic environment including roads, public transport and existing parking restrictions
- ☐ Truck routes to and from the site
- ☐ General site access and egress for construction vehicles and equipment purposes
- ☐ Frequency of truck movements
- ☐ Sweep paths for trucks entering, circulating and exiting site
- ☐ Location of vehicle standing areas to load and unload and any work zones (if required)
- ☐ Impact of works on residents, businesses, pedestrians, cyclists, local traffic, emergency services and management of staff parking
- ☐ Directional signage for pedestrian and trafficable areas

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

24. Stormwater - Control of Peak Discharge

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

Any stormwater temporarily stored onsite shall be done in a manner that does not jeopardise public safety. In this regard the development shall provide a risk assessment with the Construction Certificate documentation.

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

25. Detailed Stormwater Drainage System Design

Prior to the issue of the Construction Certificate, a detailed storm water hydraulic drainage plan for the disposal of storm water from the site, prepared in accordance with Council's Design Standards shall be submitted to Council and approved by Council's Development Engineer.

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

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

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

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

Reason: *To ensure adequate storm water management.*

26. Carpark Design and Site Servicing

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

- (a) The site shall accommodate the turning movements of (how many) m service vehicle.
- (b) Service vehicles shall manoeuvre into and out of the site in a forward direction.
- (c) The front overhang, and swept path made by the service vehicle shall not obstruct car park traffic or encroach onto parking spaces.
- (d) The vehicle swept path shall be reflected on the engineering design plans.
- (e) Loading and unloading of service vehicles shall be undertaken onsite with no intrusion onto the road system.
- (f) The footpath crossing shall be splayed from the property boundary to the kerb line to accommodate the swept path made by the service vehicle.

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

27. Accessible Car Parking Spaces

Car parking spaces as required under local controls and applicable legislation are to be provided as part of the total requirement shall be reserved for disabled persons.

These spaces shall be constructed and identified in accordance with Volume 1 of the National Construction Code (NCC) and AS/NZS 2890.6 - Parking Facilities; Off-street parking for people with disabilities.

Details to demonstrate compliance shall be submitted to and approved by the Certifying Authority prior to the issue of the Construction Certificate.

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

28. Off- Street Parking Provision

Off-street car parking spaces as per Architectural Plans prepared by X.PACE; drawing numbers 1.01, 1.04, 1.05 and 1.06 suitably marked in accordance with the approved plans shall be provided. Each space shall have minimum dimensions in accordance with Australian Standard AS2890.1 Off Street Car Parking.

Overflow parking spaces as per Masterplan (Proposed) prepared by X.PACE; drawing number 1.01; revision A; dated 24/11/20.

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

29. Pedestrian Safety

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

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

Reason: *To ensure pedestrian and vehicular safety.*

30. Water and Sewer Modelling

The developer shall undertake water and sewer modelling in accordance with Council's Water and Sewer Modelling Fact Sheet and incorporate recommendations made within the report into the engineering design submitted under Section 68 of the *Local Government Act, 1993*.

Reason: *To ensure the proposed development does not impact on Council's ability to provide minimum level of service to water and sewer customers.*

31. Energy Service Provider Requirements

The provision of underground electricity to service the development in accordance with the requirements of the Energy Service Provider. The Developer shall submit to Council documentary evidence from the Energy Service Provider qualifying that the requirements of that provider have been obtained. The requirements of the supply authority will need to be met prior to the issue of the Occupation Certificate.

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

32. Electricity Connection

Provision shall be made for connection to future underground distributions mains to the development. This shall be achieved by installing:

- ☐ An underground service line to a suitable existing street pole; or
- ☐ Sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Note: *A limit of one (1) pole per site will apply.*

Details shall be submitted with the application for a Construction Certificate.

Reason: *To ensure adequate electricity service is provided to the development.*

33. Electricity Substation

Any required electricity substation shall be located within the boundaries of the site and covered by an appropriate Section 88B instrument or easement under the *Conveyancing Act 1919*.

Documentary evidence of compliance, including correspondence from the energy authority is to be provided to the Accredited Certifier prior to the issue of a Construction Certificate detailing the energy authority's requirements.

Reason: *To ensure appropriate access to utility is provided.*

34. Waste Management Plan

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

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

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

35. Erosion and Sediment Control Plan

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

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

Items to be shown on the Plan shall include:

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

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

36. Erosion and Sediment Control Plan

To minimise soil erosion and sediment movement during construction, the following measures shall be implemented: -

- (a) Erosion and sediment controls are to be in place before the disturbance of any soils on the site and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside the worksite boundaries.
- (b) Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping. Soil is to be retained within the property.
- (c) Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are protected from erosion and do not encroach upon any footpath, nature strip or roadway.
- (d) Final site spoil shall be disposed of to conform to the specifications and standards quoted and to any conditions of approval of those measures and must comply with any relevant NSW Department of Planning and Environment requirements.
- (e) Trenches shall be backfilled, capped with topsoil and compacted to a level at least 75mm above adjoining ground level.

- (f) Vehicular access shall be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where sediment is deposited on adjoining roadways the same shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.
- (g) All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for more than 14 days or such other period as may be approved after earthworks cease. All driveways and parking areas shall be stabilised with compacted sub-grade as soon as possible after their formation.
- (h) Sediment control devices shall be installed prior to any site works being carried out and prior to construction work commencing and remain in position until the disturbed soils are turfed, 70% vegetated or otherwise stabilised.

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

37. Acoustic Requirements

The plans and specifications are to be updated prior to the issue of any construction certificate to reflect the following requirements:

Function Rooms

- All doors and windows must be closed while the hall is operational, and
- A noise limiter is to be installed to ensure live bands and DJs do not exceed 90 dB(A) at 1 meter from the speakers. All amplified equipment must be connected to the limiter.

Outdoor areas

- Background music is not to be played in any outdoor area through an amplified system;

Reason: To minimise localised noise impacts

38. Noise from Mechanical Equipment

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

Prior to the application for a Construction Certificate, the developer must submit to the Council or the accredited certifier a report from a suitably qualified acoustic consultant (who is a member of either the Australian Acoustical Society or the Association of Australian Acoustical Consultants). The report must be submitted with or before the application for a Construction Certificate and must:

- include the measurements and calculations; and
- certify that the method of treating all mechanical equipment will ensure that the noise level, as measured at the most or potentially most affected noise sensitive locations, will not exceed the recommended acceptable project specific noise levels, detailed in the NSW EPA *Noise Policy for Industry*.

If the mechanical equipment is to be operated between 10pm-7am on weekdays and/or 10pm-8am on weekends and public holidays the report must also certify that when operated it will be inaudible from within a habitable room of another residential premises (regardless of whether any door or window is open).

After completion of the works, prior to the issue of the Occupation Certificate, the developer must submit to the Council or the accredited certifier, a report from a suitably qualified acoustic consultant (as above) verifying that the works as installed meet the above design conditions.

Reason: *To ensure that noise emissions from the development satisfy legislative requirements and prevent loss of amenity to the area.*

39. Environmental Management Plan

The Applicant shall provide an Environmental Management Plan taking into account the ISO 14001 Environmental Management Systems. The plan shall take into account all processes undertaken by the premises. The plan must be submitted to Council for approval prior to issue of the Construction Certificate.

Reason: *To protect the environment.*

40. Detailed Landscape Plan

A Landscape Plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent shall be submitted to Council for approval prior to the issue of the Construction Certificate.

The plan shall include the following information:

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

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

Reason: *To ensure appropriate landscaping treatments are applied to facilitate amenity.*

41. Tree Retention

Road design and construction shall ensure preservation of existing roadside vegetation. All trees proposed to be removed within the road reservation shall be clearly identified by survey and submitted to Council for approval prior to issue of Construction Certificate.

All trees shown on the development consent as being retained shall be appropriately marked and protected during construction works with fencing that shall be maintained throughout construction activities and relevant Australian Standards applied to protect trees at this stage.

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

42. Protection of Existing Trees and Native Vegetation

Prior to the issue of any Construction Certificate, trees and native vegetation proposed for retention and those approved for removal must be clearly identified on all the final engineering and landscaping plans. All fenced tree protection areas must be clearly marked as "No Go Area" on all plans. The location of any threatened species, endangered populations or ecological communities must also be marked on all plans.

Reason: *To clearly articulate trees and vegetation to be removed and retained.*

43. Vegetation Management Plan

Prior to the issue of any Construction Certificate, the applicant must prepare and submit to Council and obtain approval for a Vegetation Management Plan (VMP) for the areas identified as CEEC / EEC or Protected areas (i.e. central area to site and southern sections) on the approved plans (version date). The VMP is to be prepared by a suitably qualified and experienced Ecologist or bush regenerator in accordance with the BDAR prepared by Narla dated March 2020.

- Prior to issue of the construction certificate, an updated Vegetation Management Plan (VMP) must be prepared to the satisfaction of the consent authority. The VMP may form part of a Construction Environmental Management Plan.
- The VMP must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans.
- The VMP must identify areas of land that are to be retained as outlined in the BDAR.
- Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR.
- The VMP must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity, specifying each biodiversity issue and include performance measures i.e. measure, timing and responsibility.
- The VMP must NOT include the reduction in Canopy Cover within required APZ's to 15%.
- The measures identified in the VMP must be actioned as specified.

The VMP must integrate with any the required Landscape Plan and Erosion Control Plans. The applicant is to demonstrate to Council's satisfaction how this integration has occurred. The primary objective of the plan should be weed management, regeneration of native vegetation and if necessary replanting. Implementation of the VMP must commence prior to the commencement of works. In preparing and implementing the VMP the following criteria must be addressed:

- a) A suitably qualified and experienced professional bush regeneration contractor is to be engaged to carry out any revegetation planting, restoration and maintenance weed control specified in the VMP. The minimum qualifications and experience required for the bush regeneration contractor are a TAFE Certificate IV in Conservation and Land Management (or equivalent) and three years demonstrated experience (for site supervisor) and a TAFE Certificate 2 in Conservation and Land Management and one year demonstrated experience (for other personnel). In addition, the site supervisor is to be eligible for full professional membership of the Australian Association of Bush Regenerators (AABR).
- b) A site plan must be prepared at an appropriate scale, clearly showing the area to which the VMP applies, existing vegetation, management zones and extent of dominant weed infestations.

- c) A description of existing native vegetation, assessment of ability to regenerate and rehabilitation methods must be provided. Preference should be given to the use of regeneration techniques wherever possible. Revegetation may be required where natural soils have been disturbed and the potential for regeneration is very poor. Vegetation species composition, planting layout and densities should be identified based on natural vegetation communities occurring in the locality. Any plant stock used in revegetation must be supplied from provenance specific seed/material collected from within the Wingecarribee LGA, and more specifically from the study area. Seed/plant sources should be identified. Non-provenance material or non-endemic species is prohibited.
- d) A schedule of works must be prepared detailing the sequence and duration of works necessary for the regeneration, any revegetation and maintenance works for each management zone. All primary weed control must be undertaken in the first year following commencement of the VMP, with follow up weed control undertaken in the second- and third-year following commencement of the VMP.
- e) The location and type of fencing or other suitable method of restricting unauthorised access or encroachment into the areas to which the VMP applies must be identified.
- f) A protocol to prevent the transfer of weeds or pathogens onto or off the site is required.
- g) The mulch/tub grindings generated from the removal and thinning of native trees associated with the development is/are to be re-used in restoring the habitat protection areas as required.
- h) Any natural hollows removed by the development are to be placed wherever possible as ground hollows within retained bushland under the supervision of the Ecologist.
- i) Restoration areas are to be maintained for a minimum of three (3) years. Reports are to be prepared by the Ecologist or bush regenerator and submitted to Council detailing the progress of the bush regeneration works twice per year and any recommended additional actions, with a final report certifying completion of the VMP at the end of the three-year period or once the specific objectives of the plan have been met. Photo monitoring points and method of performance evaluation must be identified for future monitoring and reporting purposes. Any recommended additional actions must be completed to the satisfaction of Council prior to lodgement of the final report.

In addition, the works must be formally referred to the relevant Commonwealth Government office (Department of Agriculture, Water and the Environment) under the EPBC Act to ensure a Significance Assessment has been considered. Accordingly, A further determination will be issued by this department.

This may be done through their website and documentation uploaded for consideration further to any consent being issued.

Reason: *To stipulate the requirements for the preparation of the Vegetation Management Plan.*

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

44. Prior to the Commencement of Work

(c) Notification of Licensed Builder

Building work shall not commence until the name and license number of the builder is advised to Council. Notification shall be in writing and shall include the written concurrence of the builder for their licence to be used and a copy of this builders licence.

(d) Certification of Structural Details

Building works shall not commence until the submitted (structural steel/reinforced concrete) details are certified as structurally adequate by a chartered, professional and experienced Structural Engineer.

Note: *The name, address and qualifications of the practicing structural engineer certifying the design shall be clearly indicated on the plans and any accompanying documentation. Such engineer is to hold qualifications sufficient to gain admission to the Institute of Engineers of Australia. The design shall relate to the particular site.*

Any such Certificate is to set forth the extent to which the Engineer has relied on relevant Specifications, Rules, Codes of Practice or Publications in respect of the construction.

(e) Fencing of Building Site

The building site shall be fenced in accordance with Safework NSW guidelines prior to any building works commencing on site.

Reason: *To comply with Councils requirements prior to the commencement of works.*

45. Notice of Commencement

No work shall commence until a notice of commencement form has been submitted (form will be attached with issue of a Construction Certificate or Subdivision Works Certificate or available from Council's website), giving the Principal Certifier (PC):

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent.
- (b) Details of the appointment of a Principal Certifier (PC) (either Wingecarribee Council or another Principal Certifier).
- (c) Details of the Principal Contractor or Owner Builder:
 - ☐ Name
 - ☐ Builders Licence Number or Owner Builder Permit Number
 - ☐ Principal Contractor Company Name
 - ☐ Principal Contractor ABN
 - ☐ Address of Principal Contractor or Owner Builder
 - ☐ Email Address
- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit.

- (e) Details demonstrating compliance with development consent conditions relevant prior to commencement of the development been satisfied.

Reason: *Statutory requirement.*

46. Principal Certifier (PC) Sign

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

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

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

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

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

Reason: *Statutory requirement.*

47. Developers Representative during Construction of Works

A minimum of 48 hours prior to commencement of any construction works on site the Developer shall nominate to Council in writing their representative (Construction Supervisor) who will be responsible for all aspects of construction and site control, including Traffic Control, Sediment and Erosion Control and liaison with Council Officers and all other Authorities.

Details to be submitted include:-

- 1 Name of Representative:
- 2 Company:
- 3 Position:
- 4 Contact phone:
- 5 Contact fax:
- 6 After Hours Contact:
- 7 Signature of Representative:
- 8 Signature & Acceptance of representative by the Developer:
- 9 Council requires that the nominated "Construction Supervisor" either hold qualifications acceptable for Corporate Membership of the Institute of Engineers, Australia, or be Approved by the Director and/or has proven experience and suitable relevant qualifications for the control, supervision and management of civil engineering works as required for carrying land development.

Prior to commencing any works on site the representative shall:

- 10 Inform Council in writing of their intention 7 days before entering the site.
- 11 Submit to Council a proposed Schedule of Works.

The Developer may be required to arrange for Council to peruse all other contract documentation prior to the contractor arriving on site to commence work (Schedule of Works, Specifications Bill of Quantity, traffic control plan and Soil and water management plan).

Failure to comply with the requirements as set out above will result in an immediate stop work order.

Reason: *Statutory requirement.*

48. Heritage - Submission of Photographic Survey

Prior to the commencement of demolition, a photographic survey shall be submitted to Council. The photographic survey shall be prepared in accordance with the guidelines "Archival Recording of Heritage Items Using Film or Digital Capture" published by the NSW Heritage Office. Three copies of the Photographic Survey shall be submitted in an unbound report format. Each copy should contain:

For Film-based Projects:

- ☐ A very brief report or introduction which explains the purposes of the report and gives a brief description of the subject, as well as details of the sequence in which images were taken. The report may also address the limitations of the photographic record and may make recommendations for future work;
- ☐ Measured plans of the building at 1: 100 scale;
- ☐ A site plan of the building at min 1: 200 scale;
- ☐ Plans of the building marked up to indicate where the photographs were taken and the direction of the photograph;
- ☐ The report should include all technical details including camera and lenses, film type, exposure and colour information;
 - o Catalogue sheets, photographic plan, supplementary maps;
 - o B&W materials:
 - ☐ One set of archivally processed and numbered B&W negatives stored in archival sheets or envelopes
 - ☐ Three sets of archivally processed proof (contact) sheets, labelled and cross-referenced to the catalogue sheets;
- ☐ Colour materials:
 - o Three sets of colour transparencies (either original transparency plus two duplicates or three original images taken concurrently) numbered, labelled and cross-referenced to the catalogue sheets and stored in archival slide sheets.

Digital Projects

- ☐ A very brief report or introduction which explains the purposes of the report and gives a brief description of the subject, as well as details of the sequence in which images were taken. The report may also address the limitations of the photographic record and may make recommendations for future work;
- ☐ Measured plans of the building at 1: 100 scale;
- ☐ A site plan of the building at min 1: 200 scale;
- ☐ Plans of the building marked up to indicate where the photographs were taken and the direction of the photograph;
- ☐ The report should include all technical details including camera and lenses, image file size and format, technical metadata associated with the images, and colour information;
- ☐ Catalogue sheets, photographic plan, supplementary maps;

- ☐ Three sets of colour thumbnail image sheets (e.g. A4 page with six images by six images) showing images and reference numbers.
- ☐ The thumbnail sheets should be processed with archivally stable inks on archivally acceptable photographic paper and cross referenced to catalogue sheets;
- ☐ One full set of 10.5x14.8cm (A6) colour prints OR, if a large project, a representative set of selected images processed with archivally stable inks on archivally acceptable photographic paper.
- ☐ A CD or DVD containing electronic image files saved as RAW files with associated metadata, and cross referenced to catalogue sheets.

The report should be presented on archival quality paper in a suitable archival binder and slipcase, and all storage of individual components must be in archival quality packaging suitable for long term storage.

Reason: *Heritage record.*

49. Inspection of Demolition Works

Council will require the following inspections of the site with the owner and demolition contractor present:

- (a) Prior to demolition works commencing (fencing must be erected and approved Waste Management Plan to be on site).
- (b) At the completion of demolition works (documents relating to disposal of hazardous waste are to be provided on site).

A minimum of twenty-four (24) hours' notice is required to be given to Council prior to these inspections.

Reason: *To ensure compliance with the consent.*

50. Road Occupancy Licence - Section 138 Roads Act 1993

Prior to commencement of any works within the road reserve, a Road Occupancy License shall be obtained from the Roads and Maritime Services (RMS). The application shall be accompanied by a Traffic Control Plan, prepared by a person who is qualified and certified to prepare Traffic Control Plans.

Reason: *Statutory requirement.*

51. Approval Required for Work within Road Reserve - Section 138 Roads Act 1993

Prior to any works being undertaken within the road reserve, the Developer must obtain approval from Council (as the Roads Authority and / or as required under Section 138 of the *Roads Act 1993*). Works within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

The following details must be submitted to Council in order to obtain the Section 138 approval:

- ☐ A copy of the approved development plans and proposed works to be undertaken.

- ☐ Plans and adequate documentation which validate that the required works are in accordance with Councils Engineering Plans and Specifications and relevant standards.
- ☐ Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual 'Traffic Control at Work Sites'. Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, a copy of which is to be submitted with the plan.
- ☐ Insurance details - Public Liability Insurance to an amount of \$20 million, to be held by applicant / contractor undertaking the works.

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

Reason: *Statutory requirement.*

52. Relocation of Existing Services

Where existing services including drainage, sewerage and water are required to be relocated as a result of the development, a Section 68 approval is required from Council prior to commencing work. Inspection of these works by Council as the water supply authority is required.

Reason: *Statutory requirement.*

53. Fencing of the Construction Site

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

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

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

54. Tree Retention (Marking)

All trees shown on the development consent to be "retained" shall be appropriately marked and protected prior to the commencement of construction works.

Reason: *To ensure that trees are retained without damage.*

55. Traffic Control Plan

A minimum of seven (7) days prior to the commencement of work, the developer shall submit to Council a Certified Traffic Management Plan for each activity of work in accordance with the current version of Roads and Maritime Services (RMS) document "Traffic Control at Work Sites". This plan must include each construction activity that involves works on or adjacent to public land. If the work site alters, further plans are to be submitted to Council. A copy of the plan(s) is to be kept on site at all times.

Reason: *To ensure public safety.*

56. Renewal of Sewerage

Prior to commencement of construction of the building, the existing sewer main shall be renewed. All superseded mains and structures are to be removed from site and disposed at a facility that is licensed to accept such waste. Details shall be submitted to Council (as the Water Authority) with a Section 68 Application under the *Local Government Act 1993*.

Reason: *To ensure that the development is serviced.*

57. Erosion and Sediment Control

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

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

58. Wheel Wash

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed in accordance with the approved Erosion and Sediment Control Plan prior to the commencement of any site works, to prevent mud and dirt leaving the site and being tracked.

Reason: *To minimise soil being trucked off site.*

59. Tree Clearing - Notice of Commencement

Where trees have been approved for removal in the development consent, Council shall be advised of the intended commencement date and time for these clearing works. Council staff will then inspect the site and will require the applicant and contractor/site supervisor to be present. No clearing works can commence until an approval is given. All trees specified as being retained on site on the approved plans are to be protected throughout construction activities in consultation with Council.

Reason: *To appropriately manage the removal of approved trees.*

60. Tree Protection Measures

Protective fencing is to be installed around the tree to be retained in line with the (Tree Protection Zone or per direction of the site arborist). This fencing is to be constructed of chain wire mesh 1.8m high, which is supported by steel stakes or piping and braced to resist impacts and as per the requirements detailed in AS4970-2009 "Protection of Trees on Development Sites", the installation of which is carried out under the supervision of the arborist.

Note: *Removal of the protective fencing during construction work will affect bonds and may result in fines or legal proceedings being instigated by Council against the applicant and/or principal contractor.*

Reason: *To ensure the identified tree/s to be retained as appropriately protected.*

61. Protection of Trees

Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to Council and the Principal Certifying Authority by the arborist. A copy of the certificate is to be provided to Council within 7 days of the inspection and prior to any works commencing.

Reason: *To ensure the identified tree/s to be retained as appropriately protected.*

62. Erection of Nesting Boxes

Hollows or nest boxes are to be installed on a one for one basis for any natural hollow removed by the development. Nest boxes are to be constructed of appropriate durable materials (e.g. painted marine ply, native hardwood or similar) and fixed to recipient trees with stainless steel screws, wire or similar. All nest boxes are to be erected prior to any clearing occurring on the development site. The Consulting Ecologist must identify suitable locations to erect hollows/nest boxes that minimise the risk of vandalism and maximise the likelihood of occupation by native fauna. To replace nest hollows lost, at least 1 large nest box per tree removed should be erected at least 5 metres high within retained vegetation at the rear of the property within the retained native trees.

Reason: *To provide an equivalent replacement for any natural hollow to be removed.*

63. Set Out Survey

The development shall be set out by a Registered Land Surveyor to ensure the correct location on the site in accordance with the approved site plan prior to the commencement of works.

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

64. Food Premises - General

The construction and operation of the food premises shall comply with all applicable legislation and standards, including:

- *Food Act 2003;*
- *Food Regulation 2010;*
- *Food Standards Code, Food Standard 3.2.3;*
- *Australian Standard AS4674–2004 Design, Construction and Fit out of Food Premises; and*
- *Australian Standard AS1668.2–2012 The use of ventilation and air-conditioning in buildings: Mechanical ventilation in buildings.*

In the event that the design, construction and/or fit-out of food handling areas is inadequate for the food handling activities carried out on the premises, the Applicant will be required to undertake such works as is necessary to remedy any non-compliance with the above-mentioned legislation and Standards within a period determined by Council.

Reason: *Compliance with legislation and standards.*

- **Food premises compliance to be assessed prior to the issue of the Construction Certificate**

Prior to the issue of the Construction Certificate, detailed drawing of the design, construction and fit-out of the food shall be submitted to either Council or the nominated Accredited Certifier to be assessed for compliance with the following standards:

- Food Standards Code, Food Standard 3.2.3;
- Australian Standard AS4674–2004 *Design, Construction and Fit out of Food Premises*; and
- Australian Standard AS1668.2–2012 *The use of ventilation and air-conditioning in buildings: Mechanical ventilation in buildings*.

Reason: *To ensure compliance with legislation and standards.*

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

65. Approved Plans to be available on site

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

Reason: *To ensure compliance with approved plans.*

66. Imported 'Waste-derived' Fill Material

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

- ☐ Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997* (POEO); or
- ☐ Any other waste-derived material the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material

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

The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997*. However, a licence is not required if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a resource recovery exemption under clauses 91 & 92 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

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

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

67. Progress Survey - Major Development

In order to ensure compliance with approved plans, a Survey Certificate (prepared to Australian Height Datum), shall be prepared by a Registered Surveyor showing the following:

- (a) At the completion of excavation, prior to the placement of any footings, showing the completed level of the excavation and its relationship to the boundaries;
- (b) Prior to placement of concrete, the ground floor level, showing the level of the form work and its relationship to boundaries including relevant footpath and roadway levels;
- (c) Prior to placement of concrete at each second floor level showing the principal level of the formwork and the intended relationship of the completed works to the boundary;
- (d) Prior to roofing, or completion of the highest point of the building, showing the anticipated level of the completed work and the relationship to the boundary; and
- (e) At completion, works showing the relationship of the building to the boundary.

Progress certificates in response to points (a) through to (e) shall be produced to the Council or the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveals discrepancies between the approved plans and the proposed works.

Reason: *To ensure compliance with approved plans.*

68. Structure Not To Be Built Over Easements/Infrastructure

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

Reason: *To protect infrastructure.*

69. Ground Levels

Natural ground levels shall not be altered or adjusted other than shown on the approved plans or where varied by the conditions of consent without the prior consent of Council.

Finished ground levels shall be graded away from the buildings and adjoining properties must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to an approved storm water drainage system.

Reason: *To ensure that natural drainage of the property and adjoining properties is not affected.*

70. Excavations and Backfilling

All excavations and backfilling associated with the erection or demolition of a building shall be executed safely and in accordance with appropriate professional standards properly guarded and protected to prevent them from being dangerous to life or property.

Reason: *To ensure the safety of life and property.*

71. Retaining Walls and Drainage

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved method of preventing movement of the soil shall be provided, and
- (b) adequate provision shall be made for drainage.
- (c) any retaining walls which do not comply with the exempt development standards outlined in the *State Environmental Planning Policy (Exempt and Complying Codes) 2008*, are subject to a separate approval prior to the construction of the retaining wall.

Reason: *To ensure that soil is appropriate retained.*

72. Support for Neighbouring Buildings

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a) must preserve and protect the building from damage, and
- b) if necessary, must underpin and support the building in an approved manner (under guidance / instruction of a structural engineer), and
- c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work to be carried out for the purposes of this clause, whether carried out on the allotment of land.

In this case, allotment of land includes a public road and any other public place.

Reason: *To preserve and protect neighbouring buildings.*

73. Utility Services

If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.

Reason: *To ensure that utilities are provided appropriately to the development.*

74. Relocation of existing services

Where existing services including drainage, sewerage and water are required to be relocated during construction, a Section 68 approval is required from Council prior to continuation of works. Inspection of these works by Council as the water supply authority is required.

Reason: *To ensure that utilities are provided appropriately to the development.*

75. Soil and Water Management - Temporary Stormwater Connections

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame is not to occur until this is completed.

Reason: *To minimise erosion and sedimentation problems created from surface water runoff.*

76. Hot Water Installations

All new hot water installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes, at a temperature not exceeding:

- (a) 43.5°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
- (b) 50°C in all other classes or buildings.
- (c) Where hot water is being delivered to an outlet of a sanitary fixture, used primarily for personal hygiene purposes on commercial premises or by the public, at a temperature exceeding 50°C, such fixture must have a sign, using symbol and red writing on a white background in appropriate languages, displayed adjacent to the sanitary fixture which states, "*Warning - this fixture may deliver hot water which will scald*".

Reason: *To comply with statutory requirements.*

77. Existing Materials and Paint

If the proposed alterations and additions involve the existing building caution, will need to be taken in regard to products that may contain asbestos and removing or sanding paint that may contain lead. All appropriate precautions will need to be taken and in this regard, you will need to contact SafeWork NSW and Council's Environmental Health Officer.

Reason: *Health and safety.*

78. Vehicular Access Point - Construction and Delivery Vehicles

A suitable entry point shall be nominated on site and utilised by construction and delivery vehicles. This entry point is to be located so that the possibility of damage to Council's property is minimised during construction. The access point shall be surfaced with all-weather materials.

Reason: *To reduce the possibility of damage to public property.*

79. Engineering Inspections by Council

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

- (a) Sewer / water main extensions/augmentations.
- (b) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves.
- (c) Final inspection of footpath, driveway, stormwater and utility construction works within the road reserve.

Note: *The subject building is not to be occupied until an Occupation Certificate is issued.*

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

Reason: *Statutory requirement.*

80. Earthworks, retaining walls and structural support

Any earthworks (including any structural support or other related structure for the purposes of the development):

- (a) must not cause a 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
- (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
- (c) that is fill brought to the site-must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
- (d) 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*.

Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in October 2013 by Safe Work Australia.

Reason: *Structural safety.*

81. Stormwater Discharge

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

Reason: *To ensure that stormwater is appropriately disposed of.*

82. Damage to Adjoining Properties

All precautions shall be taken to prevent any damage likely to be sustained to adjoining properties. Where damage occurs to adjoining property all necessary repair or suitable agreement for necessary repairs shall be undertaken by the applicant in consultation with, and with the consent of, the affected property owner.

Reason: *Structural safety.*

83. Disruption of Traffic

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

Reason: *Safety and information.*

84. Erosion and Sediment Control Plan Compliance

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

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

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

85. Soil and Water Management - Site Water Discharge

Site water discharged to Council's stormwater system shall have a suspended solid level (SSL) of less than maximum allowable. This may require treatment such as transfer to settling ponds, use of approved chemicals to settle out sediment or the filtering of the contaminated water through a treatment device. Site water may also be disposed of through the services of a licensed liquid waste transporter.

Reason: *To ensure waterways are not polluted with turbid water.*

86. Soil and Water Management - Stockpiles

Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, public footpath or roadway and shall be protected with adequate sediment controls.

Reason: *To ensure that building materials are not washed into stormwater drains.*

87. Soil and Water Management - Site Maintenance

Roads servicing the construction site shall be maintained in a condition free of mud, soil and other construction/demolition materials at all times.

Reason: *To minimise construction / demolition materials being trucked off site.*

88. Soil and Water Management - Landscape Materials

Landscaping materials (including woodchips, bark etc.) shall be stabilised and secured on site to avoid being eroded by storm water runoff. Alternatively, storm water protection measures shall be put in place to protect storm water drains so as not to contravene the *Protection of the Environment Operations Act 1997*.

Reason: *To ensure the landscape materials used are not washed into storm water drains.*

89. Prevention of Nuisance

All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the carrying out of works in the development.

Reason: *Health and amenity.*

90. Noise & Vibration

The construction of the development and preparation of the site, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions shall be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise or vibration problem arising, the person in charge of the premises shall, when instructed by an authorised officer of Council or the Accredited Certifier, cease work and carry out an acoustical survey and/or investigation by an appropriately qualified acoustical engineer or qualified and experienced professional consultant and submit the results to Council. The person in charge of the site shall implement any or all of the recommendations of the consultant and any additional requirements of Council. Any requirements of Council in this regard must be complied with immediately.

Reason: *Safety and amenity.*

91. Noise Control Measures during works

With reference to the Report titled '*Noise Impact Assessment Proposed Additions - The Robertson Hotel 1 Fountaindale Rd, Robertson NSW 2577*' by Rodney Stevens Acoustics Pty Ltd (Ref. 200332R1, Rev. 2, dated 12/3/2021) the Applicant and/or operator shall implement the noise control measures outlined in Part 6 (pp.18-19) of the Report.

Reason: *To ensure that noise emissions from the development satisfy legislative requirements and prevent loss of amenity to the area.*

92. Noise - Plant and Equipment

All works carried out on site during construction/demolition/excavation or earthworks shall comply with the *Protection of the Environment Operations Act 1997*. Approved and effective silencing measures shall be provided and maintained on all power-operated plant used on site.

Reason: *Noise attenuation.*

93. Dust Control

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

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

Reason: *Environmental amenity*

94. Vegetation Management

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

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

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

Reason: *To ensure compliance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 by preserving the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.*

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

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

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

95. Compliance with AS 4373 Pruning of Amenity Trees

All pruning of amenity trees must be undertaken in accordance with the provisions of AS 4373 - *Pruning of Amenity Trees*.

Reason: *Statutory requirement.*

96. Council Reserve / Street Tree Retention

All trees in public road reserves shall be preserved unless removal is permitted by the consent.

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

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

97. Disposal of Vegetation

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

Reason: *Environmental amenity.*

98. Tree Removal/Tree Preservation

No trees shall be pruned, removed, damaged or destroyed without the prior written consent of Council. Failure to comply with this requirement will result in prosecution by Council in accordance with the provisions of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

Advice: *Tree removal should be carried out by a level 3 and above professional arborist to avoid any risk to life or damage to property. This person should have adequate public liability insurance cover.*

Reason: *To comply with the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.*

99. Supervising Arborist

An arborist qualified to at least Australian Qualifications Framework (AQF) Certificate Level 4 shall be retained throughout all construction work to ensure to proper protection and management of the trees required to be retained and that any necessary pruning/root pruning is carried out in accordance with AS4973-1996 "Pruning of Amenity Trees" and AS4970-2009 "protection of Trees on Development Sites". This includes on site supervision of the erection of tree protection measures and, where approved, any works that are required within the Tree Protection Zone (TPZ) or Structural Root Zone (SRZ).

Reason: *To ensure to proper protection and management of the trees required to be retained and that any necessary pruning/root pruning is carried out in accordance with the relevant Australian Standards.*

100. Protection of Fauna

Prior to the removal of any Hollow Bearing Tree (HBT), the following matters MUST be addressed:

- a) Ensure that a suitably qualified and licensed Ecologist (who is vaccinated for Australian Bat Lyssavirus) is engaged to supervise the removal of the HBTs in order to rescue or relocate any fauna displaced during the clearing process.
- b) Check for fauna in the zone of disturbance before clearing and scare off or remove them before commencing clearing works.
- c) Remove any non-HBTs prior to the removal of the HBTs.

- d) Leave HBTs standing for at least one night after other non-HBT clearing to allow any fauna the opportunity to remove themselves after site disturbance.
- e) After clearing, re-check the site to ensure no fauna have become trapped or injured during clearing operations. Any fauna found should be moved to adjacent habitat.
- f) Before felling the HBTs, tap trunk using heavy machinery to scare fauna from the hollows. Repeat several times. The aim is to 'substantially' shake the tree and encourage fauna to exit.
- g) Carefully fell the HBT by gently lowering the tree to the ground using an excavator arm fitted with grapples. Alternatively, arrange for qualified tree surgeons to fell the HBT using chainsaws and pulleys.
- h) After felling the tree, thoroughly check the tree for fauna in the case that any have become trapped or injured during clearing operations. Any fauna should be safely moved into adjacent habitat.
- i) If taking the tree down in stages, the non-hollow bearing branches should be removed before the hollow bearing branches are removed.
- j) Fell trees into the already disturbed areas to avoid damaging adjacent vegetation.
- k) Take care when moving equipment near vegetation to be retained.
- l) Logs from felled trees should be distributed into areas of vegetation so that they can continue to provide habitat for fauna such as terrestrial reptiles and mammals.
- m) Relocate woody debris to areas where they will not contribute a fire hazard.
- n) Provide written evidence to Council in order to document that a suitably qualified person was engaged for the specific tasks listed above.

Reason: *To ensure that the removal is undertaken in an environmentally responsible manner.*

101. Protection of Trees

The trees identified on the endorsed plans as being retained shall be protected against damage throughout the construction process in accordance with AS4970-2009 "Protection of Tree on Development Sites" and the approved arborist's report.

Reason: *To protect trees identified to be retained.*

102. Arborist Progression Reports

A 3 monthly report is to be prepared and submitted to Council by the arborist engaged to supervise all works pertaining to protection and approved pruning and root pruning activities that:

- a) Sets out maintenance work carried out on the trees; and
- b) Assesses the health and condition of the tree.

The report shall also provide documentary evidence that the tree protection conditions are being complied with in the form of site notes and photographs.

Reason: *To ensure that the tree protection conditions are being complied with.*

103. Approved hours of Construction/Demolition

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

DAY	HOURS
Monday to Saturday	7:00am to 5:00pm
Sunday	Nil
Public Holidays	Nil

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

Note: *Any variation to these hours shall require Council consent via the lodgment of an application under section 4.55 of the Environmental Planning and Assessment Act 1979.*

104. Construction Management Plan

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

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

Reason: *Compliance with condition of consent.*

105. Building Operations

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the storm water drainage system.

Reason: *To ensure that building materials are not washed into storm water drains.*

106. Maintenance of the site

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

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

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

During construction:

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

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

Reason: *Environmental amenity.*

107. Storage of Building Materials, Plant and Equipment

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

No storage or placing of any building materials to occur on adjacent public roads or footpath areas in association with the construction, maintenance or use of the development or site.

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

108. Protection of Public Places

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

If the work involved in the demolition or construction of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work subject to approval of a Section 138 *Roads Act 1993* approval (including submission of a Traffic Management Plan).

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

Reason: *Public safety.*

109. Site requirements during demolition and construction

All of the following shall be satisfied/complied with during demolition, construction and any other site works:

- (a) All demolition shall be carried out in accordance with Australian Standards AS 2601-2001.
- (b) Demolition shall be carried out by a registered demolition contractor.
- (c) A single entrance shall service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- (d) No blasting shall be carried out at any time during construction of the building.
- (e) Care shall be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.

- (f) Adjoining owner property rights and the need for owner's permission shall be observed at all times, including the entering onto land for the purpose of undertaking works.
- (g) Any demolition and excess construction materials shall be recycled wherever practicable.

Reason: *To ensure that the works are carried out in accordance with the approval and relevant legislation and to ensure that there is no disturbance to neighbouring properties.*

110. Temporary Onsite Toilet

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

Each toilet shall:

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

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

111. Waste Management

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

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

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

112. Notification of discovery of an archaeological relic

A person who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) shall:

- (a) within a reasonable time after a person first becomes aware or believes that the person has discovered or located that relic, notify the Office of Heritage of the location of the relic, unless the person believes on reasonable grounds that the Office of Heritage is aware of the location of the relic, and
- (b) within the period required by the Office of Heritage, furnish the Office of Heritage with such information concerning the relic as the Heritage Council may reasonably require.

Reason: *To comply with the provisions of the Heritage Act 1977.*

Note: *The relevant application form can be found at following website:*

www.environment.nsw.gov.au/resources/heritagebranch/heritage/S139-S146Frm2013.pdf

and mailed to:

The Heritage Council
C/- The Conservation Manager
Heritage Division
Office of Environment and Heritage
Locked Bag 5020
PARRAMATTA NSW 2124

or emailed to: heritage@heritage.nsw.gov.au

113. Heritage matters

The stained glass throughout the hotel is to be preserved and retained on site for the benefit of hotel patrons and tourists. The glass decorative panels are to be retained intact and located / displayed throughout the original section of the main hotel building.

The main elements of the grotto are to be retained during its relocation, again to preserve the historic value.

Historic gateway and associated structures are to be retained and maintained to preserve the setting and entrance to the site.

Reason: *To protect heritage values across the site*

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

114. Occupation Certificate

In accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*, an application for an Occupation Certificate, shall be made on completion of the works and the relevant application fee paid. All works specified in the development consent and approved Construction Certificate plans shall be completed and all development consent conditions complied with prior to the issue of the Occupation Certificate.

The Principal Certifier (PC) is required to be satisfied, amongst other things, that:

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

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

Note: *A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of Section 6.10 of the Environmental Planning and Assessment Act 1979 unless an Occupation Certificate has been issued in relation to the building or part.*

Note: *The applicant is to ensure that works associated with the Section 138 (Roads Act) approval and Section 68 (Local Government Act) approval are completed and inspected by Council.*

115. Completion Requirements

All of the conditions of this consent shall be at no cost to Council and shall be completed prior to the issuing of any Occupation Certificate in relation to the development (unless stated otherwise).

Reason: *To ensure that the development is completed as per this consent and the approved plans.*

116. Section 138 Roads Act Final

The applicant is to ensure that the works associated with the Section 138 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

Reason: *To ensure that the development is completed as per this consent and the approved plans.*

117. Section 68 Local Government Act Final

The applicant is to ensure that the works associated with the Section 68 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

Reason: *To ensure that the development is completed as per this consent and the approved plans.*

118. Council Property

The applicant shall rectify any damage to Council property (including footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter, road pavement and the like) as a result of the development, prior to the issue of any Occupation Certificate at no cost to Council.

Reason: *To ensure that Council's assets are protected.*

119. Smoke Alarms

A Compliance Certificate certifying the installation of smoke alarms shall be provided to Council prior to the Occupation Certificate.

Reason: *To ensure compliance in accordance with Australian Standard AS 3786 Smoke Alarms and NCC requirements.*

Advice: *Where there is more than 1 alarm to be installed, the certificate shall state that the alarms have been interconnected.*

120. Commercial Driveway

A heavy duty concrete vehicular gutter layback and concrete footpath crossing shall be constructed at proposed driveway entrance in Fountaindale Road in accordance with Council's Standard Drawing Nos SD108 and SD123 prior to the issue of the Occupation Certificate.

Reason: *To ensure that the driveway is constructed to Councils standard specification.*

121. Construction of Road

All road construction shall be in accordance with Council's Engineering Standard and to the satisfaction of the relevant Manager of Statutory Planning, prior to the issue of the Subdivision Certificate.

Widening of Fountaindale Road to a minimum of 6.5 wide carriageway width, on-street bus parking spaces and associated stormwater works as per Council's Engineering Specifications and engineering plans prepared by Cohort Engineering; drawing numbers 1939C01-101C and 1939C01-103C; revision C; dated 22/01/21 prior to the issue of the Occupation Certificate.

Reason: *To ensure that adequate access is provided.*

122. Maintenance and Bond for Public Assets - Civil Works

Prior to the issue of any Occupation Certificate the developer shall lodge a cash bond to cover the defects liability period of 24 months for any public infrastructure constructed by them which will handed over to council. The liability period will commence from the date of issue of the Occupation Certificate.

The security bond will be in an amount equal to 10% of the value of the total building works with a minimum value of \$10,000 based on the building costs supported by written evidence in accordance with Council's Bond Policy. The bond shall be assessed by Council for release after the 24-month period on formal request from the developer.

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

123. Works as Executed Plans

Prior to the issue of the Occupation Certificate, one full set of work-as-executed drawings shall be submitted to and retained by Council. Sufficient details including locations and levels of the below ground infrastructure are required in order to enable a complete check of the work as executed as compared to the original approved design. Any deviation from the approved engineering plans shall be shown on the work-as-executed drawings. Each sheet of the drawings shall carry the certification of the developers supervising engineer.

124. Asset Management

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

Reason: *To ensure that there is a record of final works carried out on the site.*

125. Certification of Engineering Works

Prior to issue of the Occupation Certificate, the following documents shall be submitted to the Principal Certifier. These documents are:

- a) A Certificate from a Professional Engineer who meets the criteria for registration on the National Engineering Register (NER) and has appropriate experience and competence in the relevant registered area of practice, and
- b) A "Works - As - Executed" (WAE) plans of the engineering and/or drainage works.

The abovementioned Certificate shall certify that:

- (i) the stormwater drainage system including OSD detention, and/or
- (ii) the car parking arrangement and area, and/or
- (iii) any related footpath crossing works, and/or
- (iv) the proposed basement pump and well system, and/or
- (v) the proposed driveway and layback, and/or
- (vi) water and sewer infrastructure, and/or
- (vii) other civil works have been constructed in accordance with the approved plans and details, satisfies the design intent and complies with Wingecarribee Shire Council Engineering Design and Construction Specifications, Drawings and relevant Standards.

Where Council is not the Principal Certifier, two (2) copies of the above documents are to be provided to Council prior to the issue of any Occupation Certificate. These documents are to be retained on Council's file.

Reason: *Asset management.*

126. Certification of Internal Civil Works

On completion of the works and prior to the issue of the Occupation Certificate, certification from a professional engineer who has appropriate experience and competence in the relevant registered area of practice, shall be submitted to Council detailing that all the internal civil works (i.e. internal driveways, paths and stormwater drainage system, including any onsite detention) are in accordance with the approved plans and specifications.

Reason: *Asset management.*

127. Signage Plan

Signage details across the site in regard to parking, hazards and warnings is to be provided to Council for approval prior to the issue of any occupation certificate.

Reason: *To direct customers throughout the development*

128. Vehicle Manoeuvring

All vehicles shall enter and leave the site in a forward direction to ensure traffic/pedestrian safety. A sign worded "No Reversing Across Footpath" is to be provided adjacent to the vehicular entry and clearly visible to users of the car park to inform drivers of this requirement prior to the issue of the Occupation Certificate. Sign to be to the satisfaction of the Group Manager Planning, Development and Regulatory Services and of approximate dimensions 0.3m x 0.6m.

Reason: *To comply with Engineering Standards.*

129. Engineering Details in DXF Format

The Developer shall provide a copy of the Work As Executed information on disk in DXF format prior to the issue of the Occupation Certificate. The developer may contact Council's GIS Officer for further details and technical specifications.

Reason *To ensure appropriate records are held and asset management.*

Note: *The successful handover of constructed assets to Council resulting from new developments must be accompanied by the work as executed (WAE) documents specified on the Council Website: <http://www.wsc.nsw.gov.au/engineering-standards>.*

Failure to provide completed documents in this format will result in a delay in the issue of the Occupation Certificate and retention of bonds held until such time as Council have deemed the WAE information to be complete in the required format. The standards are updated as required; please ensure you are using the correct version. Please note the work as executed information requirements include providing surveyed levels for all underground assets. WAE Information submitted must be checked and signed off by a Registered Surveyor or suitably qualified Engineer.

130. Identification Survey

An identification survey prepared by a Registered Land Surveyor shall be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate to demonstrate that all buildings and structures have been constructed entirely within the allotment boundary and in accordance with the approved plans.

Reason *To ensure compliance with the approved plans.*

131. Control of Water Quality

Provision of adequate infrastructure (gross pollutant traps / trash racks / water quality ponds) shall be provided prior to issue of the Occupation Certificate to guarantee satisfactory discharge quality from the site.

Reason: *To ensure appropriately water quality.*

132. Landscaping Plan

Landscaping as per the approved Landscaping Plan shall be established prior to the issue of the Occupation Certificate.

Reason: *To ensure that the landscaping is completed prior to occupation.*

133. Final Arborist Report

The arborist engaged to ensure the proper protection and management of the tree required to be retained is to provide a final report to Council prior to the issue an Occupation Certificate, concerning the health and condition of the tree and if necessary any remedial works required. Any remedial works required shall be carried out and completed prior to the issuing of the Occupation Certificate and included in the final report. The report shall also provide documentary evidence in the form of site notes and photographs that the tree protection conditions were complied with throughout all construction phases and any approved pruning works, root pruning, and remedial works were carried out as per AS4973 and AS4970. If Council **is not** the Principal Certifier (PC), a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

Reason: *To ensure the proper protection and management of any trees required to be retained.*

134. Landscape Certification

Certification is to be provided to the Principal Certifier (PC) from the designer of the landscape plan that all tree planting/landscape works have been carried out in accordance with the Council endorsed landscape plan. If Council **is** the Principal Certifier (PC), the certification is to be submitted to Council prior to or at the final landscape inspection. If Council **is not** the Principal Certifier (PC), a copy of the certification is to be provided to Council with the lodgement of the Occupation Certificate.

Reason: *To ensure that the landscaping has been carried out in accordance with the Council endorsed landscape plan.*

135. Final Ecology Report

Prior to the issue of an Occupation Certificate, a final certification report providing documentary evidence of compliance for each construction stage of the development with all conditions of consent relating to ecology/trees/fauna management/nesting boxes must be prepared by the engaged Consulting Ecologist and forwarded to Council for review.

Reason: *To ensure compliance for each stage of the development with respect to tree/vegetation management.*

136. Identification of Fill on Site

Prior to issue of the Occupation Certificate, the applicant shall submit to Council for its approval a plan detailing the extent of fill, with engineering certification from a qualified and chartered structural engineering professional identifying the specification of the filling operation in terms of the level of compaction achieved for each layer of fill placed. The certification shall be completed by suitably qualified Geotechnical Engineer.

A Restriction as to User shall be created over the extent of the filling prior to the issue of the Occupation Certificate, which ensures that any structure placed over that area is constructed with a suitable footing system.

Reason: *To alert future landowners of the existence of fill on the land.*

137. Disposal of Fill/Waste

Prior to issue of the Occupation Certificate, the applicant shall submit to Council any dockets relating to the disposal of fill/waste from a licensed waste facility.

Reason: *To protect the environment.*

138. Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the *Environmental Planning and Assessment (Amendment) Regulation 2000*, prior to the issue of the Occupation Certificate for the building.

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

- ☐ Forwarded to Wingecarribee Shire Council;
- ☐ Forwarded to the Fire Commissioner; and
- ☐ Prominently displayed in the building.

Reason: *To ensure the safety of the building.*

139. National Plumbing and Drainage Code

All plumbing and drainage shall comply with the requirements of Australian Standard AS3500 "National Plumbing and Drainage Code" and the relevant New South Wales Amendments.

Reason: *To comply with legislation.*

140. Mechanical Ventilation

Upon completion of the mechanical installation and before issue of the Occupation Certificate, the designing engineer shall submit the following to the Principal Certifier (PC):

- (a) a schedule indicating the air flows at each register;
- (b) a certificate detailing the systems compliance with AS 1668 Australian Standard "Mechanical Ventilation and Air Conditioning Code, Parts 1 and 2".

Reason: *To ensure appropriate mechanical ventilation.*

141. Maintenance of Mechanical Ventilation Systems

Owners of buildings served by plant involving the operation of "cooling towers", "evaporative condensers" or "tepid systems" shall submit to Council, every 3 months, a report detailing the maintenance, cleansing and chemical treatment of each plant.

Reason: *To ensure appropriate maintenance of mechanical ventilation.*

142. Food Shop Requirements

Prior to the issue of the Occupation Certificate, the food premises shall be set up in accordance with:

- Food Standards Code, Food Standard 3.2.3;
- Australian Standard AS4674–2004 *Design, Construction and Fit out of Food Premises*; and
- Australian Standard AS1668.2–2012 *The use of ventilation and air-conditioning in buildings: Mechanical ventilation in buildings*.

Reason: *To ensure compliance with legislation and standards.*

143. Food Premises - Final Inspection

Prior to the issue of an Occupation Certificate, the food premises shall be inspected by Council's Environmental Health Officer to determine compliance with applicable food legislation.

Reason: *To ensure registration of the food premises.*

144. Food Shop Registration Requirements

Occupation of the premises shall not occur until:

- a) a registration form has been submitted to Council for the food premises; and
- b) notification to the NSW Food Authority under Food Safety Standard 3.2.2 Division 2 Section 4 Notification.

This requirement is to be met by notifying through the following website:
www.foodnotify.nsw.gov.au <<http://www.foodnotify.nsw.gov.au>>

Evidence of compliance of the above shall be submitted to Council prior to the issue of the Occupation Certificate and commencement of business.

Reason: *Registration and notification to relevant authorities.*

145. Swimming Pools

The approved swimming pool/spa must comply with the *Swimming Pools Act 1992* and relevant standards prior to the issue of the Occupation Certificate.

Reason: *Statutory requirement.*

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT

146. Noise Control Measures

With reference to the Report titled '*Noise Impact Assessment Proposed Additions - The Robertson Hotel 1 Fountaindale Rd, Robertson NSW 2577*' by Rodney Stevens Acoustics Pty Ltd (Ref. 200332R1, Rev. 2, dated 12/3/2021) the Applicant and/or operator shall implement the noise control measures outlined in Part 6 (pp.18-19) of the Report.

Reason: *To ensure that noise emissions from the development satisfy legislative requirements and prevent loss of amenity to the area.*

147. Operational Noise Levels

The Applicant shall ensure operational noise levels (L_{Aeq}) for the development does not exceed rating background level by more than 5 dB(A) when measured at the boundary of the nearest affected residence. Without limiting the above, operational noise levels must also fall within the requirements of the acceptable noise level amenity of the area as specified by the NSW EPA *Noise Policy for Industry*. In the event that operational noise is identified as exceeding the requirements of this condition, the Applicant will be required to undertake such works as is necessary to remedy such exceedance within a period determined by Council.

Reason: *To ensure that noise emissions from the development satisfy legislative requirements and prevent loss of amenity to the area.*

148. No 'Offensive Noise'

Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the *Protection of the Environment Operations Act 1997*.

Reason: *To reduce noise levels within the proposed development from road noise.*

149. Swimming Pool Register

In accordance with Section 30B of *Swimming Pools Act 1992*, the property owner is responsible for the registration of the swimming pool on the NSW Government swimming pool register. Registration can be carried out at www.swimmingpoolregister.nsw.gov.au

Reason: *Statutory requirement.*

INTEGRATED DEVELOPMENT CONDITIONS

150. General Terms of Approval - NSW Rural Fire Service

Integrated Development Application

s100B - SFPP - Hotel/Motel

1 Fountaindale Road Robertson NSW 2577, 2//DP610676, 2//DP610676

I refer to your correspondence dated 24/05/2020 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.

1. From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire site must be managed as an inner protection area (IPA). This management is with the exemption of areas identified as 'Low Threat - Exclusion' and 'Rainforest' as shown in [Figure 4: Bushfire Hazard Analysis](#) in the report prepared by Peterson Bushfire (dated 10 February 2020, Ref: 18134). Management of this area is to be in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

- Tree canopy cover should be less than 15% of the area at maturity;
- Trees at maturity should not touch or overhang any buildings;
- Lower limbs should be removed up to a height of 2 metres above the ground;
- Tree canopies should be separated by 2 to 5 metres;
- Preference should be given to smooth barked and evergreen trees;
- Large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- Shrubs should not be located under trees;
- Shrubs should not form more than 10% ground cover;

- Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- Grass should be kept mown (as a guide grass should be kept to no more than 100 millimetres in height); and
- Leaves and vegetation debris should be regularly removed.

Construction Standards

Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.

2. New construction on the proposed attached additions to the Hotel building, Community Leisure and Health Centre, and for the proposed ecotourism refuge building must comply with Sections 3 and 5 (BAL 12.5) of the Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate, and Section 7.5 of *Planning for Bush Fire Protection 2019*.

3. The proposed Community Leisure and Health Centre is to be relocated on the site. The building was deemed to be an Special Fire Protection Purpose (SFPP) usage (see General Advice), and as such will need to comply with the <10kW/m² radiant heat exposure threshold as per the NSW RF SFPP guidelines. The bush fire consultant is recommended to provide additional information to this effect with amended site plans, and the determination of the building meeting this requirement shall be with Wingecarribee Shire Council.

Access - Internal Roads

Intent of measures: to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.

4. Access roads for SFPP developments must comply with general requirements of Table 6.8b of *Planning for Bush Fire Protection 2019*:

- SFPP access roads are two-wheel drive, all-weather roads;
- Access is provided to all structures;
- Pedestrian access is to be provided around the existing workers cottage and proposed artists studio;
- Traffic management devices are constructed to not prohibit access by emergency services vehicles;
- Access roads must provide suitable turning areas in accordance with Appendix 3 of *Planning for Bush Fire Protection 2019*; and
- One way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.

Water and Utility Services

Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

5. The provision of water, electricity and gas must comply the following in accordance with Table 6.8c of *Planning for Bush Fire Protection 2019*:

- Reticulated water is to be provided to the development where available;
- Fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- Hydrants are and not located within any road carriageway;
- Fire hydrant flows and pressures comply with the relevant clauses of Australian Standard AS 2419.1:2005;
- All above-ground water service pipes are metal, including and up to any taps;
- Where practicable, electrical transmission lines are underground;
- Where overhead, electrical transmission lines are proposed as follows:
 - a) Lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
 - b) No part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.
- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the

requirements of relevant authorities, and metal piping is used;

- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, the requirements of relevant authorities, and metal piping is used;

- All fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and shielded on the hazard side;

- Connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and

- Above-ground gas service pipes are metal, including and up to any outlets.

Emergency and Evacuation Planning Assessment

Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

6. A Bush Fire Emergency Management and Evacuation Plan is to be prepared consistent with the:

- NSW RFS document: *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*; and/or,
- Australian Standard AS 3745:2010 *Planning for emergencies in facilities*.

The Bush Fire Emergency Management and Evacuation Plan must consider a mechanism for the early relocation of occupants on days when adverse fire weather is notified or adverse fire activity occurs in the local government area in which the development operates. A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.

General Advice - Consent Authority to Note

- The proposed Community Leisure and Health Centre was determined to be classified as a Public Assembly Building in accordance with Section 8.3.11 of *Planning for Bush Fire Protection 2019*, and not an ancillary structure as detailed in the provided bush fire consultant's report. This is due to the proposed use including being open for public use, including school groups, as detailed in the provided Statement of Environmental Effects. In this regard revised plans should be provided that demonstrates that the building has the appropriate separation from the hazard to meet SFPP requirements for radiant heat exposure of <10kW/m² prior to the construction of the building.
- The NSW Rural Fire Service recognises that the application adopts the eco-tourism provisions of *Planning for Bush Fire Protection 2019*. As such, construction standards and asset protection zones may be insufficient to protect life and property in the event of a bush fire impacting the eco-tourism facilities. Emergency and evacuation procedures are to be relied upon for the safety of occupants.



BUSH FIRE SAFETY AUTHORITY

SFPP – Hotel/Motel
1 Fountaindale Road Robertson NSW 2577, 2//DP610676, 2//DP610676
RFS Reference: DA20200528001878-Original-1
Your Reference: 20/1069 (CNR-8122)

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under s100b of the Rural Fires Act 1997.

Nika Fomin
Manager Planning & Environment Services
Planning and Environment Services

Monday 6 July 2020

CONCURRENCE CONDITIONS

151. Water NSW

Water NSW's Concurrence Conditions DA 20/1069; Lot 2 DP 610676; 1 Fountaindale Road, Robertson

General

1. The site layout and works shall be as specified in the Statement of Environmental Effects prepared by GSA Planning (dated March 2020) and shown on the Master Plan (Project No. 18x015; Dwg. Nos. 1.01; Rev. A, dated 24.11.2020) and Section Level Plans (Project No. 18x015; Dwg. Nos. 1.02 to 1.12, undated) prepared by X.Pace. No revised site layout, staging or external works that will have impact on water quality, shall be permitted without the agreement of Water NSW.

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

Stormwater Management

2. All stormwater management measures as specified in Stormwater Management Plan Report (dated 22 January 2021) and shown on the Stormwater Management Plans (Dwg. No. 1939C01-101C and 1939C01-104C; Rev. C; dated 22.01.2021) both prepared by Cohort Engineering Pty Ltd, shall be implemented. Stormwater management measures shall include:
 - pits and pipes
 - gross pollutant traps
 - rainwater tanks with outlets plumbed for internal and external re-use
 - bioretention swales
 - bioretention basins, and
 - on-site detention.
3. The bioretention basins and bioretention swales shall:
 - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
 - also incorporate the following:
 - a gross pollutant trap installed at the main inlet point
 - mesh litter filters at secondary inlet points
 - a network of underdrains with a 1.5 metre spacing
 - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
 - be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
 - ensure to direct all discharge and overflow to natural drainage points via suitable drainage easements
 - be accessible from a road or driveway by machinery to facilitate cleaning, monitoring and maintenance of the structures

- be permanently protected from potential vehicular damage by bollards, fences, castellated kerbs or similar barriers, with signage to be erected in conspicuous locations to advise of its nature and purpose in water quality management
 - be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised, and
 - be constructed after all hardstand areas have been paved or sealed and all ground surfaces have been stabilised.
4. No wash water used in cleaning the floors of the hotel or function centre restaurant facilities shall be directed to the stormwater system.
 5. No variation to stormwater treatment or management that will have any impact on water quality shall be permitted without the agreement of Water NSW.
 6. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council prior to the issuance of an Occupation Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Operational Environmental Management Plan

7. An Operational Environmental Management Plan shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The Plan shall:
 - be prepared prior to the issuance of an Occupation Certificate
 - include the details on the location and nature of stormwater management structures such as pits, pipes, gross pollutant traps, bioretention basins, bioretention swales, dams and rainwater collection systems
 - include measures to be implemented for predicted wet weather during functions that require overflow parking areas to be activated
 - outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
 - identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
 - include checklists for recording inspections and maintenance activities.
8. All stormwater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan.

Reason for Conditions 2 to 8 – To ensure appropriate stormwater treatment and quality control measures are designed, implemented, and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

Construction Activities

9. The Erosion and Sediment Control Plan (Dwg. No. 1939C01-102C; Rev. C, dated 22.01.2021) prepared by Cohort engineering shall be updated to a Soil and Water Management Plan prepared by a person with knowledge and experience in the preparation of such plans. The Plan shall:
 - meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)

- be prepared in consultation with WaterNSW prior to issuance of a Construction Certificate and be to the satisfaction of Council
 - include controls to prevent sediment or polluted water leaving the construction area or entering any stormwater drain or natural drainage system, and
 - specify dewatering practices and treatment measures for sediment basins
10. The Soil & Water Management Plan shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained, and retained until works have been completed and ground surface stabilised or groundcover re-established.

Reason for Conditions 9 & 10 - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.

152. Transport for NSW

Prior to the issuing of the Construction Certificate, the developer must:

1. Enter into a Works Authorisation Deed (WAD) with the TfNSW for all works on the Illawarra Highway.

Notes:

- A WAD is a legally binding contract between TfNSW and the developer, authorising the developer to undertake works on a State road and/or install traffic signals.
 - To progress the WAD, the developer needs to email a copy of the conditions of development consent to development.southern@rms.nsw.gov.au.
 - All roadworks and traffic control facilities must be undertaken by a pre-qualified contractor. A copy of pre-qualified contractors can be found on the RMS website at: www.rms.nsw.gov.au/business-industry/partners-suppliers/tenders-contracts/prequalified-contractors.html
 - Any new services or modifications to existing services associated with this development application that involve works on, over or under the Illawarra Highway (as defined the area from kerb to kerb) must be incorporated into, and managed under, the Works Authorisation Deed for the project. Note: It is the developer's responsibility to identify these works to TfNSW project manager.
 - Any works that are outside of the above (works not on the Illawarra Highway or part of the intersection upgrade works) are not subject to the Works Authorisation Deed and are to be managed by Council.
 - More information on WADs can be found at:
www.rms.nsw.gov.au/documents/projects/factsheet-development-process.pdf
2. Demonstrate to the satisfaction of Council the post development storm water discharge from the subject site, if going into the Illawarra Highway drainage system, does not exceed the pre-development application discharge.

Prior to the commencing works within the road reserve, the developer must:

1. Obtain Section 138 consent under the Roads Act, 1993 for the works associated with the WAD.

Notes:

- *TfNSW will be exercising its powers under Section 64 of the Roads Act, 1993 to become the roads authority for works associated with the WAD and therefore responsible for issuing the Section 138 consent for those specific works.*
2. Develop and implement a community information strategy in relation to the works, in consultation with, and to the satisfaction of TfNSW.
 3. Apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Traffic Operations Unit (TOU) prior to commencing roadworks on a State road or any other works that impact a travel lane of a State road or impact the operation of traffic signals on any road.

Notes:

- *For information on the ROL process and to lodge an ROL application, please visit <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>*
- *The applicant will need to create an account (this may take a few days to register), prior to submitting the ROL application. The applicant must submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependent upon TfNSW receiving an accurate and compliant TMP.*
- *The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU.*
- *An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by TfNSW Project Manager.*

Prior to the issuing of the Occupation Certificate, the developer must:

1. Upgrade the junction of the Illawarra Highway and Fountaindale Road to a Channelised Right-Turn treatment to the satisfaction of TfNSW, generally in accordance with Attachment 1, Austroads Guide to Road Design and other relevant standards.

Notes:

- *The pavement design on the Illawarra Highway must be in accordance with Austroads standards.*
 - *Where required, the developer must upgrade/provide lighting in accordance with Australian Standard AS/NZS1158.*
 - *All works need to be completed at no cost to TfNSW.*
2. Design and construct the driveway on Fountaindale Road to the satisfaction of Council, generally in accordance with Attachment 1 and Council standards.

Note:

- *The existing vegetated area at the access shown in Attachment 3 must be cleared to ensure adequate sight distance is achieved and maintained.*

Contributions Sheets – Stage 1B – Stage 8:



Civic Centre, Elizabeth St. Moss Vale, NSW 2577
 PO Box 143, Moss Vale, NSW 2577
 Ph: (02) 4868 8888 Fax: (02) 4868 1203
www.wingecarribee.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

20/1069

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2 56 CARR ST
 COOGEE NSW 2034

Re: 20/1069
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 1B)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
Open Space & Community (Future Works)	4.20	\$1,525.97	\$6,409.08
Roads & Traffic (Shirewide - Future)	4.20	\$2,810.01	\$11,802.03
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
Administration (Shirewide)	4.20	\$503.82	\$2,116.03
S64 Water (Shirewide)	4.20	\$11,411.95	\$47,930.17
Open Space & Community (Acquisition)	4.20	\$92.90	\$390.20
Central Library (Shirewide)	4.20	\$445.18	\$1,869.75
Resource Recovery Centre (Shirewide)	4.20	\$264.23	\$1,109.78
Roads & Traffic (Robertson)	4.20	\$376.94	\$1,583.13
Roads & Traffic (Shirewide - Recoup)	4.20	\$16.27	\$68.32
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
S64 Sewerage (Shirewide)	4.20	\$11,063.47	\$46,466.59
Open Space & Community (Recoup)	4.20	\$778.00	\$3,267.60
Total			\$123,522.68

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

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

A COPY OF THIS NOTICE MUST BE PRESENTED WHEN MAKING PAYMENT

www.wsc.nsw.gov.au



Civic Centre, Elizabeth St. Moss Vale, NSW 2577
 PO Box 141, Moss Vale, NSW 2577
 Ph: (02) 4869 8888 Fax: (02) 4869 1203
info@wsc.nsw.gov.au www.wsc.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

20/1069.01

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2 56 CARR ST
 COOGEE NSW 2034

Re: 20/1069.01
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 2)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
Resource Recovery Centre (Shirewide)	6.80	\$264.23	\$1,796.79
Roads & Traffic (Robertson)	6.80	\$376.94	\$2,563.17
Roads & Traffic (Shirewide - Recoup)	6.80	\$16.27	\$110.61
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
Open Space & Community (Future Works)	6.80	\$1,525.97	\$10,376.61
Roads & Traffic (Shirewide - Future)	6.80	\$2,810.01	\$19,108.05
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
Administration (Shirewide)	6.80	\$503.82	\$3,425.95
S64 Sewerage (Shirewide)	6.80	\$11,063.47	\$75,231.62
Open Space & Community (Recoup)	6.80	\$778.00	\$5,290.40
S64 Water (Shirewide)	6.80	\$11,411.95	\$77,601.23
Open Space & Community (Acquisition)	6.80	\$92.90	\$631.75
Central Library (Shirewide)	6.80	\$445.18	\$3,027.21
Total			\$199,673.39

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

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

A COPY OF THIS NOTICE MUST BE PRESENTED WHEN MAKING PAYMENT

www.wsc.nsw.gov.au



Quik Centre, Elizabeth St. Moss Vale, NSW 2577
 PO Box 141, Moss Vale, NSW 2577
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enquiries@wsc.nsw.gov.au www.wsc.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

20/1069.02

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2 56 CARR ST
 COOGEE NSW 2034

Re: 20/1069.02
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 3)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
Central Library (Shirewide)	4.50	\$445.18	\$2,003.30
S64 Water (Shirewide)	4.50	\$11,411.95	\$51,353.76
Open Space & Community (Acquisition)	4.50	\$92.90	\$418.07
Administration (Shirewide)	4.50	\$503.82	\$2,267.18
Roads & Traffic (Shirewide - Future)	4.50	\$2,810.01	\$12,645.04
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
Open Space & Community (Future Works)	4.50	\$1,525.97	\$6,866.88
Roads & Traffic (Shirewide - Recoup)	4.50	\$16.27	\$73.21
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
Resource Recovery Centre (Shirewide)	4.50	\$264.24	\$1,189.06
Roads & Traffic (Robertson)	4.50	\$376.94	\$1,696.21
S64 Sewerage (Shirewide)	4.50	\$11,063.47	\$49,785.63
Open Space & Community (Recoup)	4.50	\$778.00	\$3,501.00
Total			\$132,309.34

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

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

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Civic Centre, Elizabeth St. Moss Vale, NSW 2577.
 PO Box 141, Moss Vale, DC 4861 Bowral.
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enquiries@wsc.nsw.gov.au
www.wsc.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

20/1069.03

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2_56 CARR ST
 COOGEE NSW 2034

Re: 20/1069.03
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 5)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
S64 Water (Shirewide)	22.08	\$11,411.95	\$251,975.77
Open Space & Community (Acquisition)	16.10	\$92.90	\$1,495.75
Central Library (Shirewide)	16.10	\$445.18	\$7,167.38
Open Space & Community (Future Works)	16.10	\$1,525.97	\$24,568.16
Roads & Traffic (Shirewide - Future)	16.10	\$2,810.01	\$45,241.12
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
Administration (Shirewide)	16.10	\$503.82	\$8,111.45
S64 Sewerage (Shirewide)	22.08	\$11,063.47	\$244,281.50
Open Space & Community (Recoup)	16.10	\$778.00	\$12,525.81
Resource Recovery Centre (Shirewide)	16.10	\$264.23	\$4,254.17
Roads & Traffic (Robertson)	16.10	\$376.94	\$6,068.68
Roads & Traffic (Shirewide - Recoup)	16.10	\$16.27	\$261.90
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
Total			\$606,461.69

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

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

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Civic Centre, Elizabeth St. Moss Vale, NSW 2577.
 PO Box 141, Moss Vale. OC 4961 Bowral.
 Ph: (02) 4868 1888 Fax: (02) 4869 1203
accommodation@wsc.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

20/1069.04

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2_56 CARR ST
 COOGEE NSW 2034

Re: 20/1069.04
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 6)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
S64 Sewerage (Shirewide)	13.05	\$11,063.47	\$144,378.33
S64 Water (Shirewide)	13.05	\$11,411.95	\$148,925.90
Total			\$293,814.23

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

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will be indexed in accordance with the relevant Plan.

DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

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 PO Box 141, Moss Vale. DK 4961 Binalui.
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enquiries@wsc.nsw.gov.au www.wsc.nsw.gov.au
 Office Hours: Mon-Fri 8.30am - 4.30pm

Notice of Payment – Developer Charges & Section 7.11

20/1069.05

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2 56 CARR ST
 COOGEE NSW 2034

Re: 20/1069.05
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 7)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
Roads & Traffic (Shirewide - Future)	7.20	\$2,810.01	\$20,232.05
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
Administration (Shirewide)	7.20	\$503.82	\$3,627.48
Open Space & Community (Future Works)	7.20	\$1,525.97	\$10,987.00
S64 Sewerage (Shirewide)	7.20	\$11,063.47	\$79,657.01
Open Space & Community (Recoup)	7.20	\$778.00	\$5,601.60
Roads & Traffic (Shirewide - Recoup)	7.20	\$16.27	\$117.12
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
Resource Recovery Centre (Shirewide)	7.20	\$264.23	\$1,902.48
Roads & Traffic (Robertson)	7.20	\$376.94	\$2,713.94
Central Library (Shirewide)	7.20	\$445.18	\$3,205.29
S64 Water (Shirewide)	7.20	\$11,411.95	\$82,166.01
Open Space & Community (Acquisition)	7.20	\$92.90	\$668.91
Total			\$211,388.89

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

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DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

Total Paid: _____

Date Paid: _____

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enquiries@wsc.nsw.gov.au
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20/1069.06

5 August 2021

AEA GRAND HOTEL PTY LTD
 SHOP 2, 56 CARR ST
 COOGEE NSW 2034

Re: 20/1069.06
 Lot 2 DP 610676
 THE ROBERTSON HOTEL 1 FOUNTAINDALE ROAD ROBERTSON NSW 2577

Development Description: Tourist and Visitor Accommodation (Stage 8)

Water, Sewerage and Stormwater Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
S64 Water (Shirewide)	0.81	\$11,411.95	\$9,243.68
S64 Sewerage (Shirewide)	0.81	\$11,063.47	\$8,961.41
S64 Water Compliance Certificate	1.00	\$255.00	\$255.00
S64 Sewer Compliance Certificate	1.00	\$255.00	\$255.00
Total			\$18,715.09

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

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DATE CHARGES ARE VALID TO – 31 Oct 2021

Prepared by – Michael Park

Cashier Receipt No: _____

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END OF CONDITIONS