

SCHEDULE ONE:**SECTION A: GENERAL CONDITIONS****1. Approved Development and Use**

Development consent has been granted in accordance with this Notice of Determination for the purposes of a group home (transitional) under the 'GMLEP 2009'.

(Reason: To confirm the components of the approval)

2. Development in Accordance with Documentation

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.

Architectural plans prepared by Tim Lee Architects			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
A-01	C	Title	14/10/2025
A-02	C	General Notes	14/10/2025
A-03	C	EXISTING & DEMOLITION SITE PLAN	14/10/2025
A-04	C	PROPOSED SITE PLAN - ROOF LEVEL	14/10/2025
A-05	C	TYPICAL ACCESSIBLE UNIT PERIMETER	14/10/2025
A-06	C	TYPICAL UNIT PERIMETER	14/10/2025
A-07	C	TYPICAL DUAL KEY UNIT PERIMETER	14/10/2025
A-08	C	ACCESSIBLE UNIT ELEVATIONS	14/10/2025
A-09	C	ACCESSIBLE UNIT ELEVATIONS	14/10/2025
A-10	C	TYPICAL UNIT ELEVATIONS	14/10/2025
A-11	C	TYPICAL UNIT ELEVATIONS	14/10/2025
A-12	C	DUAL KEY UNIT ELEVATIONS	14/10/2025
A-13	C	DUAL KEY UNIT ELEVATIONS	14/10/2025
A-14	C	COMMUNAL BUILDING FLOOR PLAN	14/10/2025
A-15	C	COMMUNAL BUILDING ELEVATIONS	14/10/2025
A-16	C	COMMUNAL BUILDING ELEVATIONS	14/10/2025
A-17	C	SECTION A-A	14/10/2025
A-18	C	EROSION CONTROL NOTES & PLAN	14/10/2025
A-19	C	DOOR SCHEDULE	14/10/2025
A-20	C	WINDOW SCHEDULE	14/10/2025
A-21	C	WINDOW SCHEDULE COMMUNAL BUILDING	14/10/2025
A-22	C	LANDSCAPE PLAN	14/10/2025
A-23	C	LANDSCAPE DETAILS	14/10/2025
A-24	C	CUT AND FILL PLAN	14/10/2025
A-25	C	ANCILLARY STRUCTURES DETAILS - 1	14/10/2025
A-26	C	ANCILLARY STRUCTURES DETAILS - 2	14/10/2025
A-27	C	ANCILLARY STRUCTURES DETAILS - 3	14/10/2025
A-28	C	ANCILLARY STRUCTURES DETAILS - 4	14/10/2025
A-29	C	FENCING PLAN	14/10/2025
A-30	C	BOLLARD LIGHTING PLAN & FIRE HYDRANT DETAIL	14/10/2025
A-31	C	TURNING CIRCLES	14/10/2025
A-32	C	WINTER SOLSTICE SHADOW DIAGRAMS	14/10/2025

A-33	C	COMPARATIVE STREET SETBACK ANALYSIS	14/10/2025
A-34	C	ELECTRICAL INFRASTRUCTURE OFFSET PLAN	14/10/2025
A-35	C	RENDERS	14/10/2025
Stormwater plans prepared by Adams & Associates - Hydraulics			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
01 – 36232	C	Site Hydraulics – Stormwater Management Plan	06/11/2025
Documentation prepared by Various			
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
-	2	Statement of Environmental Effects prepared by Vision Property Development Hub	06/06/2025
No. 1798183M	-	BASIX Certificate	02/06/2025
-	-	Flora and Fauna Assessment prepared by SIA Ecological & Environmental Planning	30/05/2025
-	-	Tree Assessment Report prepared by About Trees Consultancy	15/07/2023
36232	2	Water Cycle Management Study prepared by Adams and Associates – Hydraulics	02/09/2025

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

3. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination 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)*

4. Documentation to be Kept on Site

At all times, a complete set of all endorsed plans, specifications and any other documentation referenced by this Notice of Determination must be kept on 'site' and be readily available for perusal by any officer of 'Council' or the 'Principal Certifier' upon their request.

(Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)*

5. 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 person having the benefit of this Notice of Determination is advised to investigate their liability under this Act.

Note: *Disability (Access to Premises - Buildings) Standards 2010 - 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.*

6. Parameters of Consent – Bollard Lighting

A total of six (6) bollards are approved for installation in the front setback area only.

Note: *Plans have been annotated accordingly*

(Reason: *To result in a less formalised front setback area, and respect the residential amenity and character of the area)*

7. Parameters of Consent – No Subdivision

The property must not be subdivided.

(Reason: *To comply with the provisions of State Environmental Planning Policy (Housing) 2021)*

8. Fence Construction

The full cost and construction of the common boundary fences shall be borne by the developer.

(Reason: *For the purposes of the Dividing Fences Act 1991)*

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION9. Building Code of Australia Compliance

All building work must be carried out in accordance with the provisions of the National Construction Code Series (NCC).

(Reason: *Prescribed by sl. 69 of ‘the Regulation’)*

10. Home Building Act Requirements

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

- a) in the case of work for which a ‘**Principal Contractor**’ is required to be appointed:
 - i. the name and licence number of the ‘Principal Contractor’; and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act, or
- b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder; and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to ‘**Council**’ in accordance with this conditions is out of date, work must not be carried out unless the ‘**Principal Certifier**’ for the development to which the work relates has given ‘**Council**’ written notice of the updated information.

Note: *A certificate of insurance that complies with the Home Building Act 1989 is in force in relation to that work in the name under which the person contracted to do the work is to be provided in relation to part 1a(ii).*

(Reason: *Prescribed by s. 71 of ‘the Regulation’)*

11. Construction Certificate Requirements

Building work in accordance with the Notice of Determination must not be commenced until a Construction Certificate required by s.6.3 of ‘**the Act**’ for the relevant part of the works has been issued in accordance with the provisions of ‘**the Act**’ and ‘**the Regulation**’.

(Reason: *Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)*

12. Issue of a Construction Certificate

In accordance with s.19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, the plans and specifications submitted with a Construction Certificate must be consistent with this Notice of Determination and approved plans.

(Reason: *Statutory requirement)*

13. Occupation Certificate Requirements

A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: *Prescribed by legislation)*

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

14. Damage to Public Infrastructure

A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant/person which details the pre-developed condition of the existing public infrastructure in the vicinity of the development **'site'**. Attention must be paid to accurately recording any pre-development damage so that **'Council'** is informed when assessing any future damage to public infrastructure caused as a result of the development. The dilapidation survey and report must be submitted to, and approved in writing by **'Council'** prior to the issue of any Construction Certificate.

The person entitled to act upon this Notice of Determination will be held liable for all damage to public infrastructure in the vicinity of the development **'site'** where such damage is not accurately recorded and demonstrated as pre-existing under documentation provided by this condition.

Note: *Vicinity is defined as all public infrastructure immediately adjacent to the **'site'** (full road reserve width) and to a distance of 20m beyond the **'site'** boundaries.*

(Reason: *To record the condition of public infrastructure prior to the commencement of construction to the consent authority's satisfaction)*

15. Footpath Plan

A Footpath Plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, with details at 1:20 & 1:50 conforming to all relevant conditions contained within this Notice of Determination and must be undertaken in consultation with **'Council'**.

The Footpath Plan must include:

- pathways on the northern side of [REDACTED] to the extent of the width of the subject property in accordance with Council's *Standards for Engineering Works* and Standard Drawing SD-R 03A; and
- pathways to be a minimum width of 2.5m.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Council'** prior to the issue of any Construction Certificate.

(Reason: *To ensure pedestrian safety, walkability and accessibility is provided to the development)*

16. Section 7.11 Contributions

Prior to the issue of a Construction Certificate the person having the benefit of this Notice of Determination must pay the following contributions to **'Council'** for:

Community facilities	\$ 14,542.55
Open space and recreation facilities	\$ 36,735.88
Roads and active transport facilities	\$ 98,276.07
Plan administration and management	\$ 2,246.66

The total contribution payable to Council under this condition is \$151,801.16 as calculated at the date of

this consent, in accordance with the Goulburn Mulwaree *Local Infrastructure Contributions Plan 2021*.

The total contribution payable includes a three (3) bedroom credit given for the number of bedrooms in the existing dwelling onsite.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the plan.

Documentation as issued by '**Council**' demonstrating that the contribution has been paid must be submitted to, and approved by the '**Certifier**' prior to the issue of a Construction Certificate.

Note: *Copies of the Contributions Plans can be downloaded from '**Council's**' website.
Payment is to be accompanied by the attached sheet entitled "Summary of Charges".
If payment is 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).*

(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 development)*

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

17. Long Service Levy Payments

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, is required, proof that the levy has been paid, is to be submitted to the '**Principal Certifier**' prior to the issue of any Construction Certificate. Payment is to be made by the online payment portal at: <https://longservice.my.site.com/bci/s/login/?type=LevyPayer>.

(Reason: *Statutory requirement)*

18. Geotechnical Investigation

A geotechnical report for the '**site**' prepared by a qualified Geotechnical Engineer detailing the '**site**' soil classification in accordance with the current version of AS.2870, any unique foundation conditions of the '**site**' and matters for consideration by a Structural Engineer.

Documentation demonstrating compliance with this condition must be submitted to, and approved by the '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To ensure the '**site**' soil classification is correctly identified)*

19. Accessible Car Parking Provisions

A minimum of one (1) of the onsite car parking spaces provided as part of the total requirement must be constructed as accessible spaces.

These spaces must be constructed, line marked and identified in accordance with the '**NCC**', AS.1428 and AS/NZS.2890 - *Parking Facilities; Off-street parking for people with disabilities*.

Detailed plans demonstrating compliance with this condition must be submitted to, and approved by the '**Certifier**' prior to the issue of a Construction Certificate.

(Reason: *To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)*

20. Access for People with Disabilities

Access for people with disabilities shall be provided in accordance with the requirements of the National Construction Code (NCC), *Disability (Access to Premises-Buildings) Standards 2010*, and relevant Australian Standards with regard to the *Disability Discrimination Act 1992*.

Compliant access provisions for people with disabilities must be clearly shown on the plans submitted to, and approved by the '**Certifier**' prior to the issue of any Construction Certificate.

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

21. BASIX Commitments

Under section 75 of **“the Regulation”** the commitments listed in each relevant BASIX Certificate for the development must be fulfilled. Details and plans demonstrating compliance with these requirements must be submitted to, and approved by the **‘Certifier’** prior to the issue of any Construction Certificate.

In this condition:

a) relevant BASIX Certificate means:

- i. a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
- ii. if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and

b) BASIX Certificate has the same meaning as defined under **“the Regulation”**

(Reason: *To ensure the proposed development will meet the Government’s requirements for sustainability and statutory requirements)*

22. Fire Hydrants Minor Residential Developments

Prior to the issue of any Construction Certificate, detailed plans and specifications shall be provided to the Principal Certifier to demonstrate compliance with *Fire and Rescue NSW (FRNSW) Fire hydrants for minor residential development* - Fire Safety Guideline. This includes the requirement for the provision of vehicular access for FRNSW fire appliances and water to allow firefighting operations to be undertaken at the development.

Note: *This may require separate approvals under Section 68 of the Local Government Act and Section 138 of the Roads Act for the extension of Councils mains water supply where necessary.*

Reason: *To ensure the provision of vehicular access and water for firefighting is provided to the development.*

23. Vehicular Access Way Design – Non-Residential

The person entitled to act upon this Notice of Determination must design the sealed commercial vehicular access way in compliance with the following: -

- a) must be designed to ensure that vehicles entering the ‘site’ will not scrape/strike the surface of the carriageway, layback or vehicular access way;
- b) must be designed in accordance with Council’s Standard Drawings SD-R06, SD-R07 and AS.2890 where not covered by Council’s standards;
- c) the driveway levels shall match the existing levels at the property boundary;
- d) the width of the vehicle access way at the property boundary shall be 6 metres;
- e) the width of the vehicular layback shall be 7.4 metres (including the wings 700mm each side);
- f) any twisting of the driveway access must occur entirely within the ‘site’;
- g) the sealed vehicular access way and layback must be a minimum of 1000mm from any power or lighting pole, 750mm from an electrical pillar, from any kerb inlet pit lintel and 2.5m from any street tree; and
- h) the design of the vehicle access way must be undertaken by an appropriately qualified and practising Civil Engineer and take into account the size of the intended vehicle use. Vehicle size limitations must be noted on the design drawings.

Works within the road reserve are to be inspected by ‘Council’ as being satisfactory prior to pouring, all other ‘works’ within the Lot must be Certified by the ‘Principal Certifier’ as being compliant with this condition.

Plans demonstrating compliance with the above must be submitted to, and approved by the **‘Certifier’** prior to the release of any Construction Certificate.

(Reason: *To facilitate appropriate vehicular access to commercial sites, without disruption to pedestrian and vehicular traffic)*

24. Off Street Car Parking

A total of nine (9) off-street car-parking spaces plus a drop off bay and a minor loading/service area as per Section 4.1 of AS2890.2, together with the access driveways, must be constructed, provided with natural coloured granite (except for the accessible parking space), dot marked and identified in accordance with the '**NCC**', AS.1428 and AS/NZS.2890 and Council's *Standards for Engineering Works*. The plans must nominate the allocation of parking spaces for specific purposes as required by the conditions of this Notice of Determination.

Detailed drawings prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement must be submitted to, and approved by the '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles)*

25. Accessible Car Parking Provisions

A minimum of one (1) of the onsite car parking spaces provided as part of the total requirement must be accessible spaces.

These spaces must be constructed, line marked and identified in accordance with the '**NCC**', AS.1428 and AS/NZS.2890 - *Parking Facilities; Off-street parking for people with disabilities*.

Detailed plans demonstrating compliance with this condition must be submitted to, and approved by the '**Certifier**' prior to the issue of a Construction Certificate.

(Reason: *To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)*

26. Engineered Stormwater

Plans and certification indicating all engineering details relevant to the '**site**' regarding the collection and disposal of stormwater from the '**site**', buildings and adjacent catchments, must be prepared and be in accordance with the following minimum specifications: -

- a) conveyed by gravity (not a charged or pumped system) via a direct connection to the kerb inlet pit in [REDACTED]. If a direct connection to the pit option is implemented then the pipeline within the footpath area shall have a minimum cover of 300mm.
- b) all civil and drainage works must be designed and built in accordance with '**Council's**' Engineering Standards, relevant Australian Standards, in conjunction with a full geotechnical analysis of the '**site**' soils and must be certified by an appropriately qualified and practising Civil Engineer;
- c) the stormwater drainage system and network must be designed for an average recurrence interval (A.R.I.) of 1 in 5 years urban;
- d) the peak discharge from the '**site**' must be no greater than the pre-developed peak discharge;
- e) all redundant stormwater pipelines within the footpath, road reserve and '**site**' must be removed, and the area and finished surfaces reinstated;
- f) must prevent stormwater egress into adjacent properties by creating a physical barrier or land reshaping;
- g) all plumbing works within the '**site**' must be carried out in accordance with AS.3500, National Plumbing and Drainage Code;
- h) any proposed fence is to be constructed must not impede the natural overland flow along the line of the easement and /or natural drainage line;

Details demonstrating compliance with the above requirements and certified by an appropriately qualified and practising Civil or Hydraulic Engineer shall be submitted to, and approved by, the '**Certifier**' prior to the issue of any Construction Certificate.

(Reason: *To ensure that stormwater drainage is of an appropriate standard and capacity to serve the proposed development, without adverse effect to properties or the environment)*

27. On-Site Stormwater Detention

On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped **'site'** which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the **'site'** for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to the kerb and gutter or piped drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 later re published in a modified form in 1997.

Engineering calculations, design and certification demonstrating compliance with this condition shall be certified by an appropriately qualified and practising Civil or Hydraulic Engineer and be submitted to, and approved by the **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure that public infrastructure in Council's care and control is not overloaded)*

28. Section 306 Compliance Certificate

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from **'Council'** as the sewer and water authority prior to the issue of any Construction Certificate.

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

To obtain a s.306, a s.305 application must be lodged with 'Council'.

(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)*

29. Constructional Environmental Management Plan

A Construction Environmental Management Plan must be prepared and submitted to, and approved in writing by **'Council'** prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the following: -

- a) Details of:
 - i. 24-hour contact details of site manager
 - ii. the proposed phases of construction **'works'** on the **'site'**, and the expected duration of each construction phase;
 - iii. the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
 - iv. the proposed areas within the **'site'** to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- b) Construction Waste Management Sub-Plan;
- c) Construction Soil and Water Management Sub-Plan; and
- d) Unexpected Contamination Procedure Sub-Plan.

All **'works'** must be undertaken in accordance with the approved Construction Environmental Management Plan and any conditions attached to the approved plan. A copy of the approved Construction Environmental Management Plan must be kept on the **'site'** at all times and made available to any officer of **'Council'** upon request.

(Reason: *To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)*

30. Construction Waste Management Sub Plan

The Construction Waste Management Sub-Plan must be prepared and submitted to, and approved in writing by **'Council'** prior to the issue of any Construction Certificate. The plan must include, but not be limited to, the following: -

- a) details the quantities of each waste type generated during the **'works'** including all forms of green waste and any proposed reuse, recycling and disposal locations;
- b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards, and guidelines.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Council'** prior to the issue of any Construction Certificate.

(Reason: *To ensure the development is undertaken in a responsible manner that minimises the use of raw materials)*

31. Unexpected Contamination Procedure Sub Plan

Prior to the commencement of any activity on the **'site'**, the person having the benefit of this Notice of Determination must prepare an unexpected contamination procedure to ensure that any potentially contaminated material is appropriately managed. The procedure must form part of the Construction Environmental Management Plan and provide for all disposal locations, quantities and test results to be submitted to **'Council'** and the **'Certifier'** 48 hours prior to removal from **'site'**.

Documentary evidence demonstrating compliance with this condition must be submitted to, and approved by **'Council'** prior to the issue of any Construction Certificate.

(Reason: *To ensure that unexpected contamination is appropriately managed to protect human safety and environmental pollution)*

32. Landscape Plan

A detailed landscape plan prepared by a suitably qualified professional to a scale of 1:100 or 1:200, with details at 1:20 & 1:50 conforming to all relevant conditions contained within this Notice of Determination and include the following information where required: -

- a) location of all existing and proposed landscape features including materials to be used;
- b) Trees, shrubs, vines and groundcover plants used in the landscape plan must comprise locally occurring native plants representative of PCT 3376 Southern Tableland Grassy Box Woodland
- c) Plants incorporated in the landscape plan should also be compatible with requirements for aesthetic qualities, privacy and screening, low maintenance, crime prevention through landscape design and fire management.
- d) Larger species, especially Eucalypts, should not be planted in close proximity to buildings, boundaries or infrastructure such as water mains and sewer lines.
- e) Consideration should be given to a landscape design and plan that provides habitat and improves landscape biodiversity values as a mitigation measure for removal of trees required for this development.
- f) delineate and identify all trees to be retained, removed or transplanted;
- g) A minimum of three nest boxes suitable for smaller birds such as Red-rumped Parrots be installed on trees to be retained to compensate for loss of nesting habitat. The nest boxes should be installed at a height of at least 5 metres above ground level and have a north easterly aspect. A suitable design is available at:
https://www.birdsinbackyards.net/sites/www.birdsinbackyards.net/files/Red-rumped%20parrot_0.pdf
- h) existing and proposed finishes to ground levels;
- i) top and bottom wall levels for both existing and proposed retaining and free-standing walls;
- j) detailed plant schedule which includes appropriate proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity;
- k) trees to be removed are required to be replaced with trees of similar maturity height;
- l) pot size at planting out stage;

- m) vetting of trees for structural faults, poor health and root development. Only stock with good form & health is to be planted;
- n) soil treatment prior to planting out, and
- o) minimum twenty-four (24) month fertilizing and water maintenance, replacement schedule and formative pruning.

Plans demonstrating compliance with the above must be submitted to, and approved by the **'Certifier'** prior to the release of any Construction Certificate.

(Reason: *To ensure appropriate landscaping treatments are applied to facilitate amenity, increase biodiversity and ensure site safety.)*

33. Landscaping Maintenance Plan

A detailed landscaping maintenance plan must be prepared in consultation with **'Council'** that provides for the care, nurturing and maintenance of all landscaping **'works'** that will revert to the care and control of **'Council'**. The plan must address short to long-term maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning, formative pruning, remediation of structural faults, mowing frequency and plant replacement.

The maintenance plan must where required demonstrate compliance with AS4373.

Documentation demonstrating compliance with the requirements of this condition must be submitted to, and approved by the **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure that all landscaping will be given the opportunity to fully establish and flourish)*

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS

34. Prior to Commencement

'Works' must not commence on **'site'** in connection with this Notice of Determination until:

- a) a Construction Certificate (where required) for the building work has been issued by:
 - i. the consent authority; or
 - ii. an **'Accredited Certifier'**; and
- b) the person having the benefit of the development consent has:
 - i. appointed a **'Principal Certifier'** for the building work, and
 - ii. notified the **'Principal Certifier'** that the person will carry out the building work as an owner-builder, if that is the case, and
- c) the **'Principal Certifier'** has, no later than two (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
- d) the person having the benefit of this Notice of Determination, 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'** 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
- e) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the **'Council'** of the person's intention to commence building work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to **'Council'** not less than two (2) days before any commencement of **'works'**.

(Reason: *Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)*

35. Temporary Site Fences

A temporary timber hoarding or temporary construction **'site'** fence must be erected between the work

'site' and adjoining lands before any commencement of works and must be maintained and 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.

The installation is to be confirmed by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'**.

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

36. Sediment and Erosion Control

All required erosion and sedimentation techniques must be properly installed prior to the commencement of any **'site'** **'works'** and be maintained in a functional and effective condition throughout the construction activities until the **'site'** is stabilised.

The installation is to be approved by the **'Principal Certifier'** prior to further commencement of **'site'** **'works'**.

(Reason: *To protect the environment from the effects of sedimentation and erosion from development sites)*

37. Site Facilities

'Site' facilities must be provided as follows;

- a) if the development involves building work or demolition work the **'site'** must be fully enclosed by a temporary security fence (or hoarding) before **'works'** commence. Any such hoarding or fence is to be removed when the **'works'** have been completed;
- b) a minimum width of 1.5m must be provided between the **'site'** and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees;
- c) a garbage receptacle fitted with a tight-fitting windproof lid for the reception of all putrescible and all waste capable of being windblown from the work **'site'** must be provided prior to **'works'** commencing and must be maintained and serviced for the duration of the **'works'**; and
- d) adequate toilet facilities must be provided on the work **'site'**. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the **'Council'**, or an approved temporary chemical closet. The provision of toilet facilities must be completed before any other **'works'** are commenced.

The installation of the site facilities must be approved by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'** and prior to the first inspection.

(Reason: *To ensure the health and safety of the community and workers on the site)*

38. Site Sign

A sign must be erected in a prominent position on any **'site'** on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the **'site'** is prohibited;
- b) showing the name of the **'Principal Contractor'** (or person in charge of the **'site'**), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the **'Principal Certifier'** for the work.

Any such sign must be maintained while the **'works'** are being carried out and must be removed when the **'works'** have been completed.

The installation is to be approved by the **'Principal Certifier'** prior to any further commencement of **'site'**

'works'.

(Reason: *Statutory requirement)*

39. Section 138 Roads Act Requirements

Where works are proposed within the road reserve, the developer must obtain approval from **'Council'** (as the Roads Authority and/or as required under s.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 s.138 approval: -

- a copy of the endorsed approved 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, and
- insurance details - Public Liability Insurance to an amount of no less than \$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 s.138 of the Roads Act 1993.*

(Reason: *To ensure the necessary approvals are obtained from the roads authority)*

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

40. Progress Survey

To ensure compliance with approved plans, a Survey Certificate, to Australian Height Datum, must be prepared by a Registered Surveyor as follows: -

- a) at the initial footing/slab reinforcement inspection of the ground floor level indicating the level of that floor and the relationship of the building to the boundaries; and
- b) at completion, the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to points (a) through (b) must be provided to the **'Principal Certifier'** at the time of carrying out relevant progress inspections and be validated against the approved works. Under no circumstances must **'works'** be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed **'works'**.

The **'Principal Certifier'** is to provide written advice to 'Council' within 48 hours when 'works' undertaken are not in accordance with this Notice of Determination.

(Reason: *To ensure compliance with approved plans)*

41. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the **'site'**;
- b) vehicles entering and leaving the **'site'** with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the **'works'** to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance

- occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

(Reason: *To protect the environment and the amenity of the surrounding area)*

42. Construction Hours

All **'works'** must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Note: *Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.*

Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

(Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community)*

43. Sediment and Erosion Control Signage

Durable signs must be erected during the **'works'** in a prominent location on **'site'** warning of penalties should appropriate erosion and sedimentation control devices not be utilised or maintained.

(Reason: *To protect the environment from the effects of sedimentation and erosion from development sites)*

44. Construction Impact on Amenity of Locality

At all times the implementation and intensity of the construction period must not adversely affect the amenity of the locality by reason of excessive levels of noises, noxious fumes, odours, traffic generation and waste.

(Reason: *To ensure that the amenity of the surrounding locality is not adversely affected by the nature of the construction period)*

45. Excavation and Demolition

Any person acting on this Notice of Determination must ensure that: -

- a) all excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- b) all excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.
- d) the builder is to ensure that persons working on the site comply with the SafeWork NSW requirements.

(Reason: *To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)*

46. Demolition and Removal of Buildings

Any person acting on this Notice of Determination must ensure that: -

- a) demolition must be carried out in accordance with AS2601–1991, *Demolition of structures*.
- b) demolition materials shall not be burnt or buried on the work site.
- c) a person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials have their loads covered and do not track soil or waste material onto the road.
- d) if demolition work obstructs or inconveniences pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to **‘Council’** to enclose the public place with a hoarding or fence.
- e) erosion and sediment controls be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the **‘site’** and must be maintained in a functional condition throughout the construction activities until the **‘site’** is fully stabilised.
- f) the **‘site’** must be left free of waste and debris when **‘works’** have been completed.

(Reason: To ensure that work is undertaken in a professional and responsible manner and to protect adjoining property and persons from potential damage)

47. Waste Derived Fill and Material

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

- a) Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997*; and
- b) 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.

Any waste derived 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 Certifier’**.

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

48. Earthworks

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

- a) 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;
- b) not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property;
- c) in the first instance be reused on **‘site’**;
- d) ensure that any fill brought to the **‘site’** contains only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997* or any other waste-derived material the subject of a resource recovery exemption;
- e) ensure that any excavated soil to be removed from the **‘site’** is be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*;
- f) ensure that documentation verifying the lawful disposal of all waste is to be kept by the applicant and provided to **‘Council’** on request.
- g) not permit fill to change existing ground levels at the property boundary. Cutting and filling is to be restricted to that shown on the approved plans. Any further cutting or filling will require separate approval.
- h) ensure that any excavation is carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442), published in October 2013 by Safe Work Australia.

(Reason: To ensure structural safety and to ensure excavation and fill are handled correctly)

49. Protection of Trees and Vegetation

All trees and/or vegetation required to be retained by this Notice of Determination consent must be appropriately marked and protected before and during '**works**' with temporary site fencing to the outer edge of the drip zone for trees and one meter from all other vegetation.

All fenced protection areas must be clearly marked as "Restricted Area No Access" on all plans. The location of any threatened species, endangered populations or ecological communities must also be marked on all plans. The protection measures must be maintained throughout construction activities and must also adhere to the following:

- Tree removal and pruning is to be conducted by a qualified arborist.
- Tree removal and pruning is not to occur during the peak spring fauna breeding season.
- Tree removal and pruning is to be supervised by a suitably qualified and licensed ecologist with experience in handling fauna.
- The supervising ecologist must be vaccinated for Australian bat lyssavirus. Any bats found must only be handled by persons vaccinated for lyssavirus.
- Hollows must be checked for any fauna, including possums, gliders, birds and bats before beginning tree removal operations, on the day that work commences.
- If dependent young are present, tree removal must be postponed until chicks have fledged or other fauna are mature enough to survive without parental care.
- Any fauna found are to be safely located to nearby suitable habitat.
- Trees must be taken down in stages. Non-hollow bearing branches should be removed before hollow bearing branches are removed.
- Any fauna injured during clearing operations must be safely captured and taken into care by a licenced wildlife carer (WIRES or Wildcare Accredited).
- After clearing, all material, especially hollow branches, is to be checked to ensure no fauna have become trapped or injured during clearing operations.

Note: *Any person who clears trees and vegetation, even if the activity is approved, is not exempt from prosecution under the Biodiversity Conservation Act 2016 for harm to a protected animal, or for deliberate cruelty to animals under the Prevention of Cruelty to Animals Act 1979. Native fauna species, including Brushtail Possums and native birds such as Galahs, Rosellas and Red-rumped Parrots, are protected under Schedule 5 of the Biodiversity Conservation Act 2016*

(Reason: *To ensure retention and preservation of existing vegetation)*

50. 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).*

51. Procedure for Critical Stage Inspections

While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant Construction Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

52. Parking Restrictions

Existing public parking provisions in the vicinity of the '**site**' must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is strictly prohibited without the prior written consent of '**Council**'. Changes to existing public parking

facilities/restrictions must be approved by the **'Council's'** Traffic Committee. The person having the benefit of this Notice of Determination will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by **'Council'** regulatory officers.

(Reason: *To ensure that existing kerbside parking provisions are not compromised during works)*

53. Road Reserve Safety

All public footways and roadways in the vicinity off, fronting and adjacent to the **'site'** must at all times be maintained in a safe and unobstructed condition during the course of the **'works'**. Construction materials and plant must not be stored in the road reserve without approval of **'Council'**. No diversion of pedestrian circulation is to occur without the prior approval of **'Council'**. Construction vehicles must not cause adverse impact on existing residences and neighbouring properties of the locality.

(Reason: *Public Safety)*

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

54. Compliance with Conditions of Consent

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of Determination must demonstrate to the **'Principal Certifier'** that all conditions required to be complied with, either at or before the occupation stage, including conditions identified as at all times have been complied with. An Occupation Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: *To ensure compliance with the terms of this Notice of Determination)*

55. Asbestos and Other Hazardous Materials Disposal

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of determination must provide to the **'Principal Certifier'** copies of all waste disposal receipts and documentation demonstrating that all asbestos containing materials and other hazardous waste has been lawfully disposed.

The **'Principal Certifier'** must be satisfied that quantity of waste disposed of or recycled is commensurate to the quantity of waste actually generated by the **'works'**.

(Reason: *To ensure waste material is appropriately recycled and lawfully disposed)*

56. Certification of Civil Works

An appropriately qualified and practising Civil Engineer must certify to the **'Principal Certifier'**:

- a) that the stormwater drainage system has been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard;
- b) that the footpath infrastructure has been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard;
- c) that any vehicular crossing and associated road works have been constructed in accordance with this Notice of Determination and any approval for **'works'** in the road reserve issued by the **'Council'** where those works by agreement of **'Council'** have not been inspected by **'Council'**; and
- d) that the internal driveway access and onsite parking areas have been constructed in accordance with this Notice of Determination and the provisions of the applicable Australian Standard.

A copy of the certificate(s) must be submitted to **'Council'** upon completion of the **'works'** and prior to the issue of any Occupation Certificate.

Documentary evidence confirming that the above requirements have been fulfilled must be provided to the **'Principal Certifier'** prior to the issuing of any Occupation Certificate.

(Reason: *To ensure compliance with the conditions of consent)*

57. Landscaping to Nature Strip

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped with grass turf to prevent soil erosion and migration prior to the release of any Occupation Certificate.

(Reason: *To preserve the amenity of the streetscape and to prevent pollution of the environment)*

58. Landscaping to Front of Building

All disturbed and unvegetated areas of land between the front of the building line and the front property boundary must be fully landscaped with plantings to prevent soil erosion and migration prior to the release of any Occupation Certificate.

(Reason: *To preserve the amenity of the streetscape and to prevent pollution of the environment)*

59. Allocation of Parking Areas

All required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas must be fully constructed, sealed, line marked, sign posted, and numbered in accordance with this Notice of Determination prior to the issue of any Occupation Certificate.

(Reason: *To ensure that adequate facilities to service the development are provided on 'site')*

60. Installation of Driveways

Prior to the issue of an Occupation Certificate the driveway access across the footpath reserve and to the garage and any footway crossing must be constructed in accordance with '**Council's** Engineering Standards and the requirements of this notice of determination.

Documentary evidence from '**Council**' as the roads authority confirming that this condition has been satisfied must be provided to the '**Principal Certifier**' prior to the issue of any Occupation Certificate

(Reason: *To ensure driveway access to the property does not have any adverse impact on the public road network)*

61. Concrete Shared Path

A 2.5m wide concrete shared path must be constructed outside the frontage of the subject property in accordance with Council Standard Drawing SD-R 03A.

(Reason: *To provide suitable pedestrian access to the development that will be incorporated into Council's shared path network.)*

62. Plumbing and Drainage Finalisation

A final inspection of water plumbing and sewer drainage must be conducted by '**Council**' as the Water and Sewer Authority.

Documentary evidence issued by '**Council**' confirming that the final inspection was satisfactory must be provided to the '**Principal Certifier**' prior to the issue of any Occupation Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

63. Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with Section 41 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, prior to the issue of any Occupation Certificate for the building.

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

- Forwarded to Goulburn Mulwaree Council;
- Forwarded to the NSW Fire Commissioner; and
- Prominently displayed in the building.

(Reason: *To ensure the safety of the building – statutory requirement)*

64. Certificate of Compliance

A Compliance Certificate and a sewer service drainage diagram as issued by the plumber who submitted the Notice of Work must be issued to **'Council'** prior to the release of any Occupation Certificate.

Documentary evidence confirming that the above requirements have been fulfilled must be provided to the **'Principal Certifier'** prior to the issuing of any Occupation Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

65. Water Management Act

A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the Utilities Division of **'Council'** prior to the release of any Occupation Certificate.

Documentary evidence issued by **'Council'** confirming that the final inspection was satisfactory must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

66. Installation of Playground Areas

The playgrounds must be fully constructed and installed to ensure compliance with *Australian Standard AS 4685 Playground equipment and surfacing* to the satisfaction of the **'Certifier'**, prior to the issue of any Occupation Certificate.

(Reason: *To ensure the playgrounds are constructed safely)*

67. Movement Lighting Sensors

Bollards in the front setback must be fitted with movement sensors and diffused soft, non harsh illumination lighting, to turn on only when triggered, to the satisfaction of the **'Certifier'**, prior to the issue of any Occupation Certificate.

(Reason: *To ensure energy efficiency and residential amenity is maintained)*

68. Security Cameras

A security camera system must be installed to the site, to the satisfaction of the **'Certifier'** prior to the issue of an Occupation Certificate.

(Reason: *To ensure security and surveillance is available to the site)*

69. Plan of Management

A Plan of Management for the operation of the group home and affiliated communal building must be prepared to the written satisfaction of **'Council'** prior to the issue of an Occupation Certificate. The Plan of Management must include, but not be limited to, the following topics (if applicable):

- Security and safety measures,
- Hours of operation,
- Staff numbers
- Car parking management,
- Mini bus service,
- maintenance schedule for landscaping, stormwater bioretention basin, lighting, playgrounds and BBQ structures etc.

Documentation demonstrating the written satisfaction of **'Council'** must be provided to the **'Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure the amenity and operation of the use is maintained and remains consistent)*

with the consent as approved)

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES**70. Annual Fire Safety Statement**

Each year, the owner of a building to which an essential fire safety measure is applicable shall cause the Council to be given an annual fire safety statement for the building. Such a fire safety statement:

- (a) shall deal with each essential fire safety measure in the building premises; and
- (b) shall be given within twelve months after the last such statement was given, or if no such statement was given, within twelve months after a final fire safety certificate was first issued for the building.

As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:

- (a) shall cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
- (b) shall cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be permanently displayed in the building.

(Reason: *To ensure compliance with statutory fire safety requirements).*

71. Hours of Operation

At all times the communal facility associated with the approved group home (transitional) must only operate within the following hours:-

- Monday – Friday 09:00 – 17:00
- No operation on Saturday, Sunday or Public Holidays

This condition does not preclude the acceptance of tenants outside of these hours.

(Reason: *To ensure that amenity of the surrounding locality is maintained)*

72. Staff Maximum

At all times, no more than one (1) site manager (residing at the caretaker's residence) and two (2) staff shall work at the site.

(Reason: *To ensure the use remains as approved)*

73. Plan of Management

At all times, the approved Plan of Management must be visible and accessible within the communal facility and a copy must be provided to members of the community upon request. The Plan of Management must not be updated without the written approval from Council.

(Reason: *To ensure the amenity and operation of the use is maintained and remains consistent with the consent as approved)*

74. Ancillary Use

At all times the use of the communal facility must be ancillary to the use of the premises, as a group home (transitional).

(Reason: *To ensure that the primary use of the premises is the approved use under this application, and that any other uses are ancillary to the approved use)*

75. Impact on Amenity of Locality

At all times the operation of the use including the communal facility operations, must not adversely affect the amenity of the locality by reason of noise, noxious fumes, traffic generation, odours and waste.

(Reason: *To ensure that the amenity of the surrounding locality is not adversely affected by the nature of the approved activity)*

76. Obstruction of Parking Areas

At all times no parking spaces, loadings bays or vehicular access ways or access thereto must be restricted, constrained or enclosed by any form of structure such as fencing, bollards, chains or the like, without the prior consent from **'Council'**.

(Reason: *To ensure that minimum dimensions for parking spaces are not reduced and that vehicle manoeuvring is compliant with relevant standards)*

77. Loading Within Site

At all times all loading and unloading operations must be carried out wholly within the confines of the **'site'** and within loading bays/areas designated on the approved plans.

(Reason: *To ensure that deliveries can occur safely within the site and does not adversely affect public traffic or pedestrian amenity)*

78. Movement Lighting Sensors

At all times, bollards in the front setback must be maintained and kept in a clean and operational condition, fitted with movement sensors and diffused soft, non harsh illumination lighting, to turn on only when triggered.

(Reason: *To ensure energy efficiency and residential amenity is maintained)*

79. Flood Lighting

At all times no flood lighting is to be provided to the building.

(Reason: *To ensure energy efficiency and residential amenity is maintained)*

80. Stormwater Disposal

At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks and raingardens must be collected and disposed of by way of properly constructed stormwater lines to the kerb and gutter (piped).

(Reason: *To ensure the suitable disposal of stormwater generated by the development)*

81. Maintenance of Landscaping

At all times the landscaped area of the approved **'works'** is to be maintained in accordance with the approved landscape plan.

Any replacement plants required must be advanced in growth and be selected to maintain the anticipated mature height, canopy density and nature of those plant species as originally approved.

(Reason: *To ensure the visual amenity of the streetscape is maintained)*

82. Luminance Levels

At all times the luminance levels of all lighting to the site must be minimised to ensure that excessive light spill or nuisance is not caused to any nearby premises, road users or the locality. Luminance levels must otherwise comply with the recommended values of AS 4282 *Control of the Obtrusive Effects of Outdoor Lighting*.

Note: *Luminance means the objective brightness of a surface as measured by a photometer, expressed in candelas per square meter.*

(Reason: *To ensure appropriate and safe luminance levels of lighting that are desired for the locality and do not interfere with amenity of nearby properties)*

83. Security Cameras

At all times, the site must provide a security camera system must be installed to the site and operational.

At all times, the cameras must capture only the site and not that of adjoining residences.

(Reason: *To ensure security and surveillance is available to the site and to comply with the Surveillance Devices Act 2007)*

SECTION I: CONCURRENCE AGENCY CONDITIONS

84. Water NSW Concurrence

Water NSW concurs with Council granting consent to the application, subject to the conditions within the concurrence letter dated 13 November 2025, which must be satisfied during the relevant stage of the development and prior to the issue of the Occupation Certificate (or at a time as otherwise stated in the condition).

(Reason: *To ensure the development has a neutral or beneficial effect on water quality)*

SECTION J: LOCAL GOVERNMENT ACT APPROVALS

85. Compliance with Relevant Legislation

All plumbing and drainage shall be designed and constructed in accordance with the current requirements of:

- (a) Australian Standard AS/NZS 3500 (series).
- (b) National Construction Code (NCC), Volume 3 (Plumbing Code of Australia) and the relevant New South Wales Amendments.
- (c) Plumbing and Drainage Act 2011 and Regulation 2017.

86. Notice of Work Plumbing and Drainage

In accordance with the *Plumbing and Drainage Act 2011*, a Notice of Work must be completed (on NSW Fair Trading template) and returned to Council as the Plumbing Regulator, no later than two (2) business days before the work concerned is undertaken.

The Notice of Work must identify what plumbing and drainage work is to be carried out and provide the details of the licensed plumber/drainier.

87. Inspections by Council

Forty-Eight (48) hours prior to the covering of the following works, Council as the Plumbing Regulator must be notified that the following works are ready for inspection:

- (a) Internal drainage prior to backfill;
- (b) External drainage prior to backfill;
- (c) Final inspection of water plumbing, sanitary drainage and stormwater drainage.

Notes:

- *Inspection fees must be paid prior to commencing any plumbing and drainage work.*
- *Any re-inspection necessary due to defective work or the works not ready at the appointed time will be subject to further inspection fee/s.*
- *The subject building is not to be occupied or an Occupation Certificate issued until a final inspection has been carried out by Council and a clearance given, for the satisfactory completion of the above works where applicable.*
- *An accredited certifier must not be substituted for Council in respect of these inspections, as Council remains the sole responsible authority for these matters.*

88. Sanitary Plumbing and Drainage

- (a) The sanitary plumbing and drainage system must be designed and constructed in accordance with AS/NZS 3500.2 and the approved hydraulic drawings.
- (b) The top level of the sewerage service yard gully shall be located a minimum of 150mm below the lowest fixture level and a minimum of 75mm above the finished ground level.

89. Water Supply(a) Heated Water Supply

- i) A heated water service must be installed in accordance with AS/NZS 3500.4.
- ii) Storage water heaters must be provided with a temperature and pressure relief device in accordance with AS/NZS 3500.4.
- iii) The delivery temperature of heated water at the outlet of each sanitary fixture must be —
 - not more than 45 °C in any—
 - residential part of an aged care building; or
 - patient care area in a health-care building; or
 - part of an early childhood centre, or primary or secondary school, that is used by children; or
 - designated accessible facility in a common area of a Class 2 building, or in any part of a Class 3, Class 5, Class 6, Class 7, Class 8, Class 9a, Class 9b, Class 9c or Class 10 building; or
 - not more than 50 °C in all other cases.

(b) Cold Water Supply

- i) A cold-water service must be installed in accordance with AS/NZS 3500.1.
- ii) Drinking water and non-drinking water must be zone protected from above ground, buried or partially buried rainwater tank/s, utilising a non-testable backflow prevention device or compliance with AS/NZS 3500.1 (2018).
- iii) If no water meter exists on the allotment and a meter has not been paid for by the developer of the subdivision, it will be necessary to pay Council costs for installation of a meter and provision of a water service (if required).
- iv) The water supply is to be connected after a water meter. If the water meter is damaged or removed, the applicant will be responsible for cost to have Council install or repair the meter.

(c) Backflow Prevention

Council will require the following backflow prevention:

- i) Where the hazards are unknown for commercial, industrial or mixed development, the hazard rating will default to high, requiring the installation of backflow prevention devices appropriate for that hazard rating.
- ii) All fire services connected to the property must have Double Check Detector Assemblies (DCDA's) installed for boundary containment as close as possible to the property boundary and upstream of any fire hydrant booster sets to take off points.
- iii) Within 5 working days of the installation of testable backflow prevention devices Council must be provided with a backflow prevention device inspection and maintenance report for each testable device that has been installed.
- iv) Testable backflow prevention devices must be retested at intervals not exceeding 12 months. Following testing, backflow prevention device inspection and maintenance reports must be provided to Council within 5 working days of scheduled testing.

90. Stormwater Drainage

- (a) Stormwater drainage must be designed and constructed in accordance with AS/NZS 3500.3.
- (b) Any regraded areas shall be free draining, away from the building/s, and shall not concentrate surface water onto adjoining properties.
- (c) Adequate provision shall be made for the disposal of stormwater water collected from the development. In this regard stormwater water collected shall be piped and discharged to the kerb inlet pit in accordance with the approved hydraulic plans.
- (d) A works as executed drawing and certificate of compliance for the works as executed stormwater drainage installation shall be provided from an appropriate qualified engineer at final inspection stage of the development.

91. Rainwater Tank/s

- (a) Rainwater tank/s with a minimum capacity of 5,000 litres shall be installed to service each sole occupancy unit.
- (b) Rainwater storage must only collect roof water.
- (c) Identification of rainwater pipework and outlets must be in accordance with Section 15 of AS/NZS 3500.1.
- (d) The rainwater tank must be fitted with a first-flush device.
- (e) The rainwater tank must not be installed over or immediately adjacent to a water main or over the sewer boundary shaft.
- (f) The rainwater tank must be located behind the front alignment to the street of the building to which the tank is connected (for a corner block, located behind both the street front and street side alignments of the building).
- (g) The rainwater tank must be enclosed, and any inlet to the tank must be screened or filtered, to prevent the entry of foreign matter or creatures.
- (h) Any overflow from the rainwater tank must be discharged in accordance with the Stormwater Drainage condition above.

92. Plumbing and Drainage Finalisation

A final inspection must be conducted by Council as the Water and Sewer Authority and Plumbing and Drainage Regulator prior to the issue of any Occupation Certificate for the development.

93. Stormwater Certificate of Compliance

Prior to the issue of any Occupation Certificate, a suitably qualified stormwater consultant or engineer shall certify in writing to Council that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

SECTION P: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of **'the Act'** are to be complied with:
 - (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of **'the Act'**.
 - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of **'the Act'**.

Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of **'the Act'**.
- c) Prior to any **'Work'** commencing on **'site'** all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- d) **'Council's'** fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.
- e) The mailbox erected to service the property must not encroach on the footpath or kerb area.
- f) Essential Energy
 - If the proposed development changes, there may be potential safety risks, and it is recommended that Essential Energy is consulted for further comment;
 - Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
 - Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within

- Electricity Easements and Close to Infrastructure;
- Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.
 - It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a Request for Safety Advice if works cannot maintain the safe working clearances set out in the Working Near Overhead Powerlines Code of Practice, or CEOP8041 - Work Near Essential Energy's Underground Assets.
 - Information relating to developments near electrical infrastructure is available on our website Development Applications (essentialenergy.com.au). If the applicant believes the development complies with safe distances or would like to submit a request to encroach then they will need to complete a Network Encroachment Form via Essential Energy's website Encroachments (essentialenergy.com.au) and provide supporting documentation such as a Blowout report which indicates that the proposed structure meets the requirements of AS 7000 created by a level 3 electrical designer. A list of ASPs can be found at: <https://www.energy.nsw.gov.au/households/guides-and-helpful-advice/beingmore-energy-efficient/understand-your-energy-bill/altering-supply> Applicants are advised that fees and charges will apply where Essential Energy provides this service.
 - Council's and the applicant's attention is also drawn to Section 49 of the Electricity Supply Act 1995 (NSW). Relevantly, Essential Energy may require structures or things that could destroy, damage or interfere with electricity works, or could make those works become a potential cause of bush fire or a risk to public safety, to be modified or removed.



30 September 2025

Water NSW Ref: DAR 25073-a2
Your Ref: DA/0323/2425

General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Attention: Ellie Varga

Subject: Part 6.5 of SEPP Biodiversity & Conservation (2021)
DA/0323/2425; [REDACTED]

Dear Ms Varga

I refer to NSW Planning Portal referral received on 9 September 2025 providing amended plans for a proposal for a multi-dwelling housing development consisting of the demolition of existing dwelling and removal of trees, and construction of 4 detached units, 2 attached units and a communal building. WaterNSW provided concurrence advice to the original application on 21 July 2025 (WaterNSW Ref: DAR 25073-a1).

The amended architectural, landscape and stormwater management plans propose: (1) a reduction in the number of car parking spaces; (2) modifications to the landscaping design; and (3) relocation and changes to the proposed bioretention basins.

The subject property is located within the Warragamba catchment which forms part of Sydney's water supply.

Water NSW notes that the two proposed bioretention basins incorporate a surface area of 88 and 75 square metres for onsite detention which will direct stormwater to the bioretention component, providing treatment within the 5 square metre filter area. Water NSW has concerns for the design, noting the area for detention is likely to be constantly submerged, resulting in greater compaction of the filter media and ultimately affecting the functioning of the basin. Water NSW recommends detailed design should consider adequate measures to address these issues and ensure the proper functioning of the bioretention basins, particularly the filter area component. This has been addressed in the conditions below.

Based on aerial imagery and the information provided, Water NSW considers the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the attached conditions. This advice replaces Water NSW's previous advice (dated 21 July 2025).

General

1. The development layout and works shall be implemented in accordance with the plans and supporting documents set out in the following table.

Plan Title	Reference	Vers/ Issue	Prepared By	Dated
Existing & Demolition Site Plan	Job No. 1024-1723 Drawing No A-03	B	Tim Lee Architects	5/09/2025
Proposed Site Plan	Job No. 1024-1723 Drawing No A-04			
Proposed Site Plan – Roof Level	Job No. 1024-1723 Drawing No A-05			
Typical Accessible Unit Floor Plan	Job No. 1024-1723 Drawing No A-06			
Typical Unit Floor Plan	Job No. 1024-1723 Drawing No A-07			
Accessible Unit Elevations	Job No. 1024-1723 Drawing No A-09 & A-10			
Typical Unit Elevations	Job No. 1024-1723 Drawing No A-11 & A-12			
Dual Key Unit Elevations	Job No. 1024-1723 Drawing No A-13 & A-14			
Communal Building Elevations	Job No. 1024-1723 Drawing No A-16 & A-17			
Erosion Control Notes & Plan	Job No. 1024-1723 Drawing No A-19			
Landscape Plan	Job No. 1024-1723 Drawing No A-23			
Landscape Details	Job No. 1024-1723 Drawing No A-24			
Cut and Fill Plan	Job No. 1024-1723 Drawing No A-25			
Site Hydraulics Stormwater Management Plan	Drawing No. 01-36232	B	Adams & Associates – Hydraulics	2/09/2025
Site Hydraulics – Sanitary Drainage	Drawing No. 02-36232	B		
Site Hydraulics – Stormwater Catchment Plan	Drawing No. 03-36232	A		
Site Hydraulics – Long Sections	Drawing No. 04-36232	A		
Supporting Documents				
Statement of Environmental Effects	-	2	Vision Property Development Hub Pty Ltd	06/06/2025
Water Cycle Management Study	-	-	Adams & Associates – Hydraulics	2/09/2025

Plan Title	Reference	Vers/ Issue	Prepared By	Dated
Response to additional information DA/0323/2425	Job No. 1024-1723	B	Tim Lee Architects	-

No revisions to the site layout or works that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1 - Water NSW has based its assessment under State Environmental Planning Policy (Biodiversity and Conservation) 2021 on this version of the development.

Stormwater Management

2. All stormwater management measures as specified in the Water Cycle Management Study and shown on the Site Hydraulics Stormwater Management Plan set out in the table in Condition 1, shall be incorporated in the final stormwater drainage plan. The final plan shall:
 - be prepared in consultation with Water NSW prior to the issuance of any Construction Certificate and be approved by the Principal Certifier
 - include the following stormwater management measures:
 - o rainwater tanks
 - o bioretention basins with adequate surface area and extended detention depth to ensure proper functioning of the filter media
 - include detailed cross sections of the bioretention basins and any onsite detention component, and
 - be implemented after all comments made by Water NSW have been suitably resolved in the final plan.
3. All car parking areas and the driveway shall be constructed as shown on the Site Hydraulics Stormwater Management Plan set out in the table in Condition 1, to ensure that overland flows are directed toward the eastern and western bioretention basins.
4. The bioretention basins shall:
 - be designed consistent with *Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)*
 - incorporate the following:
 - o for bioretention basin (east): a minimum surface area of 88 square metres and a minimum filter area of 5 square metres
 - o for bioretention basin (west): a minimum surface area of 75 square metres and a minimum filter area of 5 square metres
 - o an extended detention depth of 200mm
 - o a filter depth (excluding transition layers) of 200 mm above the underdrains
 - o 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)
 - direct all discharge and overflow to Council's stormwater system along [REDACTED]

- be accessible from the driveway by machinery to facilitate cleaning, monitoring, and maintenance of the measures
 - be constructed after all hardstand areas have been paved or sealed and all ground surfaces have been stabilised
 - be permanently protected from heavy vehicle damage by guardrails, castellated kerb, bollards, or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
 - be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is re-vegetated or stabilised.
5. A rainwater collection and reuse system for the building roofs shall be installed that:
- includes rainwater tanks with a minimum total capacity of 35,000 litres above any volume required for mains top-up
 - ensures roofs and gutters designed to maximise the capture of rainwater in the tanks
 - ensures that the tanks are plumbed to toilets and other areas for non-potable use including landscape watering, and
 - ensures that all rainwater tank overflow is directed to the two bioretention basins on the site.
6. No variation to stormwater treatment or management that will have any impact on water quality shall be permitted without prior agreement of Water NSW.
7. A suitably qualified stormwater consultant or engineer shall certify in writing to the Principal Certifier prior to the issuance of an Occupation Certificate that all stormwater management measures have been installed as per these conditions of consent and are in a functional state.

Operational Environmental Management Plan

8. An Operational Environmental Management Plan shall be prepared by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate. The Plan shall:
- be provided to the site owner and the appointed site manager
 - include details on the location, description and nature of stormwater management measures such as pits, pipes, bioretention basins, and rainwater collection system
 - outline the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management measures, 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, particularly for the bioretention basins.
9. All stormwater management measures shall be monitored, maintained, and managed as per the Operational Environmental Management Plan.

Reason for Conditions 2 to 9 – To ensure appropriate stormwater management 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

10. An Erosion and Sediment Control Plan shall be prepared by a person with knowledge and experience in the preparation of such plans for all works required as part of the development. The Plan shall:
 - be developed prior to the issuance of a Construction Certificate and be to the satisfaction of the Principal Certifier
 - meet the requirements outlined in Chapter 2 of *NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)*, and
 - include controls that prevent sediment or polluted water leaving the site or entering any stormwater drain or natural drainage system.
11. The Erosion and Sediment Control 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 10 & 11 - 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.

Under section 6.64 (3) of the SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination.

If you wish to discuss this matter further, please contact Nik Kumar via environmental.assessments@waterNSW.com.au.

Yours sincerely



NICOLE WALLWOOD
Catchment Assessment Specialist