



Planning
Panels



DUBBO
REGIONAL
COUNCIL

CONSENT CONDITIONS
WESTERN REGIONAL PLANNING PANEL

GENERAL CONDITIONS

Condition			
(1) The development shall be undertaken generally in accordance with the stamped plans, specifications and supporting documentation as follows except where modified by any of the following conditions:			
<ul style="list-style-type: none">BASIX Certificate No.1423074M, dated 29 September 2023NatHERS Certificate(s) Plans - 475 Wheelers Lane, Dubbo dated 11 October 2023			
Plan/Report Title	Reference No	Prepared by	Date
Statement of Environmental Effects	22067-R02_B	Kennedy Associates Architects	26/10/23
Demolition Plan	2247-DA0103 - A	Kennedy Associates Architects	19/10/23
Subdivision Torrens Plan	2247-DA0104 - A	Kennedy Associates Architects	26/10/23
Subdivision Community Plan	2247-DA0105 - A	Kennedy Associates Architects	26/10/23
Proposed Site Plan	2247-DA0106 - A	Kennedy Associates Architects	19/10/23
Facade Type	2247-DA0107 - A	Kennedy Associates Architects	19/10/23
General Arrangement Plan – Lot 01	2247-DA0121 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 02	2247-DA0122 - A	Kennedy Associates	26/10/23

		Architects	
General Arrangement Plan – Lot 03	2247-DA0123 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 04	2247-DA0124 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 05	2247-DA0125 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 06	2247-DA0127 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 07	2247-DA0128 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 08	2247-DA0129 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 09	2247-DA0130 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 10	2247-DA0131 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 11	2247-DA0132 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 12	2247-DA0133 - A	Kennedy Associates Architects	26/10/23
General Arrangement Plan – Lot 13	2247-DA0134 - A	Kennedy Associates Architects	26/10/23
Lot 01 – Elevation Sheet 01	2247-DA211 - A	Kennedy Associates Architects	26/9/23
Lot 01 – Elevation & Section Sheet 02	2247-DA212 - A	Kennedy Associates Architects	26/9/23
Lot 02 – Elevation Sheet 01	2247-DA221 - A	Kennedy Associates Architects	26/9/23
Lot 02 – Elevation & Section Sheet 02	2247-DA222 - A	Kennedy Associates Architects	26/9/23

Lot 03 – Elevation Sheet 01	2247-DA231 - A	Kennedy Associates Architects	26/9/23
Lot 03 – Elevation & Section Sheet 02	2247-DA232 - A	Kennedy Associates Architects	26/9/23
Lot 04 – Elevation Sheet 01	2247-DA241 - A	Kennedy Associates Architects	26/9/23
Lot 04 – Elevation & Section Sheet 02	2247-DA242 - A	Kennedy Associates Architects	26/9/23
Lot 05 – Elevation Sheet 01	2247-DA251 - A	Kennedy Associates Architects	26/9/23
Lot 05 – Section Sheet 01	2247-DA253 - A	Kennedy Associates Architects	26/9/23
Lot 06 – Elevation Sheet 01	2247-DA261 - A	Kennedy Associates Architects	26/9/23
Lot 06 – Elevation & Section Sheet 02	2247-DA262 - A	Kennedy Associates Architects	26/9/23
Lot 07 – Elevation Sheet 01	2247-DA271 - A	Kennedy Associates Architects	26/9/23
Lot 07 – Elevation & Section Sheet 02	2247-DA272 - A	Kennedy Associates Architects	26/9/23
Lot 08 – Elevation Sheet 01	2247-DA281 - A	Kennedy Associates Architects	26/9/23
Lot 08 – Elevation & Section Sheet 02	2247-DA282 - A	Kennedy Associates Architects	26/9/23
Lot 09 – Elevation Sheet 01	2247-DA291 - A	Kennedy Associates Architects	26/9/23
Lot 09 – Elevation & Section Sheet 02	2247-DA292 - A	Kennedy Associates Architects	26/9/23
Lot 10 – Elevation Sheet 01	2247-DA301 - A	Kennedy Associates Architects	26/9/23

Lot 10 – Elevation & Section Sheet 02	2247-DA302 - A	Kennedy Associates Architects	26/9/23
Lot 11 – Elevation Sheet 01	2247-DA311 - A	Kennedy Associates Architects	26/9/23
Lot 11 – Elevation & Section Sheet 02	2247-DA312 - A	Kennedy Associates Architects	26/9/23
Lot 12 – Elevation Sheet 01	2247-DA321 - A	Kennedy Associates Architects	26/9/23
Lot 12 – Elevation & Section Sheet 02	2247-DA322 - A	Kennedy Associates Architects	26/9/23
Lot 13 – Elevation Sheet 01	2247-DA331 - A	Kennedy Associates Architects	26/9/23
Lot 13 – Elevation & Section Sheet 02	2247-DA332 - A	Kennedy Associates Architects	26/9/23
BASIX Assessment Report	SYD2236 - 1	ADP Consulting: Engineering	29/9/23
Site Plan – Tree Location	2247-DA0110 - A	Kennedy Associates Architects	19/10/23
Proposed Concept Landscape Masterplan – Overall Site Plan	39383 – LA00-C	Barnson P/L	13/06/24
Proposed Concept Landscape Masterplan – Lot 1 Landscape Plan	39383 – LA01-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 2 Landscape Plan	39383 – LA02-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 3 Landscape Plan	39383 – LA03-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 4 Landscape Plan	39383 – LA04-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 5 Landscape Plan	39383 – LA05-C	Barnson P/L	13/06/24
Proposed Concept Landscape Masterplan – Lot 6 Landscape Plan	39383 – LA06-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 7 Landscape Plan	39383 – LA07-C	Barnson P/L	13/06/24
Proposed Concept Landscape Masterplan – Lot 8 Landscape Plan	39383 – LA08-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 9 Landscape Plan	39383 – LA09-B	Barnson P/L	05/10/23

Proposed Concept Landscape Masterplan – Lot 10 Landscape Plan	39383 – LA010-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 11 Landscape Plan	39383 – LA011-C	Barnson P/L	13/06/24
Proposed Concept Landscape Masterplan – Lot 12 Landscape Plan	39383 – LA012-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 13 Landscape Plan	39383 – LA013-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 14 Landscape Plan	39383 – LA014-B	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 15 Landscape Plan	39383 – LA015-C	Barnson P/L	13/06/24
Proposed Planting Palette	39383 – LA016-B	Barnson P/L	05/10/23
Acoustic Report - Environmental Noise Impact Assessment	SYD2236 - 2	ADP Consulting: Engineering	20/10/23
Tree Report	023	Dubbo Tree Service	18/9/23
Hazardous Materials Survey & Scope of Works Report	HAZ1378R02	Nova Enviro P/L	15/9/22
Geotechnical Investigation Report	39383-GR01_A	Barnson P/L	7/10/22
Traffic Impact Report	23NL032-TR4	Loka Consulting Engineer P/L	25/10/23
Addendum to Traffic Impact Report	23NL032	Lok Consulting Engineers P/L	26/7/24
Infrastructure Plan	2247-DA0105 – A	Kennedy Associates Architects	18/10/23
Plan of Management	--	Excelsior Housing Services	July 2024

{Reason: To ensure that the development is undertaken in accordance with that assessed}

(2) During periods of extended dry weather the site manager will be responsible for monitoring the site for dust generation. In the event that dust is being generated by truck movements the site manager will be required to provide measures to suppress dust. Suppression and mitigation of dust must be employed at all times including when no activities are taking place on the site.
{Reason: To prevent nuisance dust}

(3) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2021 and the requirements of Council as the water and sewerage network utility operator.
{Reason: Ensure plumbing/drainage installation compliance}

(4) All sanitary plumbing, drainage and water plumbing work shall be carried out by a licensed plumber and drainer.
{Reason: To ensure the work is undertaken by an appropriately qualified person}

- (5) The top of each building's overflow (relief) gully shall be a minimum 150mm below the lowest sanitary fixture in the dwelling, and
- (a) Be a minimum 75mm above the finished surrounding ground level; or
 - (b) Where the overflow (relief) gully is located in a path or paved area which is finished such that surface water cannot enter it and is graded away from the building, it may be finished level with such path or paved area.
- {Reason: To protect the building from sewerage surcharges}
- (6) The hot water delivered to the outlets of the hand-basins, baths and showers shall not exceed 45° C.
- {Reason: To prevent scalding by hot water}
- (7) All solid waste from demolition, construction and operation of the proposed development shall be assessed, classified and disposed of in accordance with the Department of Environment and Climate Change - Waste Classification Guidelines.
- Whilst recycling and reuse are preferable to landfill disposal, all disposal options must be undertaken as required under the Protection of the Environment Operations Regulation 2014.
- {Reason: To ensure waste is disposed of in an appropriate manner}
- (8) Noise from the development (L_{Aeq}) shall not exceed the background (L_{A90}) by more than 5dB(A) at any time including any allowance for impulsiveness and tonal characteristics when measured at the most affected residence.
- {Reason: To prevent noise becoming a nuisance}
- (9) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- {Reason: Prescribed statutory condition}
- (10) Where a pump is required to distribute and pressurise water from the proposed rainwater tank, it shall be electrically powered.
- {Reason: To minimise the creation of offensive noise}
- (11) Surface water shall be directed away from the buildings to prevent ponding near the foundations of the buildings whilst ensuring surface water is not diverted to the detriment of adjoining properties.
- {Reason: To ensure satisfactory stormwater drainage}

DEMOLITION WORK BEFORE DEMOLITION WORK COMMENCES

Condition	
(1)	The demolition contractor shall be given a copy of Council's conditions of Development Consent.

{Reason: To ensure compliance with Council's Approval}

(2) Prior to any demolition works commencing the following matters/works must be undertaken and completed:

- The town water supply to the premises is to be disconnected. Note: If the water meter is to be removed it must be undertaken only by Council officers. Contact should be made with Council's Infrastructure Division to arrange the meter's removal;
- The electricity supply is to be disconnected to the satisfaction of Essential Energy; and
- The erection and maintenance of a suitable fence, to prevent public access to the site and/or building.

{Reason: To protect utilities and the public amenity}

DURING DEMOLITION WORK

Condition							
(1)	<p>The demolition of the subject buildings shall be carried out in accordance with the applicable provisions of AS 2601 – 2001 – The Demolition of Structures.</p> <p>{Reason: To ensure the demolition works are undertaken in an appropriate manner}</p>						
(2)	<p>Hazardous waste transport shall be undertaken in accordance with the requirements of the NSW Environment Protection Authority (EPA) and any other relevant authority.</p> <p>{Reason: To ensure safe movement of hazardous wastes}</p>						
(3)	<p>All recommendations contained in the Hazardous Materials Survey and Scope of Works Report prepared by <i>Nova Enviro P/L</i> dated 15 September 2023 shall be adopted, implemented, and adhered to.</p> <p>Any changes made to the proposal that would alter the outcome will require a further assessment and a copy of this further report shall be provided to the PCA for approval and all recommendations of the report shall be adopted, implemented and available upon request of the Council.</p> <p>{Reason: To ensure compliance with Statutory Requirements}</p>						
(4)	<p>Demolition work shall only be carried out within the following times:</p> <table><tr><td>Monday to Friday:</td><td>7 am to 6 pm</td></tr><tr><td>Saturday:</td><td>8 am to 1 pm</td></tr><tr><td>Sunday or public holidays:</td><td>No demolition work permitted</td></tr></table> <p>{Reason: To reduce likelihood of noise nuisance}</p>	Monday to Friday:	7 am to 6 pm	Saturday:	8 am to 1 pm	Sunday or public holidays:	No demolition work permitted
Monday to Friday:	7 am to 6 pm						
Saturday:	8 am to 1 pm						
Sunday or public holidays:	No demolition work permitted						
(5)	<p>The applicant shall ensure all practicable measures are taken to minimise the release of dust into the atmosphere from the demolition site and from vehicles transporting material off-site.</p> <p>{Reason: To prevent dust nuisance}</p>						

- (6) The deliberate burning of the building and/or demolition material is prohibited.
{Reason: To prevent emission of air pollutants}
- (7) No solid material or liquid contaminants shall be permitted to be discharged or allowed to escape into any stormwater drainage systems outside the subject premises. The applicant shall ensure that suitable barriers, retention/siltation ponds, screens, filters or other appropriate measures are installed to achieve this requirement.
{Reason: Protection of the environment}
- (8) No materials or equipment shall be stored upon Council property (i.e. footpath or carriageway).
{Reason: To prevent the obstruction of the public road}
- (9) Unless tested by a person with suitable experience and expertise and shown to be otherwise, buildings constructed before 1970 are assumed to:
- Have accumulated hazardous amounts of fine lead dust in ceiling and wall cavities; and
 - Contain components and surfaces coated with lead paint.

On this basis, the subject demolition is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.3 of the AS 2601-2001: Demolition of Structures. The following measures must be undertaken:

- Prior to the demolition the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience. The Work Plan shall outline the identification of any hazardous materials, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials;
 - Hazardous dust must not be allowed to escape from the site, the use of fine mesh dust proof screens or other measures is recommended;
 - Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter;
 - All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Such contaminated water must not be allowed to escape the site or be allowed to enter the street and stormwater systems;
 - Demolition is not to be performed during high winds, which may cause dust to spread beyond site boundaries;
 - Demolition work may be undertaken by hand tools or machinery. If heavy machinery is to be used, work practices must comply with the first dot point; and
 - All lead-contaminated materials are to be disposed of in accordance with the NSW Environment Protection Authority's requirements.
- {Reason: To prevent off-site lead contamination}
- (10) The applicant and demolition contractor, in both the planning and execution of the demolition work, must take appropriate action to prevent demolished materials from

falling freely outside the boundaries of the demolition site.
{Reason: To protect the health and safety of the public and adjoining premises}

ON COMPLETION OF DEMOLITION WORK

Condition	
(1)	<p>At the conclusion of the demolition works the following matters/works must be undertaken, completed and maintained:</p> <ul style="list-style-type: none">Any existing sanitary drainage pipework is to be disconnected from Council's sewer, and the sewer main junction capped to Council's satisfaction. In this regard an inspection by an officer of Council's Infrastructure Division of the capped sewer junction is required prior to backfilling;The site of the demolition work is to be appropriately levelled and graded, ensuring no depressions are left in which rainwater may accumulate and stagnate; andThe cleared site is maintained free of nuisance (i.e. dust, litter, overgrowth, ponding water). <p>{Reason: To protect utilities and the public amenity}</p>

BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition	
(1)	<p>A separate application must be submitted to either Council or a private Registered Certifier to obtain a Construction Certificate to permit the erection of the proposed buildings.</p> <p>No building work is permitted to be commenced on the erection of the subject buildings until a Construction Certificate to authorise such work has been issued.</p> <p>{Reason: Statutory requirement of the EP&A Act}</p>
(2)	<p>Prior to the issue of the Construction Certificate, the applicant shall submit to Council a Waste Management Plan. Such Plan shall be approved by Council prior to commencement of the development and shall include but not be limited to, the following:</p> <ul style="list-style-type: none">(a) Assessment of types of waste;(b) Classification of each type of waste;(c) Volume of each type of waste;(d) Management and storage of waste onsite:<ul style="list-style-type: none">Method of waste disposal and disposal sites;Method of waste transport to disposal sites; and(e) Record keeping. <p>{Reason: To prevent possible environmental pollution}</p>

- (3) The applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council. The CEMP shall detail acceptable methods for the adequate control and management of the following:

- Noise impacts – detailing the implementation of noise mitigation measures to minimise noise and to limit the impact on adjoining development;
- Dust Suppression and Mitigation – detailing dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site;
- Erosion and Sedimentation Control Plan – detailing the methods to be employed to ensure the adequate management of the surface and stormwater associated with subdivision activities;
- Waste Management Plan – detailing the reuse or relocation of spoil and disposal of solid and liquid wastes.

The CEMP shall be approved by Council's Environmental Compliance Branch prior to any works being commenced and shall be implemented at all times during the operation of this consent.

{Reason: To ensure the amenity of the locality is protected during construction}

- (4) Roof water shall be conducted to the street gutter by means of appropriate drainage pipework.

Note: Prior to any stormwater pipework being installed across the footpath of the road, a Road Opening Permit under section 138 of the Roads Act, 1993 must first have been obtained from Council's Infrastructure Division.

{Reason: To ensure satisfactory disposal of roof water}

- (5) Due to Council's sewer mains and stormwater mains being in close proximity to some of the proposed buildings, the buildings footings must be constructed in order that the building's loads are taken below the influence of the subject sewer mains and stormwater mains. A minimum 1000mm between the building's infrastructure and centre line of the sewer main and stormwater main shall be provided. In this regard, a structural engineered design footing system shall be submitted with the Construction Certificate application demonstrating that the building's loads are taken at least 200mm below the zone of influence of Council's sewer main and stormwater mains and their trench.

{Reason: To prevent undermining of the structures}

- (6) Prior to issue of a Construction Certificate for any building on the land, or relevant Subdivision Works Certificate for the Torrens Title subdivision for Lots 12 and 13 off Wheelers Lane if this subdivision occurs before any building work, a separate application would be required to be made to Council with the appropriate fee(s) being paid, for the provision of a suitably sized metered water service to the development if the existing town water supply service connection(s) not be suitably located and/or of a suitable size to accommodate the proposed development.

Note: As Council is the local water authority, separate metered connections will be

require in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.

{Reason: To ensure that the development is suitably serviced with water}

- (7) Prior to the issue of the relevant Construction Certificate, a detailed (fully dimensioned) site plan is to be lodged with and approved by Council, for the construction of ten (10) vehicular driveway access crossovers off Cormorant Crescent, and two (2) vehicular access driveway crossovers off Wheelers Lane, to a residential standard concrete vehicular driveway with roll form kerb and gutter, in accordance with Council's Standard STD 5211 and STD 5235 to Council's satisfaction at full cost to the developer. Such works shall include the construction of a concrete footpath from the edge of the roll form kerb and gutter to the property boundary.

This work is to also include restoration of the road shoulder following construction in accordance with Council's adopted AUS-SPEC #1 Development Specifications Series – Construction Standards. Such works shall be completed prior to the issue of the relevant Occupation Certificate.

Note: Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standard, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with Council standard(s) will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development.

{Reason: To ensure that kerb and gutter vehicle entrances are correctly installed}

- (8) Prior to the issue of the Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed development's stormwater drainage system shall be submitted to and approved by Council. In this regard, all driveways, hard stand areas and parking areas shall be drained to Council's satisfaction, which shall include the following design requirements:

- Discharge point is the existing Wheelers Lane grated kerb inlet pit. Piped Minor Storm 10% AEP flows are limited to the capacity of the 375mm diameter pipe;
- Small flows may also discharge to Cormorant Crescent, however calculations will be required to show that the kerb and gutter has capacity to carry the flows. Austroads publications have gutter flow width guidelines. Full road catchment to be included in gutter capacity;
- Cormorant Crescent boundary levels to be minimum of 2% (80mm) above the top of kerb unless otherwise approved by Council;
- Levels in Cormorant Crescent to achieve a minimum of 2% (80mm) above the top of kerb at or near the property boundary unless otherwise approved by Council;
- Demonstrate that the stormwater can be effectively discharged, without negative impact to neighbouring properties;
- Show the location and basic details of stormwater detention. On ground detention to be provided in a dedicated location. Dwelling floor levels to have freeboard above the 1% AEP concentrated surface flows;
- Rainwater tank detention volume is to be dedicated airspace and not used for

storage. Additional volume of the tank may be used for water storage;

- Provide design details for both the Minor 10% AEP and the major 1% AEP storm events. The minor storm system must demonstrate that all roof water and impervious areas are collected and piped to the 375mm diameter discharge pipe;
- The major storm system must demonstrate that surface flows, above the capacity of the pipes, up to the 1% AEP, can be safely conveyed to the road drainage system without negative impact on adjacent private property. Provide depth and width of flow in open channels;
- Upstream flows must be accepted and managed through the development site;
- Discharge flow from the site is limited. Post development flows are limited to predevelopment peak flows and with no increase in downstream peak stormwater flows;
- Ensure flows are not directed onto neighbouring private property unless an appropriate easement is provided;
- Provide overland flow paths for flows above the capacity of the piped system. The overland flow path to be detailed in the plans; and
- Minimum pipe size within the road reserve to be 450mm diameter reinforced concrete pipe, unless otherwise agreed with Council.

Additionally, prior to the discharge into Council's system, the developer will be required to install at their own expense a 'pollution control device(s)' which will collect all oil, sediment and litter from the development proposal.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series – Design and Construction, and completed prior to the issue of the relevant Occupation Certificate.

{Reason: To achieve satisfactory stormwater disposal}

- (9) Prior to the issue of the Construction Certificate, the applicant/developer is required to make a separate 'Road Opening Application' (Section 138 Application under the Roads Act, 1993) with Council's Infrastructure Division, plus payment of any appropriate fee(s).

In conjunction with the Section 138 Application, a Traffic Management Plan showing all activities for controlling pedestrian and vehicular traffic shall be prepared by a suitably accredited person, submitted to, and approved by Council's Senior Traffic Engineer, demonstrating that the proposed demolition works can be undertaken in a safe manner minimising disruption to pedestrian and vehicular traffic movement(s).

The Traffic Management Plan shall include layout plans showing temporary detours, details of arrangements for demolition work under traffic and the location, size and legend of all temporary signs and other traffic control devices and be in accordance with the WorkCover Authority requirements.

{Reason: To ensure adequate safety measures are in place}

BEFORE BUILDING WORK COMMENCES

Condition

- (1) Erosion and sedimentation control measures shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.
{Reason: Implementation of Council policy to reduce sediment pollution}
 - (2) Temporary closet accommodation shall be provided onsite before work on the proposed building is commenced.
{Reason: To preserve public hygiene}
 - (3) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.
{Reason: Prevent pollution of the environment by wind-blown litter}
 - (4) Prior to works commencing, the applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:
 - (a) The name, address and telephone number of the Principal Certifier for the work;
 - (b) The name of the principal contractor for the building/demolition work and a telephone number on which that person may be contacted outside of working hours; and
 - (c) That unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building/demolition work and not be removed until the work has been completed.

Note: In respect of (a) above, where Council is engaged as the Principal Certifier, the applicant can either prepare their own sign or alternatively, affix onsite the sticker that will be forwarded by mail following Council's issue of the Construction Certificate.
{Reason: Permit contact by the public}
 - (5) The person having the benefit of this development consent, if not carrying out the work as an owner-builder, must, unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier to be carried out.
- Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.
{Reason: To facilitate the required inspections to be performed}

DURING BUILDING WORK

Condition	
(1)	Construction work shall only be carried out within the following times:
Monday to Friday:	7 am to 6 pm
Saturday:	8 am to 1 pm
Sunday or public holidays:	No construction work permitted

{Reason: To reduce likelihood of noise nuisance}

- (2) In the event of any Aboriginal archaeological material being discovered during earthmoving / construction works, all work in that area shall cease immediately and the Heritage NSW notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the Heritage NSW.

{Reason: To protect Aboriginal heritage}

- (3) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure that the appropriate regulatory authority (eg Office of Environment and Heritage (OEH), SafeWork NSW, Council, Fire and Rescue NSW) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste.

{Reason: To ensure all hazardous waste is disposed of in an environmentally safe manner}

- (4) Waste construction materials including soil arising from the development must be disposed of at an appropriately licensed waste facility.

{Reason: To prevent possible environmental pollution}

- (5) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.

{Reason: For protection of persons and the public}

- (6) If an excavation associated with the proposed building work extends below the surface level of an adjoining allotment of land and/or the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation; and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

For the purposes of this condition, 'allotment of land' includes a public road and any other public place. This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

{Reason: To preserve the stability of adjoining properties}

- (7) No buildings or structures of any standard (including advertising structures) shall be erected over Council's existing sewerage main(s) or are to be located within the existing 'easement(s) to drain sewage'.

{Reason: To protect Council's sewerage assets}

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition	
(1)	<p>The buildings shall not be occupied or used until the appointed Principal Certifier has first issued an Occupation Certificate for the respective building(s). (Note: An Occupation Certificate application must be uploaded into the NSW Planning Portal before the final inspection can be undertaken and the Occupation Certificate issued).</p> <p>{Reason: To ensure the building is fit for occupation}</p>
(2)	<p>Prior to issue of an Occupation Certificate a Validation Report addressing the recommendations of the "Acoustic Report - Environmental Noise Impact Assessment" by ADP Consulting Engineering dated 20 October 2023, shall be submitted to and endorsed by Council's Manager Building and Development Services.</p> <p>{Reason: To address noise control and amenity issues}</p>
(3)	<p>Prior to issue of an Occupation Certificate a Validation Report addressing the requirements of the "Safety, Security and Crime Prevention" outlined in the Statement of Environmental Effects prepared by Kennedy Associates Architects dated 26 October 2023, shall be submitted to and endorsed by Council's Manager Building and Development Services.</p> <p>{Reason: To ensure compliance with Statutory Requirements}</p>
(4)	<p>The landscaping shown on the approved Concept Landscape Master Plan (Drawings. 39383-LA00 to LA16 dated 05.10.2024 – Revision B and 13.06.2024 – Revision C) shall be established and maintained to at least the standard specified on the approved development plans. Such landscaping shall be established prior to the issue of the Occupation Certificate for the relevant building(s).</p> <p>{Reason: To maintain the aesthetic quality of the development}</p>
(5)	<p>Prior to the issue of an Occupation Certificate, external works, such as landscaping, car park and hardstand areas, traffic signage, line marking, vehicular cross-overs, and any conditioned road/footpath upgrading shall be completed in conformity with this development consent, unless the deferment of such works, in part or, in stages has been agreed to in writing by the consent authority.</p> <p>{Reason: To ensure the development is completed prior to its occupation and use}</p>
(6)	<p>The finished floor level of the habitable areas of the proposed buildings shall in respect of its height above the external finished ground level:</p> <ul style="list-style-type: none">(a) At the location of such building's overflow (relief) gully achieve:<ul style="list-style-type: none">(i) A minimum of 225mm above the finished surrounding ground level; or(ii) Where the overflow (relief) gully is located in a path or paved area which is finished such that surface water cannot enter it and is graded away from the building, a minimum of 150mm above the finished surrounding path or paved area; and(b) In all others areas achieve:

- (i) A minimum of 150mm above the finished surrounding ground level.

Any excavated areas around the perimeter of the buildings shall be graded away from the building to ensure adequate surface drainage and prevent pondage.

{Reason: To provide adequate free board for stormwater and sanitary drainage}

- (7) Prior to the issue of an Occupation Certificate, where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted:

- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised;
- (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted;
- (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
- (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin - mortar or concrete is not to be used.

Note: Prior to any works being undertaken upon or across the footpath of the road, including the laying of any stormwater pipework, a Road Opening Permit under section 138 of the Roads Act, 1993 must first have been obtained from Council's Infrastructure Division.

{Reason: Requirement of Council as the road authority}

- (8) If Council is engaged to act as the Principal Certifier, the person benefitted by the development consent shall ensure that the responsible builder or contractor submits to Council, a Certificate of Installation certifying that the wet areas of the buildings have been protected by the installation of a water-proofing system conforming to AS 3740 '*Waterproofing of domestic wet areas*'. Such Certificate must be provided prior to occupation or use of the building.

{Reason: To demonstrate the provision of an adequate moisture-proofing system}

- (9) The proposed rainwater tank(s) shall be provided with:

- A top or lid to shield the interior from light penetration; and
- A screen to all inlets and openings into the tank to prevent debris and mosquito entry.

{Reason: Prevent tank contamination and breeding of mosquitoes}

- (10) Noise from the rainwater tank pump shall be controlled such that offensive noise is not emitted. In this regard, the pump shall be located in a position where it least affects neighbouring properties and not exceeds the background noise level (L_{A90}) by 5dB(A) measured at the worst-affected residence.

Note: To minimise noise, nuisance the pump should not be located adjacent to neighbouring bedrooms or between adjoining dwellings. If a complaint arises after installation, consideration may need to be given to relocating the pump or providing an

acoustic cover.

{Reason: To minimise the creation of offensive noise}

- (11) Where the owner's BASIX commitments require the pipework from the proposed rainwater tank to be inter-connected with pipework connected to Council's town reticulated water supply, the following installation criteria shall apply:

- (a) A stop valve shall be provided on the rainwater delivery side of the pump. A second stop valve and a non-return valve shall be provided on the outlet side of the pump;
- (b) A stop valve and a dual check valve shall be provided on the delivery side of the town water supply pipework immediately upstream of the point of inter-connection with the rainwater pipework supply; and
- (c) The inter-connection point of the pipework from the two different water sources is to be provided with a three-way flow switching device.

Any proposed plumbing configuration different from the above arrangements shall be discussed with Council's officers for conformity with the Plumbing Code of Australia and approved prior to installation.

{Reason: To prevent water cross-contamination}

- (12) The water supply pipework from the rainwater tank shall be clearly marked at intervals not exceeding 500mm where concealed in walls or 1 metre where exposed or buried, with the word '**RAINWATER**'. Water outlets shall be identified as '**RAINWATER**' with a label or a rainwater tap identified by a green coloured indicator with the letters '**RW**'.

Note: Pipe marking shall be in accordance with AS 1345.

{Reason: Identify the rainwater supply}

- (13) All roof and stormwater drainage work shall be carried out in accordance with the requirements of the Local Government (General) Regulation and the Plumbing Code of Australia. In this regard the licensee is required to submit to Council a Certificate of Compliance for the subject stormwater work within two (2) days of completion.

{Reason: To confirm installation compliance}

- (14) Prior to the issuing of an Occupation Certificate, documentary evidence is to be supplied to the Principal Certifier identifying that the commitments set out in the approved BASIX Certificate have been satisfied.

{Reason: Demonstrate compliance}

- (15) Prior to the Occupation Certificate being issued, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed stormwater drainage, sanitary drainage and water plumbing installations.

{Reason: To permit required inspection to be undertaken}

- (16) The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for the inspection of such works. When requesting an inspection, please quote Council's reference

number **D2023-672**.

Advanced notification for an inspection can be made by emailing de.admin@dubbo.nsw.gov.au or by telephoning Council's Development & Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test;
- Water plumbing under hydraulic test; and
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation or use.

{Reason: For preservation of public health}

- (17) Entry and exit points to and from the proposed development and off-street car parking shall be delineated and signposted to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013.

{Reason: To ensure appropriate vehicle access}

- (18) The subject dwelling's outside light fittings must all be shielded (i.e. no light permitted above the horizontal plane - see examples below); and those outside light fittings in excess of the first five (5) fittings (per dwelling), must be sensor activated or automatic light fittings.

The total combined light output of all the outside light fittings must not exceed 900,000 lumens (per dwelling).

If more than seven (7) outdoor light fittings are installed (per dwelling), Council if the appointed Principal Certifier, will require prior to issue of the Occupational Certificate a certificate of compliance or other suitable documentation to be provided, either by the principal contractor or the electrical contractor, confirming that the above requirements have been satisfied.



automatic light fitting means a light fitting that is activated by a sensor and switches off automatically after a period of time.

horizontal plane, in relation to a light fitting, means the horizontal plane passing through the centre of the light source (for example, the bulb) of the light fitting.

outside light fitting means a light fitting that is attached or fixed outside, including on the exterior, of a building.

shielded light fitting means a light fitting that does not permit light to shine above the horizontal plane.

{Reason: To protect observation conditions at the Siding Spring Observatory}

- (19) Prior to issue of an Occupation Certificate, continuous lighting along pathways and common areas of the development shall be installed with sensor lighting.

{Reason: To provide suitable security measures and mitigate potential adverse amenity impacts}

- (20) Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Dubbo Regional Councils Water and Sewerage Contribution Plan 2002	Per ET basis (3 Dwellings/ET) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000). Current rate for water supply is \$7,031.60 per ET	
	Contribution Payable WATER	\$21,094.80

Dubbo Regional Councils Water and Sewerage Contribution Plan 2002	Per ET basis (3 Dwellings/ET) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000). Current rate for sewerage supply is \$7,031.60 per ET	
	Contribution payable SEWER	\$21,094.80
	Total Section 64 Contributions Payable for this application	\$42,189.60
	Note: this amount includes all applicable contributions payable under Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003.	

Note 1: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (21) Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Sec 94 Development Contributions Plan - Open Space and	Contribution Rate: City Wide = \$707.85	

Recreation Facilities 2016-2026	East (South) planning unit = \$1,485.85 Admin = \$30.10	
	Calculation based on 2.6 persons:	
	City Wide	\$8,777.34
	East (South) planning unit	\$18,424.54
	Plan Administration	\$373.24
	Total	\$27,575.12

Sec 94 Development Contributions Plan - Roads, Traffic Management and car parking 2016	Contribution Rate: Residential trip = \$700.20 Plan Administration = \$6.70	
	Calculation based on 55 trips:	
	Urban Roads contributions	\$28,708.20
	Plan Administration	\$274.70
		Total
	Total Section 7.11/94 Contributions Payable for this application Note: this amount includes all applicable contributions payable under Councils Sec 94/7.11 Development Contributions Plans.	\$56,558.02

Note 1: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.
{Reason: Implementation of Council’s respective Section 7.11/94 Contributions Plan}

(22) Any alterations/damage to the footpath, kerbing and guttering, vehicular entrance(s), road or road shoulder, shall be repaired/restored at full cost to the developer to Council’s satisfaction and in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction standards.
{Reason: To protect Council’s road reserve assets}

OCCUPATION AND ONGOING USE

Condition	
(1)	No vehicles larger than a 'Rigid Truck' 8.8 metres in length (utilising the Austroads design templates) are permitted to access the subject land and development proposal. {Reason: To restrict access to appropriately sized vehicles}

- (2) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.
{Reason: To provide safety for the travelling public}
- (3) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary.
{Reason: To not create adverse traffic conditions}
- (4) The Plan of Management approved under this consent must be complied with at all times.

A copy of the Plan of Management must be displayed on site at all times and made available to all staff and/or residents.

The Plan of Management referred to in this condition shall be reviewed annually by the operator from the date of the issue of an Occupation Certificate and include a review of any incidents and/or complaints received.

Should amendments be made to the Plan of Management, an updated version shall be provided to Council and residents within one (1) month of the annual review being completed.

{Reason: To minimise the impact of the use on surrounding residences}

SUBDIVISION WORK

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Condition	
(1)	<p>Detailed stormwater design plans are to be submitted to the Principal Certifier for the Community Title Subdivision Work Certificate application. Such plans are to be prepared in accordance with AS/NZS 3500.3:2018. The plans must be prepared by a practicing Civil Hydraulic Engineer and include levels reduced to Australian Height Datum (AHD). The submitted plans are to include details of hydraulic design calculations, sediment/silt arrestor pits/devices, surface inlet pits, drains, pipe lengths, grades and diameters, the extent of any proposed filling, retaining walls and surface and invert levels of all relevant elements of the system.</p> <p>If Council is appointed the Principal Certifier for such Community Title Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of registration under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's stormwater drainage design is compliant with this condition.</p> <p>{Reason: To ensure satisfactory stormwater disposal from the proposed development}</p>
(2)	<p>Detailed sanitary drainage design plans are to be submitted to the Principal Certifier for the Community Title Subdivision Works Certificate application. The plans are to be prepared in accordance with Australian Standard AS/NZS 3500.2:2018 <i>Plumbing and</i></p>

drainage Part 2: Sanitary Plumbing and drainage and Section 3.2(vi) of Council Policy Code *Engineering Standards & Requirements Relating to the Subdivision of Land*. The submitted plans are to include relevant details of drains, inspection openings/manholes and surface and invert levels of all relevant elements of the system. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD).

The design information relating to the sanitary drainage system to be incorporated in such plans must include relevant details demonstrating that the invert of Council's sewer main at the point of connection of the development's sanitary drainage pipework, will be at least a minimum 1 metre below the lowest overflow (relief) gully to be installed within the development.

If Council is appointed the Principal Certifier for such Community Title Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of registration under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's sanitary drainage design is compliant with this condition.

{Reason: To achieve a satisfactory standard of sewerage services for the proposed development}

- (3) If Council is appointed the Principal Certifier for such Community Title Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of registration under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's stormwater drainage works have been carried out and completed in accordance with the approved plans and conditions of consent in relation to that work.

{Reason: To ensure compliance with the subdivision works certificate and Consent}

- (4) If Council is appointed the Principal Certifier for such Community Title Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of registration under the NSW Building and Development Certifiers Regulation 2020, that the Community Title Subdivision's sanitary drainage pipework construction has been carried out and completed in accordance with the approved plans and conditions of consent in relation to that work.

{Reason: To ensure compliance with the subdivision works certificate and Consent}

- (5) Detailed design plans are to be submitted to the Principal Certifier for the Community Title Subdivision Works Certificate application, for the proposed 'Community Road'. The plans are to be prepared in accordance with AUS-SPEC #1 Development Specification Series - Construction Standards. The submitted plans are to include relevant details of pavement construction, footpaths, kerb and guttering, dish drains, sub-soil drains, road furniture/facilities, lighting fixtures and surface levels of all relevant elements of the system. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD).

Any proposed lighting to the internal road must be designed such that it is sufficiently hooded to direct all illumination below the horizontal plane.

If Council is appointed the Principal Certifier for such Community Title Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of registration under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's road construction design is compliant with this condition.

{Reason: To ensure a satisfactory internal road serving the proposed development}

- (6) A detailed (fully dimensioned) site plan for the Torrens Title Subdivision Works Certificate application is to be lodged with and approved by Council, for the reconstruction of the existing vehicular access off Wheelers Lane to serve proposed Lot 14, to a commercial standard concrete vehicular driveway, in accordance with Council's standard STD 5211 and STD 5235 to Council's satisfaction at full cost to the developer, including sealing of the driveway and internal road.

The access driveway is to be sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that two (2) cars can enter and exit the subject land (utilising the Austroads design templates, and a turning speed of 5 to 15 km/hr) in a forward motion from the through travel lane(s) of Wheelers Lane without the need to cross over onto the wrong side of the road at any time.

This work is to also include restoration of the road shoulder following construction in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction Standards.

Note: Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standards, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with the abovementioned Council standards will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development.

{Reason: To provide satisfactory means of access from the roadway}

- (7) Prior to the issue of the Subdivision Works Certificate for the Torrens Title subdivision for Lots 12 and 13 off Wheelers Lane, if this subdivision occurs before any building work, detailed engineering plans shall be submitted to Council, indicating design and construction by the developer of all sewerage junctions, main extensions and alterations, necessary to provide separate sewerage connections to each allotment at full cost to the developer to Council's satisfaction. The position of each riser, junction or end of sideline shall be clearly marked by the developer/contractor prior to backfilling. The marking shall be made by a hardwood peg, of dimensions at least 75 mm x 50 mm by 300 mm long shall be driven into the ground at the position, and left minimum 25 mm above the surface of the surrounding ground.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Design and Construction, and completed prior to the issue of the relevant Subdivision Certificate.

Note: In accordance with Council's adopted policy requirements, any construction works required to be undertaken on 'live' sewerage main(s) shall be undertaken by Council at full cost to the developer.

{Reason: To ensure sewerage connections are provided in each lot}

BEFORE SUBDIVISION WORK COMMENCES

Condition
(1) Prior to any works associated with the Community Title Subdivision commencing, the Applicant must have submitted with the section 68 application under the Local Government Act for the subdivision's sanitary drainage and water plumbing works, a copy of the certification provided by the applicable design engineer for such works under the Subdivision's Works Certificate application. Such certification is to stipulate the standard to which the design has been undertaken to and is in conformity with. {Reason: To ensure subdivision plumbing and drainage works are consistent with the LG Act}

DURING SUBDIVISION WORK

Condition
nil

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Condition
(1) The applicant shall submit with the Subdivision Certificate application, certification that the water plumbing, stormwater and sanitary drainage pipework from the remaining building(s) are contained wholly within each building's own associated new allotment. {Reason: Council requirement to ensure services do not cross the lot boundaries}
(2) Prior to the issue of the Community Title Subdivision Certificate, certification is to be provided by the Principal Contractor and/or a Civil Hydraulic Engineer to the Principal Certifier confirming that the installation, construction and completion of the following civil works have been undertaken to the approved construction certificate designs, prior to issue of that Subdivision Certificate-
(a) Internal access road and associated pavements.
(b) Internal stormwater drainage system.
(c) Internal sanitary drainage pipework and manholes.
(d) Internal domestic water mains downstream of the property service.
Alternatively, a compliance certificate issued by a Registered Certifier(s) having the appropriate registration level under the NSW Building and Development Certifiers Regulation 2020 may be provided for the completion of the above works. {Reason: To ensure works have been completed in conformity with the subdivision works certificate}

- (3) The Community Properties Management Statement shall incorporate an appropriate By-Law that stipulates that the subdivision's common stormwater and sanitary drainage pipework constitutes common property under the Community Title Scheme. Alternatively, appropriate easements under section 88B of the Conveyancing Act are created over such services.

A copy of the Community Scheme's Management Statement and/or subdivision plan is to be submitted prior to the release of the Subdivision Certificate for the Community Title Subdivision, demonstrating the incorporation of such By-law and/or easements in conformity with this condition.

{Reason: To ensure common services can be maintained by the Corporate Body}

- (5) Prior to the issue of the Subdivision Certificate, the creation by the developer, under Section 88B of the Conveyancing Act, of a minimum 2 metre wide easement in favour of Council, to be centrally located over all Council sewerage mains.

{Reason: To ensure legal access to Council's infrastructure}

- (6) Prior to issue of the Subdivision Certificate, 'Pit and Conduit' construction is to be installed to carry the National Broadband Network (NBN) and it is required to be installed in accordance with the NBN Standards 'Guide to Installing Pit and Conduit Infrastructure - Guidelines for Developers' dated 21 December 2010.

Council will require written advice from NBN/Telstra, or its contractor, to state that the NBN pit and conduit requirements have been met.

{Reason: To ensure NBN connections to each lot}

- (7) Prior to issue of the Subdivision Certificate, the submission to Council of evidence that an electricity supply has been provided to each lot within the proposed subdivision by way of a Notice of Arrangement as issued by the electricity supply authority (Essential Energy).

{Reason: To ensure the electricity connections in each lot}

- (8) Prior to issue of the Subdivision Certificate, the 'easement(s) to drain sewage' created under DP 863685 over the subject land shall remain in force with this current development application to subdivide land.

{Reason: To ensure legal access to Council's infrastructure}

- (9) A Community Properties Management Statement shall be prepared for the proposed Community Title subdivision and submitted to Council with that Subdivision Certificate application.

{Reason: Statutory Requirements}

ONGOING USE

Condition	
(1)	Pursuant to Council's policy 'Building Over or Adjacent to Council's Sewerage Pipeline', should at any time in the future there be the need for Council to dismantle the internal road in order for Council to gain access to its sewer main, any damage arising from its

dismantling and/or re-erection shall be the responsibility of the land owner to repair.
{Reason: Policy requirement of Council as the sewerage authority due to the subject structure being erected over a Council sewer main}

NOTES

- (1) If Council is engaged to act as the Principal Certifier (PC) for the Construction Certificate application the following shall be included with such application:
- Details demonstrating the provision of a disabled car park space (if deemed-to-satisfy solution utilised); or otherwise a performance solutions prepared under Part A2G2 of the BCA to address the applicable Performance Requirements under the BCA and Access Code;
 - Details demonstrating that the proposed development will or will not constitute a “residential care building” as defined under the BCA;
 - Specifications detailing the proposed Class 3 building’s automatic smoke detection and alarm system under Specification 20 of the BCA;
 - Location of required exit signs and emergency lighting associated with the class 3 building in conformity with the BCA;
 - Specifications detailing the proposed building works in compliance with the relevant provisions of Section J *Energy Efficiency* of the BCA for the class 3 building;
 - Location of all required and any proposed fire safety measures i.e. exit signs, emergency lighting, smoke alarms/detectors, portable fire extinguishers etc for the class 3 building;
 - Details of the proposed fire separation between the villas and common building in compliance with the BCA;
 - A detailed stormwater drainage design for the development’s roof and surface stormwater drainage system;
 - Existing and finished site contours and levels indicating the extent of any cut and fill; and methods (eg retaining walls) proposed to be implemented to retain the batters associated with any such cut and fill;
 - All structural details including specifications and design drawings and statement(s)/certificate(s) by the design engineer stipulating the Australian Standards that the design complies with, including its design wind load parameters and resistance to earthquake loads;
 - Details of termite treatment if intended to be provided; and
 - Details demonstrating the provision of a disabled car parking space in compliance with D4D6; or alternatively provide justification for an exemption under clause D4D5 exemption of the BCA and Access Code;
 - Plans indicating compliance with AS 1428.1-2009 as adopted by the BCA with respect to the design of the proposed disabled accessible sanitary compartments. Submitted plans should detail the specific set-out dimensions of all proposed fixtures, not only for the benefit of the Principal Certifier, but also the subsequent installation tradesmen.

- (2) A list of fire safety measures must be submitted with the Construction Certificate application pursuant to Section 7 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The Regulation prescribes that the information to be submitted must include:
- A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
 - A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.
- (3) On completion of the class 3 building(s), the owner of the building(s) is required to submit to the Principal Certifying (PC) a Fire Safety Certificate(s) with respect to each essential fire safety measure installed in association with the building - as listed on the Fire Safety Schedule attached to the Construction Certificate. Such certificate(s) must be submitted to the PC prior to occupation or use of the subject building.
- Copies of the subject Fire Safety Certificate(s) must also be forwarded by the owner to Council (if not the appointed PC) and the Commissioner of Fire and Rescue NSW and displayed within the principal building in a prominent position.
- (4) The owner of the class 3 building is required to submit to Council at least once in each period of 12 months following the completion of the building an Annual Fire Safety Statement(s) with respect to each essential fire safety measure associated with the building.
- Copies of the subject Annual Fire Safety Statements must also be forwarded by the owner to the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position. In this regard Fire and Rescue NSW has requested that electronic copies of the statement be forwarded to the following web address <https://www.fire.nsw.gov.au/afsssubmission>.
- (5) Should the Geotechnical Site Investigation show a highly or extremely reactive site then, where the sanitary drainage pipework passes through the underside of the building, flexible fittings must be fitted to permit articulation of the pipework equivalent with the expected soil movement. Reference should be made to AS 2870-2011 in this regard.
- (6) Fees and contributions in respect to this application will be those applicable at the date of release of the Subdivision Certificate.
- (7) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from www.dubbo.nsw.gov.au
- (8) The development shall be carried out in accordance with Essential Energy's correspondence dated 13 February 2024 (copy attached).

(9) The house numbers for the subdivision will be as follows:

Lot number:	House number:
1	21 Cormorant Crescent, Dubbo
2	19 Cormorant Crescent, Dubbo
3	17 Cormorant Crescent, Dubbo
4	15 Cormorant Crescent, Dubbo
5	13 Cormorant Crescent, Dubbo
6	11 Cormorant Crescent, Dubbo
7	9B Cormorant Crescent, Dubbo
8	9A Cormorant Crescent, Dubbo
9	7A Cormorant Crescent, Dubbo
10	5 Cormorant Crescent, Dubbo
11	7B Cormorant Crescent, Dubbo
12	475B Wheelers Lane, Dubbo
13	475A Wheelers Lane, Dubbo
14	473 Wheelers Lane, Dubbo

For further information in this regard, please contact Council's LIS & E-Services Coordinator.

(10) The activity must not be carried out in an environmentally unsatisfactory manner where:

- It contravenes, or is likely to contravene the *Protection of the Environment Operations Act 1997*, or
- It causes, or is likely to cause a pollution incident, or
- It prevents to control or minimise pollution, or the emission of any noise or the generation of waste, or
- It is not carried on in accordance with good environmental practice.