



## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

### Deferred Commencement consent

<b>Application number</b>	DA 480/2024(1) PAN-418096
<b>Applicant</b>	Ryan Pittman PO Box 5069 Orange NSW 2800
<b>Description of development</b>	Demolition (rear shed, swimming pool, removal of 37 trees and 2 hedgerows); Seniors Housing (construction of four buildings: 1 single storey building and 3 two storey buildings, providing 99 rooms); Existing Dwelling Conversion (to a residential clubhouse); Communal Outdoor Facilities (outdoor dining and activity area and open landscaped areas); Carparking (43 onsite carparking spaces, including 10 accessible spaces); Subdivision (4 lot Torrens title) and Proposed Public Road Reserve
<b>Property</b>	60 WITTON PLACE ORANGE 2800 10/-/DP1045677
<b>Determination</b>	Approved Consent Authority -Western Region Planning Panel
<b>Date of determination</b>	TBA
<b>Date from which the consent operates</b>	<b>DEFERRED COMMENCEMENT CONSENT GRANTED SUBJECT TO CONDITIONS PART A (1) AND (2)</b>

**DESCRIBED BELOW BEING SATISFIED WITHIN 18  
MONTHS OF THIS CONSENT**

---

**Date on which the  
consent lapses**

**5 YEARS FROM THE DATE DEFERRED COMMENCEMENT  
CONDITIONS (1) AND (2) DESCRIBED BELOW BEING  
SATISFIED**

---

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

**Reasons for approval**

1. To ensure compliance with relevant statutory requirements.
2. To ensure the utility services are available to the site and adequate for the development.
3. To provide adequate public health and safety measures.
4. To prevent the proposed development having a detrimental effect on adjoining land uses.
5. To comply with the Environmental Planning and Assessment Act 1979.
6. The proposal will reasonably satisfy local and state planning controls.
7. The proposal development will be consistent with the zone objectives and principal development standards.
8. The proposal development will complement the existing or desired future character of the area.
9. To ensure a quality urban design for the development which complements the surrounding environment.

**Right of appeal / review of determination**

If you are dissatisfied with this determination:

**Request a review**

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

**Rights to appeal**

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

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

Paul Johnston  
Manager - Development Assessments  
Person on behalf of the consent authority

For further information, please contact Dhawala Ananda / Town Planner

## Terms and Reasons for Conditions

### PART A DEFERRED COMMENCEMENT CONDITION

This is a deferred commencement Consent pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979. This consent does not become operative until (Part A) Conditions (1) and (2) below have been satisfied. All deferred commencement conditions shall be satisfactorily resolved within a period of 18 months from the determination date as shown on this consent.

- (1) The applicant shall submit to the Manager Development Assessments for approval an Operational Management Plan and a social needs assessment report that informs that plan which has been prepared by a suitably qualified person that addresses the socially responsive and equitable provision of on-site communal amenities and facilities (including recreation facilities) to be used by residents of the seniors housing (hostel) development. The social needs assessment report shall address the requirements of any relevant legislation and environmental planning instruments, and shall include assessment of how the development will increase or change the demand for community, cultural or recreational services and facilities in the locality, and how on-site facilities (including outdoor meeting spaces and recreation infrastructure, library and gym facilities, dining facilities, and bus transport services) will operate to ensure residents have equitable, age appropriate and convenient access to shops, public amenities and services. The social needs assessment is to address how residents will have access to daily supplies (e.g. milk, bread) and the management of such provisions. Where relevant, the assessment shall include recommendations to improve the services offered within the development to satisfactorily meet the social needs of residents. The agreed outcomes shall be incorporated into an Operational Management Plan submitted for Council's approval that must be adhered to for the life of the seniors housing development.
- (2) The applicant shall submit evidence to the Manager of Development Assessments demonstrating that a 25m wide easement for the purposes of an Asset Protection Zone (APZ) serving the seniors housing (hostel) development has been registered on the title of Lot 2 DP701331, being land located to the immediate west of the subject site. The easement shall be designed and managed on an ongoing basis to ensure the APZ will be maintained as "managed land" within the meaning of the NSW Rural Fire Service's *Planning for Bushfire Protection: A Guide for Councils, Planners, Fire Authorities and Developers* (November 2019, ISBN 978-0-646-99126-9). The terms of the easement shall be in a manner that is satisfactory to Council and specifies that the Council is the relevant authority with the power to alter, amend or remove the easement should it be satisfied that the APZ is no longer required.

## PART B OPERATIVE CONDITIONS

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

### General Conditions

1

Erection of signs

1.

This section applies to a development consent for development involving building work, subdivision work or demolition work.

2.

It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

a.

showing the name, address and telephone number of the principal certifier for the work, and

b.

showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and

c.

stating that unauthorised entry to the work site is prohibited.

3.

The sign must be—

a.

maintained while the building work, subdivision work or demolition work is being carried out, and

b.

removed when the work has been completed.

4.

This section does not apply in relation to—

a.

building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or

b.

Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason:

Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

3

Approved plans and supporting documentation

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

Approved plans

Plan	Drawing number	Drawn by	Date of plan

Architectural Plans	A000, A001, A003, A004, A005, A006, A100, A101, A102, A103, A104, A105, A106, A107, A108, A109, A110, A111, A112, A113, A114, A200, A201, A210, A310, A311, A312, A313, A410, A411, A412, A700, A800, A900, A901, A902	Calder Flower Architects	September 2024
Landscape Plan	L-000, L-001, L-002, L-003, L-004, L-005, L-006 - Revision C L100 - Revision B	sala4D	September 2024
Civil Engineering Package	DAC01.01, DAC01.11, DAC01.21, DAC02.01, DAC02.11, DAC03.01, DAC04.01, DAC04.02, DAC05.41, DAC07.01, DAC08.01	Northrop	04 October 2024
<b>Approved documents</b>			
<b>Document title</b>		<b>Prepared by</b>	<b>Date of document</b>
Bushfire Hazard Assessment		Blackash Bushfire Consulting	25 September 2024
Traffic Assessment		Ason Group	27 September 2024
Operational Waste Management Plan		Elephants Foot	26 September 2024
Noise and Vibration Impact Assessment		SoundIn	July 2024
Clause 4.6 Variation Statement		Planning & Co.	8 July 2024
Arboricultural Impact Assessment		Douglas Arbor	June 2024
In the event of any inconsistency between the approved plans and documents, the approved <b>Plans and Documents</b> prevail.			
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.			

	<b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
4	<b>National Construction Code</b>
	All building work must be carried out in accordance with the provisions of the National Construction Code.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
5	<b>Development and subdivision works requirements</b>
	All of the following conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All engineering work required by the following conditions is to be completed prior to the issue of an Occupation or Subdivision Certificate, unless stated otherwise.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.

## Building Work

### Before issue of a construction certificate

6	<b>Erosion and sediment control plan</b>
	<p>Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier:</p> <ol style="list-style-type: none"> <li>1. Council's relevant development control plan,</li> <li>2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and</li> <li>3. the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).</li> </ol>

	<b>Condition reason:</b> To ensure no substance other than rainwater enters the stormwater system and waterways.
7	<b>Section 68 application - water and sewer</b>
	An approval under Section 68 of the <i>Local Government Act</i> is to be sought from Orange City Council, as the Water and Sewer Authority, for water, sewer and stormwater connection. Details concerning the proposed backflow prevention between the nominated water tank supply and the potable system are to be provided. No plumbing and drainage is to commence until approval is granted.
	<b>Condition reason:</b> To ensure the utility services are available to the site and adequate for the development.
8	<b>Contributions - water and sewer headworks charges</b>
	Payment of contributions for water, sewer and drainage works is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 32.7 ETs for water supply headworks and 49.5 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the <i>Water Management Act 2000</i> , will be issued upon payment of the contributions. Should staged construction occur headworks shall be paid at the rate of 0.33 water ET/bed and 0.50 sewer ET/bed.
	This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.
9	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
	<b>Liquid trade waste application</b>
	A Liquid Trade Waste Application is to be submitted to Orange City Council prior to the issue of a Construction Certificate. The application is to be in accordance with Orange



	<p>City Council's Liquid Trade Waste Policy. Engineering plans submitted as part of the application are to show details of all proposed liquid trade waste pre-treatment systems and their connection to sewer.</p> <p>Where applicable, the applicant is to enter into a Trade Waste Services Agreement with Orange City Council in accordance with the Orange City Council Liquid Trade Waste Policy.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements</p>
10	<p><b>Stormwater detention design</b></p> <p>The development's stormwater design is to include the incorporation of stormwater detention within the development, designed to limit peak outflows from the land to the pre-existing natural outflows up to a 1% AEP storm event, with sufficient allowance in overflow spillway design capacity to safely pass flows of lower frequency (that is, a rarer event) without damage to downstream developments.</p> <p>The design of the detention storage is to be undertaken using the DRAINS rainfall-runoff hydrologic model (or an approved equivalent capable of assessing runoff volumes and their temporal distribution as well as peak flow rates) based on the most recent version of Australian Rainfall and Runoff calculations allowing for applicable climate change factor(s). The model is to be used to calculate the flow rates for the existing and post-development conditions. The developed flows are to be routed through the proposed storage within the model so that the outflows obtained are no greater than the flows obtained for the pre-existing natural flows. A report detailing the results of the analysis, which includes:</p> <ul style="list-style-type: none"> <li>• catchment plan showing sub-catchments under existing and developed conditions;</li> <li>• schematic diagram of the catchment model showing sub areas and linkages;</li> </ul>

	<ul style="list-style-type: none"> <li>• tabulation detailing the elevation, storage volume and discharge relationships; and</li> <li>• tabulation for the range of frequencies analysed, the inflows, outflows and peak storage levels for both existing and developed conditions,</li> <li>• together with copies of the data files for the model and engineering design plans of the required drainage system,</li> </ul> <p>shall be submitted to and approved by Orange City Council prior to the issue of a Construction Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
11	<p><b>Food - plans for food service facility fit-out</b></p> <p>Detailed plans and specifications are to be provided to Council specifying the proposed fit-out of the food preparation and storage areas in accordance with the requirements of Standard 3.2.3 "Food Premises and Equipment" of the Australian New Zealand Food Standards Code.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
12	<p><b>Construction Noise Management Plan</b></p> <p>A detailed Construction Noise Management Plan (CNMP) shall be prepared and submitted to Council and the Principal Certifier, for approval by the Manager Development Assessments. The CNMP shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Identification of nearby residences and sensitive land uses</li> <li>• Description of approved hours of work</li> <li>• Description of construction activities, work areas, equipment in use, and the duration of such activities</li> <li>• Description of work practices in place to reduce noise emissions</li> </ul>

	<ul style="list-style-type: none"> <li>• Consideration of the selection of plant with reduced noise emissions</li> <li>• A noise complaints management process</li> <li>• Noise monitoring procedures</li> <li>• Induction and training measures for staff and contractors that outline their responsibilities regarding noise mitigation.</li> </ul>
	<b>Condition reason:</b> To mitigate the impact of construction noise on nearby residential receivers.
13	<b>Mechanical Plant Noise</b>
	An acoustic report, prepared by a suitably qualified person, shall be submitted to Council and the Principal Certifier. The report shall contain detailed plans and specifications of all proposed mechanical plant and confirm the cumulative noise emissions of mechanical plant and onsite vehicle movements will comply with the project noise trigger levels in Table 6-4 and Table 6-5 of the SoundIN (Report No. 17248, Version 2.0), dated 9 July 2024.
	<b>Condition reason:</b> To ensure noise emissions from mechanical plant comply with relevant project noise trigger levels.
14	<b>Contamination Investigation</b>
	A contamination investigation is to be undertaken within the footprint of the existing shed after demolition to confirm the absence of contamination hotspots, and that the site remains suitable for the proposed use.
	<b>Condition reason:</b> To ensure the site is suitable for the proposed use and any contamination is identified and handled appropriately.
15	<b>Road opening permit required</b>
	A Road Opening Permit in Accordance with Section 138 of the Roads Act 1993 must be approved by Council prior to a Construction

	Certificate being issued or any intrusive works being carried out within the public road or footpath reserve.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
16	<b>Carpark engineering design plans</b>
	Engineering plans showing complete details of the proposed car parking and manoeuvring areas are to be submitted to the Certifying Authority for approval upon application for a Construction Certificate. These plans are to provide details of levels, cross falls of all pavements, proposed sealing materials and proposed drainage works and are to be in accordance with AS/NZS 2890.1 Off-street car parking. The plans shall also demonstrate that a 10.5m waste service vehicle can enter and exit the site in a forward direction (including 500mm clearance on all sides of the vehicle), and ensure that compliance with AS/NZS 2890.1:2004 section 3.2.4(b) is achieved and that there are no obstructions located within the required sight triangles for vehicles exiting the site.
	<b>Condition reason:</b> To comply with AS/NZS 2890.1 Off-street car parking
17	<b>Preparation of water and sewer servicing strategy</b>
	A water and sewer servicing strategy shall be prepared by a suitable qualified hydraulic consultant and submitted to Orange City Council Water and Sewer section for consideration. The water and sewer servicing strategy shall identify the impact of the additional loading from the proposed development on Councils existing water and sewer network and identify capacity constraints that need to be addressed. All works identified in the servicing strategy are the responsibility of the developer to undertake. Preliminary assessments indicate that approximately 500m of DN150 sewer main in the Stirling Avenue / Isaac Drive area will require upgrading to DN225 and that the water pressure within the

	proposed development may need to be boosted.
	<b>Condition reason:</b> To comply with Orange City Councils Development and Subdivision Code
18	<b>Four lot subdivision to be registered prior to issue of construction certificate</b>
	Prior to the issue of a construction certificate evidence shall be provided to the Principal Certifying Authority that the proposed four (4) lot subdivision has been registered with NSW Land and Property Information and Bowman Avenue extension has been dedicated as public road.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
19	<b>Contributions - payment of development contributions</b>
	The payment of \$892,182.04 must be made to Council in accordance with Section 7.11 of the Act and Orange Development Contributions Plan 2024 (Greater Ploughmans Urban Release Area) toward the provision of the following public facilities:

	<p>The contribution will be indexed quarterly in accordance with Orange Development Contributions Plan 2024 (Greater Ploughmans Urban Release Area), which may be inspected at the Orange Civic Centre, Byng Street, Orange.</p> <p><b>Condition reason:</b> Because the development will require the provision of, or increase the demand for public amenities and services.</p>
20	<p><b>Bush Fire Safety Authority (BFSA) Requirements</b></p> <p>Prior to the issue of a Construction Certificate, if the land has been mapped as bush fire prone pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifying authority that a Bush Fire Safety Authority (BFSA) has been obtained from the NSW Rural Fire Service in accordance with section 100B of the <i>Rural Fires Act 1997</i>. The development is to be designed and constructed in accordance with any conditions of the BFSA.</p> <p>Note: If the BFSA requires a change in development design/layout, a modification will be required to this Development Application.</p> <p><b>Condition reason:</b> To ensure a building for seniors housing will meet the relevant fire safety standards</p>
21	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Construction Certificate, evidence is to be provided to the certifier that bushfire construction requirements specified by the National Construction Code have been incorporated into the Construction Certificate plans for all buildings.</p> <p><b>Condition reason:</b> To ensure a building for seniors housing will meet the relevant fire safety standards</p>
22	<p><b>Bush Fire Planning Requirements</b></p>

	<p>Prior to the issue of a Construction Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the internal roads and parking areas on the western side of the development have been designed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. two-way sealed road, designed with a capacity to carry fully loaded firefighting vehicles (up to 23 tonnes),</li> <li>2. minimum 8m wide carriageway (kerb to kerb), clear of any parking,</li> <li>3. hydrants are located clear of parking reserves and road carriageways,</li> <li>4. traffic management devices are constructed to not prohibit access by emergency services vehicles,</li> <li>5. turning areas are provided at the termination of the roads in accordance with Appendix 3 of <i>Planning for Bush Fire Protection</i> (RFS 2019),</li> <li>6. curves of roads have a minimum inner radius of 6m,</li> <li>7. the maximum grade road is 15 degrees and average grade of not more than 10 degrees,</li> <li>8. the road crossfall does not exceed 3 degrees, and</li> <li>9. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.</li> </ol> <p><b>Condition reason:</b> To ensure a building for seniors housing will meet the relevant fire safety standards</p>
23	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Construction Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act</i></p>

	<p>1979, evidence is to be provided to the certifier that the driveway from the end of Witton Place to Building 2 has been designed to be upgraded in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. two-way sealed road, designed with a capacity to carry fully loaded firefighting vehicles (up to 23 tonnes),</li> <li>2. minimum 5.5m wide carriageway (kerb to kerb), clear of any parking,</li> <li>3. hydrants are located clear of parking reserves and road carriageways,</li> <li>4. traffic management devices are constructed to not prohibit access by emergency services vehicles,</li> <li>5. turning areas are provided at the termination of the road in accordance with Appendix 3 of <i>Planning for Bush Fire Protection</i> (RFS 2019),</li> <li>6. curves of roads have a minimum inner radius of 6m,</li> <li>7. the maximum grade road is 15 degrees and average grade of not more than 10 degrees,</li> <li>8. the road crossfall does not exceed 3 degrees, and</li> <li>9. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.</li> </ol> <p><b>Condition reason:</b> To ensure a building for seniors housing will meet the relevant fire safety standards</p>
24	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Construction Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the reticulated water supply system has been designed in accordance with the following:</p>



	<ol style="list-style-type: none"> <li>1. Fire hydrant spacing, design and sizing must comply with the relevant clauses of <i>AS 2419.1: 2021 Fire hydrant installations – System design, installation and commissioning</i>,</li> <li>2. Fire hydrant flows and pressures must comply with the relevant clauses of <i>AS 2419.1: 2021 Fire hydrant installations – System design, installation and commissioning</i>,</li> <li>3. Hydrants are to be located outside of parking reserves and road carriageways,</li> <li>4. Ring main systems are provided within the perimeter roads, and</li> <li>5. All above-ground water service pipes external to the buildings are to be metal.</li> </ol> <p><b>Condition reason:</b> To ensure the buildings for seniors housing will meet the relevant fire safety standards</p>
25	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Construction Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the where practicable electrical transmission lines are underground. Where electrical transmission lines cannot be practicably provided underground, any above ground electrical transmission lines are provided with short pole spacings (i.e. less than 30m) and no part of a tree is closer to a power line than the distance set out in <i>ISSC3 Guideline for Managing Vegetation Near Power Lines</i>.</p> <p><b>Condition reason:</b> To ensure the buildings for seniors housing will meet the relevant fire safety standards</p>
26	<p><b>Bush Fire Planning Requirements</b></p>

	<p>Prior to the issue of a Construction Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that any reticulated or bottled gas supply has been designed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. <i>AS/NZS 1596:2014 - The storage and handling of LP Gas</i>,</li> <li>2. metal piping is used and connections to and from gas cylinders are metal,</li> <li>3. all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side,</li> <li>4. if gas cylinders need to be kept close to the building, safety valves are directed away from the building and at least 2m away from any combustible material, so they do not act as a catalyst to combustion,</li> <li>5. polymer-sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used, and</li> <li>6. above-ground gas service pipes external to the building are metal, including and up to any outlets.</li> </ol> <p><b>Condition reason:</b> To ensure the buildings for seniors housing will meet the relevant fire safety standards</p>
27	<p><b>Exterior Lighting Plan</b></p> <p>Amended Plans must be submitted with an application for a construction certificate.</p> <p><b>Condition reason:</b> To ensure the exterior lighting of the development is appropriate in the setting and promotes security of the surrounding.</p>
27A	<p><b>Bus Operation Management Plan</b></p> <p>The private bus service shall operate on the basis of providing reasonable accessibility needs of</p>

	<p>residents for various support services including but not limited to medical and health appointments, and access to CBD areas and other recreational and community facilities within the City. The applicant shall submit to the Council's Manager of Development Services for approval a bus operation management plan that addresses the manner in which the bus will be operated to address the above, including the number of return trips to the Orange CBD and other locations each day.</p>
	<p><b>Condition reason:</b> To ensure that appropriate and adequate private bus services are provided to meet the needs of the residents.</p>

### Before building work commences

28	<p><b>Appoint PC</b></p> <p>Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall:</p> <ul style="list-style-type: none"> <li>(a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and,</li> <li>(b) Notify Council of their intension to commence the erection of the building (at least two (2) day's notice is required)</li> </ul> <p>The Principal Certifier shall determine when inspections and compliance certificates are required.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
29	<p><b>Construction certificate required</b></p>

	<p>A construction certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the construction certificate is obtained from an accredited certifier, the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.</p>
	<p><b>Condition reason:</b> Required by Section 6.6 (formerly 81A) of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.</p>
30	<p><b>No commencement until details received</b></p>
	<p>The construction works the subject of this development consent <b>MUST NOT</b> be commenced until:</p> <ul style="list-style-type: none"> <li>(a) Detailed plans/specifications of the building have been endorsed with a construction certificate by: <ul style="list-style-type: none"> <li>(i) the Council, or</li> <li>(ii) a registered certifier, and</li> </ul> </li> <li>(b) The person having the benefit of the development consent: <ul style="list-style-type: none"> <li>(i) has appointed a Principal Certifier, and</li> <li>(ii) has notified the Council of the appointment, and</li> </ul> </li> <li>(c) The person having the benefit of the development consent has given at least two (2) day's notice to the Council of the person's intention to commence the erection of the building; and</li> <li>(d) Builder's name and licence number has been supplied to Council or the Principal Certifier; or</li> <li>(e) Owner Builder's permit issued by Department of Fair Trading to be supplied to Council or the Principal Certifier; and</li> <li>(f) Home Building Compensation Fund (HBCF) has been paid and a copy of the Certificate supplied to Council or the Principal Certifier; and</li> <li>(g) A sign has been erected onsite in a prominent position containing the information prescribed by Clause 98A(2) and (3) of the EP&amp;A Regulations, being the name, address and telephone number of the Principal Certifier for the work, name of the principal contractor for the work and telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the site is prohibited. This sign must be maintained onsite while work is being carried out and removed when the work has been completed.</li> </ul>

	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
31	<b>Onsite toilet</b>  A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.  <b>Condition reason:</b> To provide adequate public health and safety measures.
32	<b>Sediment control</b>  Sediment and erosion control measures shall be implemented on the site.  <b>Condition reason:</b> To protect waterways from pollution by sediment-laden runoff.
33	<b>Structural details for construction certificate</b>  Prior to the issue of a construction certificate, structural details and a Structural Certificate for Design by a qualified practising structural engineer and in accordance with Clause A5.2(1)(e) of the National Construction Code (previously known as Building Code of Australia) must be submitted to the satisfaction of Council (where Council is the Accredited Certifier).  <b>Condition reason:</b> To ensure structural certification is undertaken.
34	<b>Tree Protection Measures</b>  Tree Protection zones (TPZ) (protective fencing) shall be installed in accordance with AS 4373-2009 - Protection of Trees on Development Sites, for retained native trees.  Protective fencing shall be installed prior to site works commencing and must remain intact until completion of all works. Fencing must not be altered or removed without approval of a project arborist.  If access is required or minor activities are to be undertaken within the TPZ, it must be approved by the project arborist. No routing of services, parking of vehicles, stacking of builder's materials / equipment, is to occur within the TPZ.  The protective fence is to be constructed from ridged chain wire mesh panels (or similar), 1.8m in height, and securely anchored without penetrating the ground. Signs identifying the TPZ should be placed on the fencing and be visible from within the development site on all angles.  In the circumstance where the TPZ is compromised by encroachment, area lost should be compensated elsewhere onsite and be contiguous with the trees TPZ.  <b>Condition reason:</b> To protect native vegetation

### During building work

35	<b>Procedure for critical stage inspections</b>
	While building work is being carried out, the 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.
	<b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.
36	<b>Hours of work - construction</b>
	All construction work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
37	<b>Licence for waste material</b>
	Any receiver of waste material must be properly licensed by the NSW Environment Protection Authority to receive that waste. If a non-licensed premises is intended to receive waste from the site then an approved notice within the meaning of Section 143(4) of the <i>Protection of the Environment Operations Act 1997</i> (Section 143 Notice) must be supplied prior to the removal of the material from the remediation site. Details of material removed - including volume, mass, classification, destination - and any Section 143 Notices are to be included in the validation report.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
38	<b>No encroachment on easements</b>
	No portion of the building or service to and from that building - including footings, eaves, overhang and service pipes - shall encroach into any easement.
	<b>Condition reason:</b> To prevent the proposed development having a detrimental effect on adjoining land uses.
39	<b>Protection of the Environment Operations Act - material delivery</b>
	All materials onsite or being delivered to the site are to be contained within the site. The requirements of the <i>Protection of the Environment Operations Act 1997</i> are to be complied with when placing/stockpiling loose material, or when disposing of waste products, or during any other activities likely to pollute drains or watercourses.

	<b>Condition reason:</b> To protect waterways from pollution by stockpiled or placed construction materials.
40	<b>Reduced levels</b>  All constructions works are to be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans.  <b>Condition reason:</b> To comply with the Environmental Planning & Assessment act, 1979.
41	<b>Adjustments to utility services</b>  Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.  <b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
42	<b>Provision of services</b>  The provisions and requirements of the Orange City Council Development and Subdivision Code are to be applied to this application and all work constructed within the development is to be in accordance with that Code.  The developer is to be entirely responsible for the provision of and/or upgrade of water, sewerage and drainage facilities capable of servicing the development from Council's existing infrastructure. The developer is to be responsible for gaining access over adjoining land for services where necessary and easements are to be created about all water, sewer and drainage mains within and outside the lots they serve.  <b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
43	<b>Asbestos material removal and disposal</b>  Any asbestos material must be removed and disposed of in accordance with the provisions of the <i>Work Health &amp; Safety Act 2011</i> and any guidelines or Codes of Practice published by SafeWork NSW.  <b>Condition reason:</b> To ensure asbestos materials are handled and disposed of in a safe manner.
44	<b>Food - details of food preparation</b>  The fit-out of the food preparation and storage areas are to be installed in accordance with the requirements of Food Safety Standard 3.2.3 "Food Premises and Equipment" of the Australian New Zealand Food Standards Code.  <b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
45	<b>Unexpected finds - contamination</b>

	<p>In the event of an unexpected find during works such as (but not limited to) the presence of undocumented waste, odorous or stained soil, asbestos, structures such as underground storage tanks, slabs, or any contaminated or suspect material, all work onsite must cease immediately. The beneficiary of the consent must discuss with Council the appropriate process that should be followed therein. Works onsite must not resume unless the express permission of Council's Director Development Services is obtained in writing.</p> <p><b>Condition reason:</b> To ensure any unexpected finds of contamination are notified to Council and managed appropriately.</p>
46	<p><b>Construction Noise - Hoarding</b></p> <p>A 2.4m high hoarding constructed of plywood or similar solid material is to be constructed along the eastern boundary of the construction footprint and maintained for the duration of construction works.</p> <p><b>Condition reason:</b> To mitigate the impact of construction noise on residential receivers.</p>
47	<p><b>Construction Vibration</b></p> <p>Vibration intensive activities are to be undertaken in accordance with the minimum working distances in Table 5-3 of the SoundIN (Report No. 17248, Version 2.0).</p> <p><b>Condition reason:</b> To ensure vibration intensive activities do not cause damage to neighbouring properties or distress to residents.</p>
48	<p><b>Kerb and gutter layback and footpath crossing</b></p> <p>A heavy-duty concrete kerb and gutter layback and footpath crossing is to be constructed in the position shown on the plan submitted with the Construction Certificate application. The works are to be carried out to the requirements of the Orange City Council Development and Subdivision Code and Road Opening Permit.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
49	

#### Before issue of an occupation certificate

50	<b>Construction and installation of ventilation system</b>
----	--



	<p>Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier which demonstrates that the mechanical exhaust ventilation system has been constructed and installed in accordance with the approved plans.</p> <p><b>Condition reason:</b> To ensure the mechanical ventilation system has been constructed and installed as approved</p>
51	<p><b>Cut and fill</b></p> <p>The cut and fill is to be retained and/or adequately battered and stabilised (within the allotment) prior to the issue of an occupation certificate.</p> <p><b>Condition reason:</b> To comply with the Environmental Planning &amp; Assessment Act, 1979.</p>
52	<p><b>Finished ground levels</b></p> <p>Finished ground levels are to be graded away from the buildings and adjoining properties and must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to the stormwater drainage system.</p> <p><b>Condition reason:</b> To comply with the Environmental Planning &amp; Assessment Act, 1979.</p>
53	<p><b>No use or occupation without occupation certificate</b></p> <p>No person is to use or occupy the building or alteration that is the subject of this approval with the prior issuing of an occupation certificate.</p> <p><b>Condition reason:</b> To ensure compliance with the Building Code of Australia.</p>
54	<p><b>Section 68 final - water and sewer</b></p> <p>Where Orange City Council is not the Principal Certifier, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a compliance certificate issued, prior to the issue of an occupation certificate.</p> <p><b>Condition reason:</b> To ensure the utility services are available to the site and adequate for the development.</p>
55	<p><b>Stormwater detention certification</b></p> <p>A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin complies with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
56	<p><b>Landscaping - to be installed and maintained in accordance with approved plans</b></p>

	Landscaping must be installed in accordance with the approved plans and must be permanently maintained to the satisfaction of Councils Manager Development Assessments.
	<b>Condition reason:</b> To ensure a quality urban design for the development which complements the surrounding environment.
57	<b>Food Business Registration</b>
	Prior to the issuing of an Occupation Certificate, the applicant shall register the food business with Orange City Council.
	<b>Condition reason:</b> To ensure compliance with statutory requirements.
58	<b>Noise - attenuation measures to be implemented</b>
	Prior to the issue of an occupation certificate, the applicant shall implement the following noise attenuation measures, in accordance with the findings of the acoustic report prepared by SoundIN (Report No. 17248, Version 2.0), dated 9 July 2024:
	(a) A 1.8m high fence shall be constructed along the eastern boundary of the site, adjacent to receivers R7, R8, and R9. The fence shall be of solid construction with no gaps.
	<b>Condition reason:</b> To ensure noise generated from the development does not unreasonably or unlawfully impact upon surrounding premises.
59	<b>Completion of works on public land and services</b>
	Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate stating that all works relating to connection of the development to Council assets, works on public land, works on public roads, stormwater, sewer and water reticulation mains and footpaths have been carried out in accordance with the Orange City Council Development and Subdivision Code and the foregoing conditions, and that Council will take ownership of the infrastructure assets.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
60	<b>Completion of works relating to road opening permit</b>
	A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to any Occupation Certificate being issued for the development.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
61	<b>Subdivision to be registered prior to issue of an Occupation Certificate</b>

	<p>Prior to the issue of an Occupation Certificate for any building, the proposed subdivision shall be registered and Bowman Avenue extension shall be dedicated as public road.</p> <p><b>Condition reason:</b> To comply with relevant statutory requirements.</p>
62	<p><b>Provision of services for staged occupation certificates</b></p> <p>Where staged occupation certificates are proposed, all conditions of consent and contributions relative to the proposed staging of the development, and all engineering conditions of development consent as it relates to the servicing of the proposed stage are to be completed prior to the issue of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
63	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of an Occupation Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, the certifier is to be satisfied that the entire site is managed in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. The APZ is provided in accordance with Appendix 4 of <i>Planning for Bush Fire Protection</i> (RFS 2019),</li> <li>2. Any landscaping is provided in accordance with Appendix 4 of <i>Planning for Bush Fire Protection</i> (RFS 2019), and</li> <li>3. Any fencing is constructed in accordance section 7.6 of <i>Planning for Bush Fire Protection</i> (RFS 2019).</li> </ol> <p>The entire site is to be managed in accordance with these requirements in perpetuity.</p> <p><b>Condition reason:</b> To provide adequate public health and safety measures and ensure compliance with relevant statutory requirements.</p>
64	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of an Occupation Certificate, the certifier is to be satisfied that all the buildings have been constructed in accordance with the bushfire construction requirements specified by the National Construction Code.</p> <p><b>Condition reason:</b> To provide adequate public health and safety measures and ensure compliance with relevant statutory requirements.</p>
65	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of an Occupation Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, a <i>Bush Fire Emergency Management and Evacuation Plan</i> is to be prepared for the development in accordance with:</p>

	<ol style="list-style-type: none"> <li>1. The NSW RFS document: <i>A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan</i>, and</li> <li>2. <i>Australian Standard AS 3745:2010 Planning for emergencies in facilities</i>,</li> <li>3. <i>Australian Standard AS 4083:2010 Planning for emergencies – Health care facilities</i>, and is to incorporate the following provisions: <ol style="list-style-type: none"> <li>a. an Emergency Planning Committee is to be established and is to consult with residents and staff in developing and implementing an Emergency Procedures Manual,</li> <li>b. detailed plans of all emergency assembly areas, including on site and off-site arrangements, as stated in AS 3745:2010 are clearly displayed, and an annually emergency evacuation is conducted.</li> <li>c. a copy of the Bush Fire Emergency Management and Evacuation Plan is to be provided to the Local Emergency Management Committee for its information prior to occupation of the development.</li> </ol> </li> </ol>
	<p><b>Condition reason:</b> To provide adequate public health and safety measures and ensure compliance with relevant statutory requirements.</p>
66	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of an Occupation Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that:</p> <ol style="list-style-type: none"> <li>1. the internal driveways,</li> <li>2. the water reticulation system,</li> <li>3. the reticulated electricity system, and</li> <li>4. any gas supplies,</li> </ol> <p>have been constructed and are operational in accordance with the approved plans, documents and any relevant conditions of this consent.</p> <p><b>Condition reason:</b> To provide adequate public health and safety measures and ensure compliance with relevant statutory requirements.</p>
66A	<p><b>Bushfire Safety Authority (BFSA) requirements</b></p> <p>Prior to the issue of a Occupation Certificate, if the land has been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifying authority that the building works required by the 100B Bush Fire Safety Authority (BFSA) issued by Rural Fire Service under the <i>Rural Fires Act 1997</i> have been carried out in accordance with any conditions included in that approval.</p>

	<b>Condition reason: To ensure the subdivision will meet the relevant fire safety standards</b>
67	<b>Restriction-as-to-user</b>  As required under the SEPP Housing 2021, this consent limits the use of the development to the following occupants: (a) seniors or people who have a disability (b) people who live within the same household with seniors or people who have a disability, (c) staff employed to assist in the administration of and provision of services to housing provided under this policy.  Prior to the issuing of an Occupation Certificate, a Restriction-as-to-user shall be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act, limiting the use of any accommodation to which the application relates to the demographics of people referred to above.  <b>Condition reason:</b> Prescribed condition under section 86 of the Environmental Planning and Assessment Regulation 2021.

### Occupation and ongoing use

68	<b>Annual fire safety statement</b>  The owner is required to provide to Council and to the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire-safety measures as required by Clause 177 of the <i>Environmental Planning and Assessment Regulation 2000</i> .  <b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
69	<b>Truck movement time limits</b>  No truck movements, including deliveries, are to occur between the hours of 6pm and 7am, any day of the week.  <b>Condition reason:</b> To ensure noise generated from the development does not unreasonably impact upon surrounding premises.
70	<b>Servicing of development to be from Bowman Avenue vehicle access</b>

	<p>All servicing of the development shall be from the Bowman Avenue vehicle access and carpark. The existing Witton Place access shall be used for emergency vehicles only .</p> <p><b>Condition reason:</b> To ensure noise generated from the development does not unreasonably impact upon surrounding premises.</p>
71	<p><b>Waste Management</b></p> <p>The site manager shall be responsible for transporting all waste bins from each bin storage room around the site to the kerbside (along western boundary) of the driveway, ensuring that the bins are adequately arranged for an efficient collection. Following bin collection, the site manager is also responsible for promptly returning the bins to their operational location (bin storage rooms) to resume their use, also ensuring that the bin storage rooms are in a clean and tidy condition at all times.</p> <p><b>Condition reason:</b> To ensure efficient waste management, minimize hazards, and maintain site cleanliness.</p>
72	<p><b>Provision of meals</b></p> <p>The operator must ensure that meals, laundering, cleaning and other services are offered on-site daily, in accordance with the definition of a hostel, to all residents, as required under the SEPP Housing 2021 definition of a hostel.</p> <p><b>Condition reason:</b> To comply with the State Environmental Planning Policy (Housing) 2021</p>
73	<p><b>On-site staff</b></p> <p>A staff member must be present on-site 24 hours a day to provide management services, as required under the SEPP Housing 2021 definition of a hostel.</p> <p><b>Condition reason:</b> To comply with the State Environmental Planning Policy (Housing) 2021.</p>
73A	<p><b>Bus Operation Management Plan</b></p> <p>The private bus service shall operate on the basis of providing reasonable accessibility needs of residents for various support services including but not limited to medical and health appointments, and access to CBD areas and other recreational and community facilities within the City. The provision of the residents' bus service shall be operated in accordance with the approved bus operation management plan for the life of the development.</p> <p><b>Condition reason:</b> To ensure that adequate private bus services are provided to meet the needs of the residents.</p>
73B	<p><b>Operational Management Plan</b></p>

	The Operational Management Plan authorised by the Manager of Development Assessments in response to the deferred commencement Condition 1 Part A of this consent shall be adhered to for the life of the development.
	<b>Condition reason:</b> To ensure that the social needs of the development are provided to meet the needs of the residents.

## Demolition Work

### Before demolition work commences

74	<b>Asbestos removal signage</b>  Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.  <b>Condition reason:</b> To alert the public to any danger arising from the removal of asbestos
75	<b>Hazardous material survey before demolition</b>  Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences.  Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.  The report must include at least the following information: <ol style="list-style-type: none"> <li>1. the location of all hazardous material throughout the site</li> <li>2. a description of the hazardous material</li> <li>3. the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust</li> <li>4. an estimation of the quantity of each hazardous material by volume, number, surface area or weight</li> <li>5. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials</li> <li>6. identification of the disposal sites to which the hazardous materials will be taken</li> </ol> <b>Condition reason:</b> To require a plan for safely managing hazardous materials

### During demolition work

76	<b>Site maintenance</b>
	While demolition work is being carried out, the following requirements, as specified in the approved demolition management plan, must be maintained until the demolition work and demolition waste removal are complete: <ul style="list-style-type: none"> <li>1. Protective fencing and any hoardings to the perimeter on the site</li> <li>2. Access to and from the site</li> <li>3. Construction traffic management measures</li> <li>4. Protective measures for on-site tree preservation and trees in adjoining public domain</li> <li>5. Onsite temporary toilets</li> <li>6. A garbage container with a tight-fitting lid</li> </ul>
	<b>Condition reason:</b> To protect workers, the public and the environment
77	<b>Adjustments to utility services</b>
	Any adjustments to existing utility services that are made necessary by the demolition work are to be at the full cost of the developer.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
78	<b>Demolition - in accordance with AS 2601:2001</b>
	Building demolition is to be carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the requirements of SafeWork NSW.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
79	<b>Hours of work - demolition</b>
	All demolition work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.

### On completion of demolition work

80	<b>Waste disposal verification statement</b>
	On completion of demolition work: <ul style="list-style-type: none"> <li>a) a signed statement must be submitted to the Principal Certifier verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste</li> </ul>



	<p>management plan approved under this consent,</p> <p>and</p> <p>b) if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to the Principal Certifier within 14 days of completion of the demolition work.</p>
	<p><b>Condition reason:</b> To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan</p>

### Subdivision Work

#### Before issue of a subdivision works certificate

81	<p><b>Dust management plan</b></p> <p>A dust management plan is to be submitted to Orange City Council or an Accredited Certifier (certifier – subdivision) upon application for a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
82	<p><b>Engineering plan design and construction requirements</b></p> <p>Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent and the Orange City Council Development and Subdivision Code, are to be submitted to, and approved by, Orange City Council or an Accredited Certifier (certifier - subdivision) prior to the issue of a Subdivision Works Certificate.</p> <p>All water, sewer and stormwater mains shall extend to the western boundary of Lot 10 DP1045677.</p>

	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
83	<p><b>Road construction requirements</b></p> <p>Bowman Avenue shall be constructed to an 18.0m wide urban standard from the existing road construction to the western boundary of Lot 10 DP1045677. This work is to include road pavement and pavement surfacing to key into the existing road pavement, kerb and gutter, piped stormwater drainage and earth-formed footpath reserves on both sides of the road. A 1.2m wide concrete footpath shall be constructed on the northern side of Bowman Avenue.</p> <p>The existing road pavement shall be tied into the new works and all construction works made safe for road users.</p> <p>Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent, are to be submitted to, and approved by, Orange City Council prior to the issue of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
84	<p><b>Sewer main construction</b></p> <p>A sewer main is to be constructed from Council's existing sewer network to serve the proposed lots. Prior to a Subdivision Works Certificate being issued engineering plans for this sewerage system are to be submitted to and approved by Orange City Council.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
85	<p><b>Soil and Water Management Plan</b></p> <p>A Soil and Water Management Plan (SWMP) is to be submitted to Orange City Council or an Accredited Certifier (certifier – subdivision) for approval prior to the issue of a Subdivision Works Certificate. The management plan is to be in accordance with the Orange City Council Development and Subdivision Code and the Landcom, Managing Urban Stormwater; Soils and Construction Handbook.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
86	<p><b>Stormwater - interlot stormwater system</b></p> <p>All proposed allotments shall be provided with interlot stormwater drainage pits. Engineering plans for this drainage system are to be approved by Orange City Council or an Accredited Certifier (certifier – subdivision) prior to the issue of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
87	<b>Water reticulation analysis</b>

	<p>A water reticulation analysis is to be carried out by Orange City Council on any proposed water reticulation system for the development. Engineering plans are to be submitted to and approved by Orange City Council prior to the issue of a construction certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
88	<p><b>Water main construction</b></p> <p>A DN150 watermain is to be constructed from Council's existing watermain in Witton Place to connect to the proposed watermain extension in Bowman Avenue. Prior to a Subdivision Works Certificate being issued engineering plans for this watermain are to be submitted to and approved by Orange City Council.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
89	<p><b>Bush Fire Safety Authority (BFSA) Requirements</b></p> <p>Prior to the issue of a Subdivision Works Certificate, if the land has been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifying authority that a Bush Fire Safety Authority (BFSA) has been obtained from the NSW Rural Fire Service in accordance with section 100B of the <i>Rural Fires Act 1997</i>. All subdivision works are to be designed and constructed in accordance with any conditions of the BFSA.</p> <p>Note: If the BFSA requires a change in subdivision design/layout a modification will be required to this Development Application.</p> <p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
90	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Subdivision Works Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the public road has been designed in accordance with the following:</p> <ol style="list-style-type: none"> <li>A minimum sealed trafficable width of 8m kerb to kerb,</li> <li>Parking is provided outside of the carriageway width,</li> <li>Curves of roads have a minimum inner radius of 6m,</li> <li>A minimum clearance height of 4m above the road,</li> <li>Crossfall not to exceed 3 degrees,</li> <li>Maximum gradient 15 degrees for sealed roads,</li> <li>Roll top kerbing is used on the hazard side of the perimeter road where required,</li> <li>Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression,</li> <li>Capacity is sufficient to carry a fully loaded fire fighting vehicle (23 tonnes), and</li> </ol>

	<p>j. Traffic management devices are to be designed and constructed to facilitate access by emergency service vehicles.</p> <p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
91	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Subdivision Works Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the driveway to the existing dwelling from Witton Place has been designed in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. Two-wheel drive vehicles and for all weather access,</li> <li>b. The capacity of road surfaces is to be sufficient to carry a fully loaded fire fighting vehicle (up to 32 tonnes),</li> <li>c. Minimum 4m wide road carriageway width,</li> <li>d. Vegetation above the road is clear to a height of 4m above the road carriageway,</li> <li>e. A turning area is to be provided adjacent to the existing dwelling in accordance with the requirements of Appendix 3 of Planning for Bush Fire Protection.</li> <li>f. Curves have a minimum inner radius of 6m,</li> <li>g. The minimum distance between inner and outer curves is to be 6m,</li> <li>h. The gradient of the access road is not to exceed 15 degrees (sealed road), and</li> <li>i. The crossfall of the access road is not to exceed 10 degrees.</li> </ul> <p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
92	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Subdivision Works Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the reticulated water supply system has been designed in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. Fire hydrant spacing, design and sizing must comply with the relevant clauses of AS 2419.1: 2021 <i>Fire hydrant installations – System design, installation and commissioning</i>,</li> <li>b. Fire hydrant flows and pressures must comply with the relevant clauses of AS 2419.1: 2021 <i>Fire hydrant installations – System design, installation and commissioning</i>,</li> <li>c. Hydrants are located outside of parking reserves and road carriageways,</li> <li>d. Ring main systems are provided within the perimeter roads, and</li> <li>e. All above-ground water service pipes are metal.</li> </ul> <p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
93	<p><b>Bush Fire Planning Requirements</b></p>

	<p>Prior to the issue of a Subdivision Works Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the where practicable electrical transmission lines are underground. Where electrical transmission lines cannot be practicably provided underground, any above ground electrical transmission lines are provided with short pole spacings (i.e. less than 30m) and no part of a tree is closer to a power line than the distance set out in <i>ISSC3 Guideline for Managing Vegetation Near Power Lines</i>.</p>
	<p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
94	<p><b>Bush Fire Planning Requirements</b></p>
	<p>Prior to the issue of a Subdivision Works Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that any reticulated gas supply has been designed in accordance with <i>AS/NZS 1596:2014 - The storage and handling of LP Gas</i>, metal piping is used, and polymer-sheathed flexible gas supply lines to gas meters adjacent to buildings is not to be used.</p>
	<p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>

### Before subdivision work commences

95	<p><b>Apply for Subdivision Works Certificate</b></p>
	<p>An application for a Subdivision Works Certificate is required to be submitted to, and a Certificate issued by Orange City Council/Accredited Certifier prior to any excavation or works being carried out on-site.</p>
	<p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
96	<p><b>Soil and Water Management Plan</b></p>
	<p>The approved Soil and Water Management Plan (SWMP) shall be implemented prior to construction works commencing.</p>

	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
--	---

### During subdivision work

97	<b>Adjustments to utility services</b>
	Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
98	<b>All services contained within lots</b>
	All services are to be contained within the allotment that they serve.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
99	<b>Concrete footpaths and cycleways</b>
	A concrete footpath, a minimum of 1.2 metres wide, shall be constructed on the northern side of Bowman Avenue.
	Construction work is to be to the requirements and standards of the Orange City Council Development and Subdivision Code.
100	<b>Provision of services</b>
	The provisions and requirements of the Orange City Council Development and Subdivision Code are to be applied to this application and all work constructed within the development is to be in accordance with that Code.
	The developer is to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing all the lots from Council's existing infrastructure. The developer is to be responsible for gaining access over adjoining land for services where necessary and easements are to be created about all water, sewer and drainage mains within and outside the lots they serve.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.

### Before issue of a subdivision certificate

101	<b>All services contained within lots, Statement of Compliance and WAE plans</b>
	<p>All services are to be contained within the allotment that they serve. A Statement of Compliance and digital works as executed plans (in both .pdf and .dwg formats) for all services, from a Registered Surveyor, is to be submitted to Orange City Council prior to the issue of a Subdivision Certificate.</p> <p>WAE plans shall include MGA co-ordinates and AHD levels with each of the services on a separate layer eg separate out water, sewer, storm water, gas, power, telecommunications to their own layers / drawing sheet.</p>
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
102	<b>Apply for Subdivision Certificate</b>
	Application shall be made for a Subdivision Certificate under Section 6.3(1)(d) of the Act.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
103	<b>Connection of existing dwelling to sewer and disposal of septic tank</b>
	<p>The existing residence is to be connected to the proposed reticulated sewer. The existing septic tank is to be excavated and disposed of at a licensed landfill and the absorption trench is to be drained and the voids limed and backfilled with clean compacted material.</p> <p>Evidence of such work is to be provided to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.</p>
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
104	<b>Contributions - water and sewer headworks charges</b>
	Payment of contributions for water, sewer and drainage works is required to be made at the

	<p>contribution rate applicable at the time that the payment is made. The contributions are based on 3 ETs for water supply headworks and 4 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the <i>Water Management Act 2000</i>, will be issued upon payment of the contributions.</p> <p>This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
105	<p><b>Easement for sewer mains</b></p> <p>An easement to drain sewage and to provide Council access for maintenance of sewerage works, a minimum of 2.0 metres wide, is to be created over all sewer mains. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issue of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
106	<p><b>Essential Energy certification</b></p> <p>A Notice of Arrangement from Essential Energy stating arrangements have been made for the provision of electricity supply to the development, is to be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
107	<p><b>Filling of lots</b></p> <p>Evidence from a registered NATA laboratory is to be submitted prior to the issue of a Subdivision Certificate stating that the filling of all low-lying areas and/or reshaping of</p>



	allotments has been carried out in accordance with Australian Standard 3798-2007.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
108	<b>Maintenance security deposit</b>
	A Maintenance Security Deposit, in accordance with the provisions and requirements of the Orange City Council Development and Subdivision Code, is to be provided to Orange City Council prior to the issue of a Subdivision Certificate.
	A Certificate of Compliance, from Orange City Council, certifying that the maintenance security deposit has been paid, is to be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
109	<b>NBN certification</b>
	Application is to be made to NBN for infrastructure to be made available to each individual lot within the development. Either a Telecommunications Infrastructure Provisioning Confirmation or Certificate of Practical Completion is to be submitted to the Principal Certifying Authority confirming that the specified lots have been declared ready for service prior to the issue of a Subdivision Certificate.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
110	<b>Provision of services and works on public land</b>
	Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate stating that all works relating to connection of the development to Council assets, works on public land, works on

	public roads, stormwater, sewer and water reticulation mains and footpaths have been carried out in accordance with the Orange City Council Development and Subdivision Code and the foregoing conditions, and that Council will take ownership of any infrastructure assets.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
111	<b>Provision of services for staged subdivision release</b>
	Where staged release of the subdivision is proposed, all conditions of consent and contributions relative to the proposed staging of the development, and all engineering conditions of development consent as it relates to the servicing of the proposed lots/dwellings are to be completed prior to the issue of a Subdivision Certificate.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
112	<b>Restriction-as-to-User - stormwater easements</b>
	Where stormwater crosses land outside the lot it favours, an easement to drain water is to be created over the works. A Restriction-as-to-User under section 88B of the <i>NSW Conveyancing Act 1919</i> is to be created on the title of the burdened lot(s) requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the interlot drainage system. The minimum width of the easement is to be as required in the Orange City Council Development and Subdivision Code.
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.
113	<b>Stormwater detention certification</b>
	A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin complies with the approved engineering

	plans is to be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.	
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.	
114	<b>Easement for watermain.</b>	
	An easement for water supply and to provide Council access for maintenance of water supply, a minimum of 2.0 metres wide, is to be created over any watermain located outside a road reserve. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issue of a Subdivision Certificate.	
	<b>Condition reason:</b> To comply with Council's Development and Subdivision Code.	
115	<b>Contributions - payment of development contributions</b>	
	The payment of \$60,000 must be made to Council in accordance with Section 7.11 of the Act and Orange Development Contributions Plan 2024 (Greater Ploughmans Urban Release Area) toward the provision of the following public facilities:	
		<b>Monetary Contribution</b>
	creation	three additional lots @ \$2,166.00 each lot
	eral	three additional lots @ \$284.10 each lot
	agement	three additional lots @ \$4779.00 each lot
		three additional lots @ \$0.00 for lot
		three additional lots @ \$12,188 each lot

	Plan Preparation & Administration	three additional lots @ \$582.52 for each lot	for	1
	<b>TOTAL:</b>			\$
	<p>The contribution will be indexed quarterly in accordance with Orange Development Contributions Plan 2024 (Greater Ploughmans Urban Release Area), which may be inspected at the Orange Civic Centre, Byng Street, Orange.</p> <p><b>Condition reason:</b> Because the development will require the provision of, or increase the demand for public amenities and services.</p>			
116	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Subdivision Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, the certifier is to be satisfied that the entire site the subject of this DA is managed in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. The APZ is provided in accordance with Appendix 4 of <i>Planning for Bush Fire Protection</i> (RFS 2019),</li> <li>b. Any landscaping is provided in accordance with Appendix 4 of <i>Planning for Bush Fire Protection</i> (RFS 2019), and</li> <li>c. Any fencing is constructed in accordance section 7.6 of <i>Planning for Bush Fire Protection</i> (RFS 2019).</li> </ul> <p>The entire site is to be managed in accordance with these requirements in perpetuity.</p> <p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>			
117	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Subdivision Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the</p>			

	<p><i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that the existing dwelling has been upgraded to include ember protection measures including enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders. These measures are to be maintained in perpetuity for the existing dwelling.</p>
	<p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
118	<p><b>Bush Fire Planning Requirements</b></p> <p>Prior to the issue of a Subdivision Certificate, if the land has not been mapped as bush fire prone land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i>, evidence is to be provided to the certifier that:</p> <ol style="list-style-type: none"> <li>1. The public road extension of Bowman Avenue,</li> <li>2. The driveway upgrade from Witton Place,</li> <li>3. The water reticulation system,</li> <li>4. The reticulated electricity system, and</li> <li>5. Any gas reticulation system</li> </ol> <p>have been constructed and are operational in accordance with the approved plans, documents and any relevant conditions of this consent.</p>
	<p><b>Condition reason:</b> To ensure the subdivision will meet the relevant fire safety standards.</p>
119	<p><b>Bushfire Safety Authority (BFSA) requirements</b></p> <p>Prior to the issue of a Subdivision Certificate, if the land has been mapped as bush fire prone</p>

	land pursuant to Section 10.3 of the <i>Environmental Planning &amp; Assessment Act 1979</i> , evidence is to be provided to the certifying authority that the subdivision works required by the 100B Bush Fire Safety Authority (BFSA) issued by Rural Fire Service under the <i>Rural Fires Act 1997</i> have been carried out in accordance with any conditions included in that approval.
	<b>Condition reason: To ensure the subdivision will meet the relevant fire safety standards</b>

### Ongoing use for subdivision work

No additional conditions have been applied to this stage of development.

### General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

## Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means ORANGE CITY COUNCIL.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision work certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Western Regional Planning Panel.