



ATTACHMENTS TO REPORTS

ORDINARY COUNCIL MEETING

Wednesday 12 December 2018

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Attachments to Reports

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ATTACHMENTS TO REPORT

Item 10.2

Development Application 17/1638 444 Moss Vale Road, Bowral - Demolition of existing structures and construction of residential flat buildings

Attachment 1

17/1638 Draft Conditions of Consent

Attachment 2

17/1638 Draft Conditions of Consent Attachment 1 RMS Concurrence

Attachment 3

17/1638 Draft Conditions of Consent Attachment 2 WaterNSW Concurrence

Attachment 4

17/1638 Architectural Plans and Elevations

**10.2 Development Application 17/1638 444 Moss Vale Road, Bowral -
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ATTACHMENT 1 17/1638 Draft Conditions of Consent



ATTACHMENT 1

SHIRE COUNCIL

ATTACHMENT 1

04 December 2018

NIGEL DICKSON
65-69 KENT STREET
MILLERS POINT, NSW 2000

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979

APPLICATION NO:	17/1638
APPLICANT:	NIGEL DICKSON
OWNER:	AA DE ANGELIS., RL DE ANGELIS., G DE ANGELIS, MEM DE ANGELIS
PROPERTY DESCRIPTION:	Lot 1 DP 406617 Lot 1 DP 513337 Lot 6 Sec E DP 3807 Lot 15 DP 740276
PROPERTY ADDRESS:	444 MOSS VALE ROAD BOWRAL NSW 2576
PROPOSED DEVELOPMENT:	Demolition of Existing Structures, Construction of 3 Storey Residential Flat Building & 2 Level Basement Car Park
DETERMINATION:	Determined by granting of CONSENT.
CONSENT TO OPERATE FROM:	04 December 2018
CONSENT TO LAPSE ON:	04 December 2023

Rights of Appeal

Pursuant to Section 8.7 of the *Environmental Planning and Assessment Act 1979*, an applicant for development consent who is dissatisfied with the determination of the application by Council authority may appeal to the Court against the determination. Pursuant to Section 8.10, an appeal may be made only within 6 months after the date the decision appealed against is notified.

Review of Determination

You have the right to request a review of determination under section 8.2 of the *Environmental Planning and Assessment Act 1979*, subject to the provisions of Division 8.2 Reviews.

Michael St Clair
Town Planner

4 December 2018
Date of Determination

Civic Centre, Elizabeth St, Moss Vale, NSW 2577. PO Box 141, Moss Vale. t. (02) 4868 0888 f. (02) 4869 1203
e. mail@wsc.nsw.gov.au ABN 49 546 344 354

www.wsc.nsw.gov.

Working with you

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SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS

1. Development Description

Development consent has been granted in accordance with this notice of determination for the purposes of Demolition of Existing Structures, Construction of 3 Storey Residential Flat Building & 2 Level Basement Car Park.

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

2. Development in Accordance with Plans and Documents

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

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Site Plan	13-037 DA-0-111 Rev G	Dickson Rothschild	19/04/2018 07/09/2018
Built Form & Views	13-037 DA-0-120 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Solar & Ventilation	13-037 DA-0-121 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Pedestrian & Vehicle Access	13-037 DA-0-122 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Set Backs	13-037 DA-0-123 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Landscape & Deep Soil	13-037 DA-0-124 Rev C	Dickson Rothschild	19/04/2018 09/07/2018

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Demolition Plan	13-037 DA-0-125 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Amalgamation Plan	13-037 DA-0-126 Rev B	Dickson Rothschild	19/04/2018 09/07/2018
Basement 2	13-037 DA-0-201 Rev D	Dickson Rothschild	19/04/2018 09/07/2018
Basement 1	13-037 DA-0-202 Rev E	Dickson Rothschild	19/04/2018 09/07/2018
Ground Floor Plan	13-037 DA-0-203 Rev E	Dickson Rothschild	19/04/2018 09/07/2018
Level 1 Floor Plan	13-037 DA-0-204 Rev E	Dickson Rothschild	19/04/2018 09/07/2018
Level 2 Floor Plan	13-037 DA-0-205 Rev E	Dickson Rothschild	19/04/2018 09/07/2018
Level 3B Floor Plan	13-037 DA-0-206 Rev D	Dickson Rothschild	19/04/2018 10/11/2017
Roof Plan	13-037 DA-0-207 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Street Elevation 01	13-037 DA-0-300 Rev D	Dickson Rothschild	19/04/2018 07/09/2018
Street Elevation 02	13-037 DA-0-301 Rev D	Dickson Rothschild	19/04/2018 07/09/2018
Section 1	13-037 DA-0-401	Dickson	19/04/2018

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	Rev D	Rothschild	07/09/2018
Section 2	13-037 DA-0-402 Rev D	Dickson Rothschild	19/04/2018 07/09/2018
GFA Plans	13-037 DA-0-901 Rev D	Dickson Rothschild	19/04/2018 09/07/2018
Solar & CV - Sheet 1	13-037 DA-0-911 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
Solar & CV - Sheet 2	13-037 DA-0-912 Rev B	Dickson Rothschild	19/04/2018 10/11/2017
Finishes Schedule	13-037 DA-0-941 Rev C	Dickson Rothschild	19/04/2018 03/07/2018
Shadow Analysis	13-037 DA-0-951 Rev C	Dickson Rothschild	19/04/2018 07/09/2018
Fence Details	13-037 DA-0-960 Rev C	Dickson Rothschild	19/04/2018 09/07/2018
(B) Level 3	13-037 DA-B-206 Rev D	Dickson Rothschild	19/04/2018 07/09/2018
(C) Ground Floor	13-037 DA-C-203 Rev C	Dickson Rothschild	19/04/2018 03/07/2018
(C) Level 1	13-037 DA-C-204 Rev D	Dickson Rothschild	19/04/2018 07/09/2018
(C) Level 2	13-037 DA-C-205 Rev D	Dickson Rothschild	19/04/2018 07/09/2018

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(A) North & South Elevation	13-037 DA-A-301 Rev E	Dickson Rothschild	07/09/2018
(A) East & West Elevation	13-037 DA-A-302 Rev E	Dickson Rothschild	07/09/2018
(B) North & South Elevation	13-037 DA-B303 Rev E	Dickson Rothschild	07/09/2018
(B) East & West Elevation	13-037 DA-B-304 Rev E	Dickson Rothschild	07/09/2018
(C) North & South Elevation	13-037 DA-0-305 Rev E	Dickson Rothschild	19/04/2018 07/09/2018
(C) East & West Elevation	13-037 DA-0-306 Rev E	Dickson Rothschild	19/04/2018 07/09/2018
Loading Truck Ramp Diagram - Section Detail	13-037 SK-0-9001 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Ground Floor – Vehicle Paths	13-037 SK-0-9004	Dickson Rothschild	19/04/2018
Basement 1 Vehicle Paths	13-037 SK-0-9003	Dickson Rothschild	19/04/2018
Basement 2 Vehicle Paths	13-037 SK-0-9002	Dickson Rothschild	19/04/2018
Views From the Sun 9AM	13-037 SK-0-9005 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Views From the Sun 10AM	13-037 SK-0-9006 Rev A	Dickson Rothschild	19/04/2018 07/09/2018

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Views From the Sun 11AM	13-037 SK-0-9007 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Views From the Sun 12PM	13-037 SK-0-9008 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Views From the Sun 1PM	13-037 SK-0-9009 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Views From the Sun 2PM	13-037 SK-0-9010 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Views From the Sun 3PM	13-037 SK-0-9011 Rev A	Dickson Rothschild	19/04/2018 07/09/2018
Access Design Assessment Report	P217_332-2 (ACCESS) LS	Design Confidence	10/11/2017 15/11/2017
Noise Impact Assessment Report	20171481.1/2510A/ R0/SN	Acoustic Logic	17/11/2017
Arboricultural Development Assessment Report	Rev 1	Moore Trees	06/11/2017
BASIX Certificate	878026M	Eco Certificates Pty Ltd	16/11/2017
BCA Design Assessment Report	P217_332-2 (BCA) LS	Design Confidence	15/11/2017
Preliminary Site Investigation	EMS11 9335 Rev 2	Environmental Monitoring Services	21/01/2013
Flood Study	Rev 1	Kozarovski and	03/11/2017

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Report		Partners	
Statement of Heritage Impact	Rev 1	NBRS Architecture, Heritage	14/11/2017
Landscape Plan	Issue A	Arcadia Landscape Architecture	November 2017
SEPP 65 Design Verification Statement	13-037-7 Rev A	Dickson Rothschild	13/11/2017
Statement of Environmental Effects Volume 1 of 2	13-037-7 Rev A	Dickson Rothschild	13/11/2017
Statement of Environmental Effects Volume 2 of 2	13-037-7 Rev A	Dickson Rothschild	13/11/2017
Preliminary DA Construction Cost Estimate	5443	Hugh B. Gage Pty Ltd	10/11/2017
Stormwater Concept Plan Legend & Service Notes	2791 H-01 Rev B	Abel & Brown Pty Ltd	November 2017
Stormwater Concept Plan Site / Ground Floor Plan	2791 H-02 Rev B	Abel & Brown Pty Ltd	November 2017
Stormwater Concept Plan Site Level 1 Floor Plan	2791 H-03 Rev B	Abel & Brown Pty Ltd	November 2017
Stormwater Concept Plan Basement 1 Floor Plan	2791 H-04 Rev B	Abel & Brown Pty Ltd	November 2017

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Stormwater Concept Plan Basement 2 Floor Plan	2791 H-05 Rev B	Abel & Brown Pty Ltd	November 2017
Stormwater Concept Plan Roof Plan	2791 H-06 Rev B	Abel & Brown Pty Ltd	November 2017
Stormwater Concept Plan Detail Sheet	2791 H-07 Rev B	Abel & Brown Pty Ltd	November 2017
Assessment of Traffic and Parking Implications Part 1 of 3	17185 Rev C	Transport and Traffic Planning Associates	November 2017
Assessment of Traffic and Parking Implications Part 2 of 3	17185 Rev C	Transport and Traffic Planning Associates	November 2017
Assessment of Traffic and Parking Implications Part 3 of 3	17185 Rev C	Transport and Traffic Planning Associates	November 2017
Operational Waste Management Plan	Revision D	Elephants Foot Recycling Solutions	16/11/2017

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

3. Inconsistency between documents

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

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

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

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- (a) That the work must be carried out in accordance with the requirements of the National Construction Code.
- (b) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

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

5. Erection of Signs

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

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

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

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

6. Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) In the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) In the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority (PCA) for the development to which the work relates (not being the council) has given the council written

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notice of the updated information.

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

7. Home Owners Warranty Insurance

No residential building work within the meaning of the *Home Building Act 1989* may commence until:

- (a) A contract of insurance in accordance with Part 6 of the *Home Building Act 1989* is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 98(1)(b) *Environmental Planning and Assessment Regulation 2000*;
- (b) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the *Home Building Act 1989* (unless the work is to be carried out by an owner-builder);
- (c) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner builder permit required under the *Home Building Act 1989*;
- (d) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the *Environmental Planning and Assessment Regulation 2000*):
 - (i) In the case of work for which a principal contractor is required to be appointed:
 - The name and licence number of the principal contractor, and
 - The name of the insurer by which the work is insured under Part 6 of the *Home Building Act 1989*,
 - (ii) In the case of work to be done by an owner-builder:
 - The name of the owner-builder, and
 - If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

Reason: *Statutory requirement in accordance with Home Building Act 1989.*

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION
CERTIFICATE**

8. Application for a Construction Certificate (Building Works)

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

- (a) Architectural plans and building specifications complying with the National Construction Code (NCC) relevant Australian Standards, and the development consent and conditions.
- (b) If Council or a private accredited certifier issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a qualified chartered professional practicing consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.
- (c) Geotechnical report for the site, prepared by a qualified geotechnical engineer detailing the foundation conditions of the site and solutions for consideration by a structural Engineer.
- (d) Essential services plan outlining the existing and proposed fire safety measures.
- (e) Disabled access provisions to common and public areas in accordance with AS1428 Design for Access and Mobility and the Premises Code.
- (f) If an alternative solution to the "deemed to satisfy" provisions of National Construction Code is proposed, the following details must be lodged:
 - Performance requirements that the alternative solution intends to meet.
 - Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
 - A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body

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

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

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

9. Appointment of Principal Certifying Authority

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

- (a) A Construction certificate for the building work has been issued by:

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

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

10. Site Consolidation

That the site be consolidated into one (1) lot prior to issue of the Construction Certificate.

Reason: *To ensure the use of the land as one allotment is legally recognised and to prevent separate dealings in the existing allotments after the use commences.*

11. Section 68 Local Government Act 1993 Approvals

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

- Sewer and stormwater

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

12. Section 138 Roads Act 1993 Approval

Where works are proposed within the road reserve, the developer must obtain approval from

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

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

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

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

Reason: *Statutory requirement.*

13. Section 7.12 Contributions (formerly Section 94A)

Under section 7.12 of the *Environmental Planning and Assessment Act 1979* (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of or increase the demand for public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Developer Contributions Plan is applicable to the Development:

- Section 94A Contributions Plan

A Developer Charges - Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent. The contributions listed in the Notice of Payment must be paid prior to the release of [Subdivision/Construction/Occupation] Certificate.

All contributions are indexed quarterly in accordance with upward movements in the Producer Price Index (Tables 15. Output of the General Construction Industry, Index Numbers and Percentage Changes - Index Number; Non-residential Building Construction (3020) New South Wales) as published by the Australian Bureau of Statistics (www.abs.gov.au <<http://www.abs.gov.au>>); Section 25J(4) of the *Environmental Planning and Assessment Regulation 2000*; and Council's Developer Contributions Plans.

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

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

14. Water Management Act - Certificate of Compliance

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

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

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

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

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

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

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

The Water and Sewerage Development Servicing Plans (DSP's) were adopted by Council on 22 November 2006 and came into effect on 15 September 2017. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

CPI Period	Water DSP	Sewer DSP	Stormwater DSP
1 November 2018 to 31 January 2019	\$10,962.73 per ET	\$10,627.98 per ET	\$3,558.67 per ET
Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, www.abs.gov.au < http://www.abs.gov.au >.			

Should new DSP's be prepared, it is possible that the charges may increase significantly.

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Draft DSP's must be advertised by Council for a period of 30 days prior to adoption.

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

Compliance Certificate

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

Water \$250.00 + Sewer \$250.00 + Stormwater \$250.00 = \$750.00

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

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

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

15. Building Materials & Colour Scheme

The use of Zinalume, stainless steel, unetched zinc or copper is not permitted. Building materials and colours are to match those in the detailed approved plans as per Schedule 1 Condition 2 of this notice.

New external building materials are to match those of the existing building in colour, texture or substance.

Reason: *To ensure that the new building is visually compatible with the existing environment.*

16. Dilapidation Report

A Dilapidation Report shall be undertaken on all properties, which in the opinion of a suitably experienced professional and chartered qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out taking into account civil infrastructure and submitted to Council prior to the issue of the Construction Certificate.

The Report shall cover structural and geotechnical factors likely to arise from the development.

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The person having the benefit of the development consent shall, at their own cost, rectify any damage caused to other properties during the construction of the project to the satisfaction of Council.

Reason: *To ensure the structural stability of neighbouring buildings.*

17. Building within Vicinity of Sewer Main

Where a building is constructed within the zone of influence of the sewer main, the weight of the building shall be distributed away from the sewer main by pier and beam construction. The piers shall be designed by a suitably qualified experienced professional and chartered Engineer and shall be embedded on firm foundation at least 300mm below the invert of the pipe with a minimum horizontal clearance from the pipe of 600mm.

The area of influence of the sewer main is considered that area within the angle of repose of 45° for normal loam/clay/sand foundations, or 60° for rock foundations measured 600mm from the outside of the pipe from the trench bottom.

Notwithstanding the above, a building shall not be erected within 1.2m of the outside edge of a sewer manhole and unobstructed personal access of minimum width of 900mm shall be provided to any manhole located upon private property.

Reason: *To protect public infrastructure.*

18. Geotechnical Survey

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

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

19. Construction Management Plan

A Construction Management Plan (CMP) is required to be submitted and approved by Council prior to issue of the Construction Certificate. The CMP shall indicate measures to be implemented to protect the environment as well as public health, safety and convenience. The CMP must include the following:

- (a) Off-street parking for employees, contractors and sub-contractors.
- (b) Site access for construction vehicles and equipment purposes.
- (c) Public safety in the use of roads and footpaths where development activities adjoin such facilities.
- (d) The storage and removal, on a regular frequency, of builder's rubble and waste by trade waste contractors.
- (e) Storage of all building materials and equipment wholly within the construction site.
- (f) Public risk policies and management for all contractors' employees using or gaining access over public footpaths and roads.

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- (g) External lighting and security alarms proposed for the construction site.
- (h) Fire fighting measures to be available on site during development and construction.
- (i) Sanitary amenities proposed on site during development and construction.
- (j) Ensuring the safety of members of the public and Council staff who may have occasion to enter and be in attendance on the site.

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

20. Provision of Works and Services

Prior to the issue of the Construction Certificate the Developer shall obtain approval for the works to be undertaken by submitting adequate documentation including plans, standard notes and completed design checklists, calculations and specifications, to Council which justify that the proposed works are in accordance with all Council's standards and all other relevant Codes and guidelines.

Reason: *Statutory requirement.*

21. Stormwater - Control of Peak Discharge

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

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

22. Detailed Stormwater Drainage System Design

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

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

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

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

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

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Reason: *To ensure adequate storm water management.*

23. Redundant Vehicular Crossings and Ancillary Works

Where new pavement, repair or reinstatement of footpath or other ancillary works such as kerb and gutter and storm water pit construction is proposed, the Applicant shall submit to Council application under Section 138 of the *Roads Act 1993* (available from Council's Customer Services Centre) and pay the appropriate fees & charges prior to the issue of a Construction Certificate.

All disused or redundant vehicle crossings and laybacks shall be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council and the footpath area is to be restored to the satisfaction of Council's Development Engineer, prior to the issue of the Interim Occupation Certificate.

Reason: *Public infrastructure maintenance.*

24. Disabled Car Parking Spaces

A minimum of 13 of the car parking spaces provided as part of the total requirement shall be reserved for disabled persons. These spaces shall be a minimum of 3.2m wide x 5.5m long and located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked for disabled persons in accordance with the Premises Code.

Car parking for people with disabilities shall be provided in accordance with the National Construction Code (NCC), relevant Australian Standards and with regard to the *Disability Discrimination Act 1992* and Premises Code. Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

The above details shall be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate.

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

25. Off Street Parking Provision - General

A minimum of 82 off-street car parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with Australian Standard AS2891.1 Off Street Car Parking.

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

Reason: *To ensure adequate parking and access.*

26. Pedestrian Safety

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

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

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Reason: *To ensure pedestrian and vehicular safety.*

27. Works on Crown Roads

Written approval for any works to be carried out on Crown roads shall be obtained from NSW Department of Industry (Crown Land) and shall be submitted to Council prior to the issue of the Construction Certificate.

Reason: *Statutory requirement.*

28. Water and Sewer Assets Identification and Location

The site plan as per the water or sewer engineering design shall include the detailed locations, materials, sizes and depths of any water mains or water services, rising mains private or Council owned, or sewer mains, manholes, sewer sidelines, sewer junctions and or boundary traps. The site plans that include these water and sewer assets are to be approved by the Council's Group Manager Planning, Development and Regulatory Services before any demolition works can commence.

Reason: *Ensure appropriate servicing of sewer and water reticulation.*

29. Water and Sewer Authority Conditions

Prior to issue of a Construction Certificate, the developer shall obtain approval from Council (as the Water Supply Authority and/or as required under Section 68 of the *Local Government Act 1993*) for the works to be undertaken by submitting adequate documentation including plans, calculations and specifications which justify that the required works are in accordance with all Council's standards and all other relevant codes and guidelines.

Water service connections and sewer junctions shall be located under sealed driveways to battleaxe lots. This may require widening of accessway / rights of carriageways to those shown on approved plan.

Reason: *To ensure water and sewer reticulation are in accordance with Council's standards.*

30. Telecommunications Provider / Gas Provider

Prior to the issue of the Construction Certificate, the applicant shall obtain the requirements of the Telecommunications Service / Gas Provider to service the development.

Note: *The Developer is also advised to contact the National Broadband Network Company Ltd (NBN) in regard to the installation of fibre in all new developments.*

Reason: *To ensure that telephone and gas infrastructure is provided to service the development.*

31. Energy Service Provider Requirements

The provision of underground electricity to service the development in accordance with the requirements of the Energy Service Provider. The Developer prior to release of a Construction Certificate shall submit to Council documentary evidence from the Energy

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Service Provider qualifying that the requirements of that provider have been obtained. The requirements of the supply authority will need to be met prior to the issue of the Occupation Certificate or Subdivision Certificate.

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

32. Waste Management Plan

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

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

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

33. Erosion and Sediment Control Plan

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

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

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

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(n) Staging of works and how the plan is to be implemented for each stage or activity on site.

(o) Maintenance schedule.

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

34. Protection of Existing Trees and Native Vegetation

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

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

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

35. Notice of Commencement

No work shall commence until a notice of commencement (form will be attached with issue of a Construction Certificate or available from Council's website is submitted) giving Council:

- (a) Not less than two (2) days' notice of the date on which it is proposed to commence work associated with this Development Consent;
- (b) Details of the appointment of a Principal Certifying Authority (either Wingecarribee Council or another Accredited Certifier)
- (c) Details of the name, address and licence details of the Builder.

Reason: *Statutory requirement.*

Advice: *Attached Notice of Commencement form to be completed.*

36. Principal Certifying Authority Sign

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

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

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

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

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

Reason: Statutory requirement.

37. Construction Certificate

No work shall commence until a:

- (a) Construction Certificate is obtained from either the Wingecarribee Shire Council or an Accredited Certifier; and
- (b) Construction Certificate lodged with Council obtained from an Accredited Certifier (together with associated plans and documents) - a fee applies for this service.

Reason Statutory requirement.

38. Developers Representative during Construction of Works

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

Details to be submitted include:-

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

Prior to commencing any works on site the representative shall:

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

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

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

Reason: Statutory requirement.

39. Inspection of Demolition Works

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

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

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

Reason: *To ensure compliance with the consent.*

40. Road Occupancy Licence - Section 138 Roads Act 1993

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

Reason: *Statutory requirement.*

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

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

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

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

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

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Reason: *Statutory requirement.*

42. Relocation of Existing Services

Where existing services including drainage, sewerage and water may be required to be relocated as a result of the development, a plumber's permit is required from Council prior to commencing work. Inspection of these works by Council as the Water Supply Authority is required.

Reason: *Statutory requirement.*

43. Fencing of the Construction Site

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

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

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

44. Developer to advise of damage to Council property

The developer must advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves, street trees, drainage pits and the like, prior to commencement of any work on the site. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the developer/owners/proponents expense.

The construction supervisor is responsible to ensure that all contractors, sub-contractors, and delivery trucks use a designated access point to prevent damage to Council's property. Repairs to damaged grass verges, concrete footpath, kerb and gutter, street trees, drainage pits are to be carried out by the contractor/builder to Council's specification and supervision prior to occupation of the development.

Reason: *Public safety.*

45. Tree Retention (Marking)

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

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

46. Erosion and Sediment Control

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

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

47. Wheel Wash

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

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

48. Tree Protection Compliance Bond

A bond/bank guarantee of \$24,000.00 must be paid/lodged with Council prior to the commencement of works, against the damage/death of the existing Council street tree asset and to cover making good any damage caused to/or removal of the Council street trees listed below, by any works associated with the development. This bond will be held for a period of 12 months after the issue of the Occupation Certificate to remedy any defects including tree removal, tree damage, or tree death that may arise during the construction and within the establishment period.

Tree No. (insert) Species: (insert)

Reason: *To ensure appropriate warranty periods apply with respect to any impact on Council's street tree assets.*

49. Tree Protection Measures

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

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

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

50. Protection of Trees

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

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

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

51. Approved Plans to be available on site

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

Reason: *To ensure compliance with approved plans.*

52. Imported 'Waste-derived' Fill Material

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

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

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

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

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

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

53. Demolition Requirements

The existing structures shall be demolished in accordance with the requirements of AS2601-2001 "The Demolition of Structures".

Amongst others, precautions to be taken shall include compliance with the requirements of the SafeWork NSW and Council's Water and Sewer Asset Protection, including:-

- (a) Protection of site workers and the general public.
- (b) Erection of hoardings where appropriate.
- (c) Asbestos removal handling and disposal where applicable by licensed contractors.
- (d) Ensuring only licensed demolition contractors are used as required pursuant to Occupational Health and Safety Legislation.
- (e) Appropriate precautions are taken in regard to lead based paints.
- (f) Water and Sewer Asset Protection

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All water and sewer assets on the site or on adjacent road reserve or lands that may be affected by the demolition works are to be clearly identified on site and protected from damage. Those water and sewer protection measures are to be shown on the site plan and are to be approved by Council's Water and Sewer Planning and Development Engineer before any demolition works can commence.

(g) Sewer Assets Temporary Disconnection or Closure

The site sanitary drainage is to be temporarily disconnected or closed off by a suitably qualified Plumber from any of Council's sewer sidelines, sewer junctions and or boundary traps that are to be retained and reused to prevent ingress contaminants into Council's sewer mains. This work shall be sited and approved by Council's Water and Sewer Development Engineer before demolition works can commence.

(h) Removal of Redundant Council Sewer Assets and Water Services

The site sanitary drainage is to be temporarily disconnected or closed off by a suitably qualified Plumber from any of Council's sewer sidelines, sewer junctions and or boundary traps that are to be disconnected by Council to prevent ingress of contaminants into Council's sewer mains. This work shall be sited and approved by Council's Water and Sewer Development Engineer before demolition works can commence.

Make application and pay fees for the removal of redundant sewer assets and or water services. These fees shall be paid before any demolition works can commence.

Redundant water meter shall not be removed to allow for final readings and removal by Council staff.

(i) Temporary Use of Council Sewer Junctions and Water Services

During demolition or building works Council may permit temporary use of sewer junctions and water services. Details of the proposed use shall be shown on the site plan and are to be approved by the Water and Sewer Planning and Development Engineer before any demolition works can commence.

Water services that are to be temporarily retained shall not have the water meter disconnected or removed. An approved backflow prevention device shall be installed. Details shall be shown on the site plan and are to be approved by the Water and Sewer Planning and Development Engineer before any demolition works can commence.

The disposal of refuse is to occur at an approved location. Council will require documentary proof of destination for hazardous materials such as asbestos and contaminated soils and may request evidence on disposal of other demolition materials - refer approved Waste Management Plan.

Reason: *To comply with statutory requirements.*

54. Setback from Sewer Manhole

The building shall not be erected within 1.2m of the outside edge of the manhole surround of the sewer manhole.

Reason: *To protect infrastructure.*

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55. Utility Services

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

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

56. Engineering Inspections by Council

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

- (j) Sewer / water main extensions (Technical Services).
- (l) Works in relation to road reserves, footpath, kerb and gutter, road shoulder and drainage within public lands or road reserves;

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

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

Reason: *Statutory requirement.*

57. Stormwater - Construction

The applicant shall provide adequate storm water drainage infrastructure (pits/pipes/open channels/detention storage) for the conveyance of storm water passing through the site from upstream, and sourced from the development to a discharge outlet to be approved by Council. The point of discharge shall be clearly depicted and the legal right to discharge at that point to be justified. Status of the point of discharge is to be made clear (i.e. provision of drainage easements).

Reason: *To assist in the prevention of erosion of the site from storm water.*

58. Stormwater - Discharge

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

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

59. Earthworks, retaining walls and structural support

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

- (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
- (b) must not redirect the flow of any surface or ground water or cause sediment to be

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transported onto an adjoining property, and

- (c) that is fill brought to the site-must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
- (d) that is excavated soil to be removed from the site-must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.

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

Reason: *Structural safety.*

60. Damage to Adjoining Properties

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

Reason: *Structural safety.*

61. Disruption of Traffic

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

Reason: *Safety and information.*

62. Erosion and Sediment Control Plan Compliance

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

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

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

63. Burning and Burying of Waste

No materials or rubbish resulting from the land clearing, demolition and building works shall be burnt or buried on the site. All waste materials shall be disposed of to a facility authorised and licensed to accept such waste.

Reason: *Health and amenity.*

64. Prevention of Nuisance

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All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris and noise during the demolition, excavation and building works.

Reason: *Health and amenity.*

65. Noise & Vibration

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

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

Reason: *Safety and amenity.*

66. Dust Control**Small Works**

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like.

Reason: *Environmental amenity*

67. Disposal of Vegetation

Any trees removed with Council consent and any other vegetation cleared in association with this development shall be disposed of in accordance with the Waste Management Plan approved with this development application. For minor additions and outbuildings removed vegetation shall be either mulched for reuse on site or transported to an appropriately licensed waste/recycling facility.

Reason: *Environmental amenity.*

68. Tree Removal/Tree Preservation

No trees shall be pruned, removed, damaged or destroyed without the prior written consent of Council. Failure to comply with this requirement will result in prosecution by Council in accordance with the provisions of *Wingecarribee Local Environmental Plan 2010* and associated Development Control Plans.

Advice: *Tree removal should be carried out by a level 3 and above professional*

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arborist to avoid any risk to life or damage to property. This person should have adequate public liability insurance cover.

Reason: *To comply with the Wingecarribee Local Environmental Plan 2010.*

69. Supervising Arborist

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

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

70. Protection of Trees

The tree/s identified on the endorsed plans as being retained shall be protected against damage throughout the construction process in accordance with AS4970-2009 "Protection of Tree on Development Sites" and the arborist's report titled (insert) prepared by (insert) dated (insert), and relevant conditions of this consent.

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

71. Final Arborist Report

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

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

72. Landscape Certification

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

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

73. Irrigation

Certification is to be provided to the Principal Certifying Authority from a suitably qualified and licensed contractor that the specified fully automatic commercial grade irrigation system has been designed and installed to all common planted areas in accordance with the requirements of the current relevant Australian Standards, any relevant water authority regulations and current best practices. If Council is **not** the PCA, a copy of the certification is to be provided to Council with the Occupational Certificate.

Reason: *To ensure that an appropriate irrigation system has been installed*

74. Approved hours of Construction/Demolition

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

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

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

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

75. Construction Management Plan

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

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

Reason: *Compliance with condition of consent.*

76. Maintenance of the site

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

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

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

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During construction:

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

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

Reason: *Environmental amenity.*

77. Storage of Building Materials, Plant and Equipment

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

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

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

78. Protection of Public Places

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

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

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

Reason: *Public safety.*

79. Site requirements during demolition and construction

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

- (a) All demolition shall be carried out in accordance with Australian Standards AS 2601-2001.
- (b) Demolition shall be carried out by a registered demolition contractor.
- (c) A single entrance shall service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded,

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hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.

- (d) No blasting shall be carried out at any time during construction of the building.
- (e) Care shall be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- (f) Adjoining owner property rights and the need for owner's permission shall be observed at all times, including the entering onto land for the purpose of undertaking works.
- (g) Any demolition and excess construction materials shall be recycled wherever practicable.

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

80. Construction and delivery vehicles

A suitable entry point shall be nominated on site and utilized by construction and delivery vehicles. The entry point shall be located so that the possibility of damage to Councils property is minimized during construction. The access point shall be surfaced with all-weather materials of a minimum of 40mm in size.

Reason: *To minimize the potential for damage to Councils assets.*

81. Temporary Onsite Toilet

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

Each toilet shall:

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

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

82. Waste Management

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

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

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

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN INTERIM OR FINAL
OCCUPATION CERTIFICATE**

83. Occupation Certificate

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

The Principal Certifying Authority (PCA) is required to be satisfied, amongst other things, that:

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

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

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

84. Public Infrastructure

The applicant shall rectify any damage to public infrastructure (including roads, gutters, footpaths, street trees, etc.) prior to the issue of an Occupation Certificate at no cost to Council.

Reason: *To ensure that public infrastructure is protected from damage as a result of the development.*

85. Works as Executed Plans - Building Works

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

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

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86. Civil Engineering works and services

All approved civil engineering works and services as per the approved engineering plans are to be constructed prior to the issue of the Occupation Certificate.

Reason: *To ensure that the works and services are constructed in accordance with the approved plan.*

87. Residential Driveway

A standard concrete vehicular gutter layback and concrete footpath crossing (how many metres wide at the property boundary and across the road reserve, shall be constructed at the driveway entrance in accordance with Council's Plan Nos SD107 and SD123 prior to issue of the Occupation Certificate.

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

88. Vehicle Access (Urban)

Access to the site shall be provided by means of a vehicle crossing as per Standard Drawing **SD107** and approved by Council prior to the issue of the Occupation Certificate. A copy of the Standard Drawing can be obtained from Council's offices.

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

89. Vehicle Manoeuvring

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

Reason: *To comply with Engineering Standards.*

90. Disabled Car Parking

Prior to the issue of the Occupation Certificate, car parking spaces shall be provided at the rate of not less than one disabled car parking space for each **100/50 spaces** or part thereof in a carpark required to be accessible, and a car parking area on the same allotment as a building required to be accessible. The spaces are not required to be signposted where there is a total of not more than 5 car parking spaces, so as to restrict the use of the car parking space only for people with disabilities.

The spaces shall comply with the requirements for parking in the current version of AS 2890.1 for people with disabilities.

All works shall be completed prior to the issue of the Occupation Certificate.

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Reason: *To ensure that there is adequate disabled car parking spaces provided for the development.*

91. Maintenance and Bond for Public Assets - Civil Works

The developer shall at their own expense maintain all civil works constructed by them and which will fall into Councils care with respect to the development for a period of 12 months after the date of the signing of the Subdivision Certificate or approval for occupation of the development. Prior to the issue of any Subdivision or Occupation Certificate the Developer shall lodge a cash bond with regard to maintenance of the public assets constructed in an amount equal to 5% of the total engineering works with a minimum bond value of \$1,000. The bond shall be assessed by Council for release after the 12 month period on request by the developer.

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

92. Guarantee for Civil Works

Prior to allowing occupation of the building/completion of subdivision works a cash bond or irrevocable bank guarantee in favour of Council is to be lodged for a period of 12 months for a sum equal to 5% of the engineering works or a minimum of \$1,000 that are to become the property of Council to ensure the effective performance of these works.

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

93. Asset Management

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

The assets to be identified include:

- Roadways length and width and type of surface
- Drainage systems length and size of pipes, number of pits, total area (m²)
- Sewer
- Water
- Open Space and total area being dedicated (m²)

Reason: *To ensure appropriate details are held for asset management.*

94. Site Classification

The developer's geotechnical engineer shall to provide a site classification in accordance with the current version of Australian Standard (AS2870) for each lot in the subdivision that will be built upon. The site classification shall be registered on the Section 88B Instrument under the *Conveyancing Act 1919*, prior to the issue of the Occupation Certificate.

Reason: *To advise future landowners of the site classification.*

95. Storm water Facilities Alterations

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A "Restriction as to User" shall be included on the linen plan and title of the proposed development to prevent any change in shape or alteration in structure of the proposed storm water facilities after the final approval of the structure has been given by Council. Details shall be provided for the approval of Council prior to the issue of the Occupation Certificate.

Reason: *To provide appropriate storm water management.*

96. Storm water Facilities Maintenance

A "Positive Covenant" shall be included on the linen plan and title of the proposed development showing the location of storm water facilities and requiring that the proposed storm water facilities be maintained in a safe and functional manner. In addition, the Section 88B Instrument (*Conveyancing Act 1919*) shall make provision for Council to conduct maintenance on the subject storm water facilities at the owner's expense if the storm water facilities are not maintained to the agreed standard. Details shall be provided for the approval of Council prior to issue of the Occupation Certificate.

Reason: *To provide appropriate storm water management.*

CONCURRENCE CONDITIONS**97. Concurrence- Roads and Maritime Services**

Concurrence has been granted by Roads and Maritime Services for the development pursuant to *Roads Act 1993*. The conditions provided by Roads and Maritime Services are provided at Attachment 1 dated 21 December 2017 and form part of this Notice of Determination.

98. Concurrence - Water NSW

Concurrence has been granted by Water NSW for the development pursuant to *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*. The conditions provided by Water NSW dated 7 March 2018 are provided at Attachment 2 and form part of this Notice of Determination.

END OF CONDITIONS

**10.2 Development Application 17/1638 444 Moss Vale Road, Bowral -
Demolition of existing structures and construction of residential
flat buildings****ATTACHMENT 2 17/1638 Draft Conditions of Consent Attachment 1
RMS Concurrence****ATTACHMENT 2**

Our ref: STH17/00215/01
Contact: Kristian Pinochet 4221 2580
Your ref: 17/1638

21 December 2017

Elizabeth Garner
Wingecarribee Shire Council
BY EMAIL: mail@wsc.nsw.gov.au

CC: elizabeth.garner@wsc.nsw.gov.au

**DEVELOPMENT APPLICATION 17/1638 – LOT 15 DP 740276, 444 MOSS VALE ROAD, BOWRAL, 43
RESIDENTIAL DWELLINGS**

Dear Madam

Roads and Maritime Services (RMS) refers to your correspondence dated 5 December 2017 regarding the subject development application.

RMS has completed an assessment of the development, based on the information provided and focussing on the impact to the State Road Network. For this development, the key state road is Moss Vale Road.

RMS will not object to the development application subject to the following comments being included in the conditions of development consent:

The excavation adjacent to Moss Vale Road must comply with RMS Technical Direction GTD 2012/001 – Excavation adjacent to RMS infrastructure. The developer must submit their proposed plan for managing the excavation adjacent to Moss Vale Road to RMS (via email to development.southern@rms.nsw.gov.au) for concurrence **prior to the issuing of the Construction Certificate**.

The plan must address the following:

- Proposed detailed design and supporting geotechnical report which considers the impact of the excavation on the structural stability of Moss Vale Road and identifies appropriate supporting structures.
- Proposed monitoring of the excavation and supporting structures for settlement and other issues which could compromise the structural stability of Moss Vale Road.

RMS highlights that in determining the application under Part 4 of the Environmental Planning and Assessment Act, 1979, it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of

rms.nsw.gov.au

1

**10.2 Development Application 17/1638 444 Moss Vale Road, Bowral -
Demolition of existing structures and construction of residential
flat buildings**

**ATTACHMENT 2 17/1638 Draft Conditions of Consent Attachment 1
RMS Concurrence**



development consent. Depending on the level of environmental assessment undertaken to date and nature of the works, the consent authority may require the developer to undertake further environmental assessment for any ancillary road works.

Upon determination of this matter, it would be appreciated if Council could email a copy of the Notice of Determination to RMS via development.southern@rms.nsw.gov.au.

Yours faithfully

Chris Millet
Land Use Manager
Southern Region

**10.2 Development Application 17/1638 444 Moss Vale Road, Bowral -
Demolition of existing structures and construction of residential
flat buildings****ATTACHMENT 3 17/1638 Draft Conditions of Consent Attachment 2
WaterNSW Concurrence****ATTACHMENT 3**

PO Box 398, Parramatta NSW 2124
Level 14, 169 Macquarie Street
Parramatta NSW 2150
www.watersnw.com.au
ABN 21 147 934 787



7 March 2018

Our Ref: 17187-a1
Your Ref: 17/1638

General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Sir/Madam

**Subject: Sydney Drinking Water Catchment SEPP
DA No 17/1638; Lot 1 DP 406617, Lot 15 DP 740276, Lot 6 Section E DP 3807, Lot 1
DP 573337; 444 Moss Vale Road & 53 Bowral Road, Bowral**

I refer to Council's letter received 5 December 2017 requesting the concurrence of Water NSW under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 with a proposal for demolition, lot consolidation and construction of a multiple dwelling development on the above land. Additional information was received on 28 February 2018.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

The following documents have been considered in the assessment of the application:

- Statement of Environmental Effects (dated 13 November 2017) and Site Plans (dated 10 November 2017) both prepared by D. R. Design (NSW) Pty Ltd
- Water Cycle Management Study (dated 22 December 2017) and associated MUSIC stormwater quality model, Stormwater Drainage and Soil and Water Management Plans all prepared by Abel & Brown Pty Ltd, and
- Stage 1 Preliminary Site Investigation Report prepared by Environmental Monitoring Services (dated 24 October 2013).

Based on Water NSW's site inspection and the information provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

If, after receipt of this letter, revisions are made to any of the DA plans, Council does not need to refer the plans to Water NSW if the revisions do not impact on water quality. Council is requested to amend the relevant Water NSW's condition/s to reference the revised plans, and notify the assessing officer by email.

Water NSW concurs with Council granting consent to the application, subject to the attached conditions.

Under Clause 11 of the SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination. If you wish to discuss this matter further please contact Miles Ellis on 9865 2502.

Yours sincerely

GIRJA SHARMA
Catchment Assessments Manager

**10.0 Development Application 17/1638 444 Moss Vale Road, Bowral -
2Demolition of existing structures and construction of residential
flat buildings**

**ATTACHMENT 3 17/1638 Draft Conditions of Consent Attachment 2
WaterNSW Concurrence**



PO Box 398, Parramatta NSW 2124
Level 14, 169 Macquarie Street
Parramatta NSW 2150
www.waternsw.com.au
ABN 21 147 934 787

Water NSW's Concurrence Conditions

**DA No 17/1638; Lot 1 DP 406617, Lot 15 DP 740276, Lot 6 Section E DP 3807, Lot 1
DP 573337; 444 Moss Vale Road & 53 Bowral Road, Bowral**

General

1. The development and layout shall be as specified in the Statement of Environmental Effects (dated 13 November 2017) and shown on the Site Plan (Project No. 13-037; Dwg. No. DA-0-111; Rev D, dated 10/11/2017) both prepared by D.R. Design (NSW) Pty Ltd. No revisions to layout or staging of the development that will impact on water quality, shall be permitted without the agreement of Water NSW.

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

Stormwater Management

2. All stormwater management measures as specified in Section 12 of the Water Cycle Management Study (dated 22 December 2017) and shown on the Stormwater Concept Plans (Dwg. No. H-01 to H-07; all Rev C, all dated December 2017) all prepared by Abel & Brown Pty Ltd, shall be incorporated in the final stormwater drainage plans to be approved by Council, in particular as elaborated or varied in the following conditions. The stormwater management measures as a minimum shall include:
 - pits and pipes
 - gross pollutant trap
 - on-site detention tank
 - cartridge filtration system, and
 - rainwater capture and re-use system.
3. An on-site detention tank shall be designed, located and installed to capture and retain stormwater runoff from the site as indicated in Section 12.4 of the Water Cycle Management Study and shown on the Stormwater Concept Plans (Dwg. No. H-02 & H-07; both Rev C, both dated December 2017) prepared by Abel & Brown Pty Ltd. The detention tank shall incorporate the following specifications and requirements:
 - a minimum detention volume of 160,000 litres
 - stormwater from the tank directed via a 12 cartridge filter system (Stormwater 360 or Water NSW endorsed equivalent) to Council's stormwater system in Moss Vale Road, and
 - a Gross Pollutant Trap (GPT) (Stormwater360 Vortsentry VC40 or equivalent) shall be installed immediately upstream of the on-site detention tank.
4. No changes to stormwater treatment and management that will impact on water quality, shall be permitted without the agreement of Water NSW.
5. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council **prior to the issuance of any Occupation Certificate** that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.
6. An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the

**10.2 Development Application 17/1638 444 Moss Vale Road, Bowral -
Demolition of existing structures and construction of residential
flat buildings****ATTACHMENT 3 17/1638 Draft Conditions of Consent Attachment 2
WaterNSW Concurrence**

preparation of such plans. The OEMP shall be prepared **prior to the issuance of any Occupation Certificate** and shall include but not be limited to:

- details on the location, description and function of stormwater management structures such as pits, pipes, inlet filters, gross pollutant trap, detention tank, cartridge filtration system and any other stormwater structures and drainage works
- an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
- the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
- checklists for recording inspections and maintenance activities.

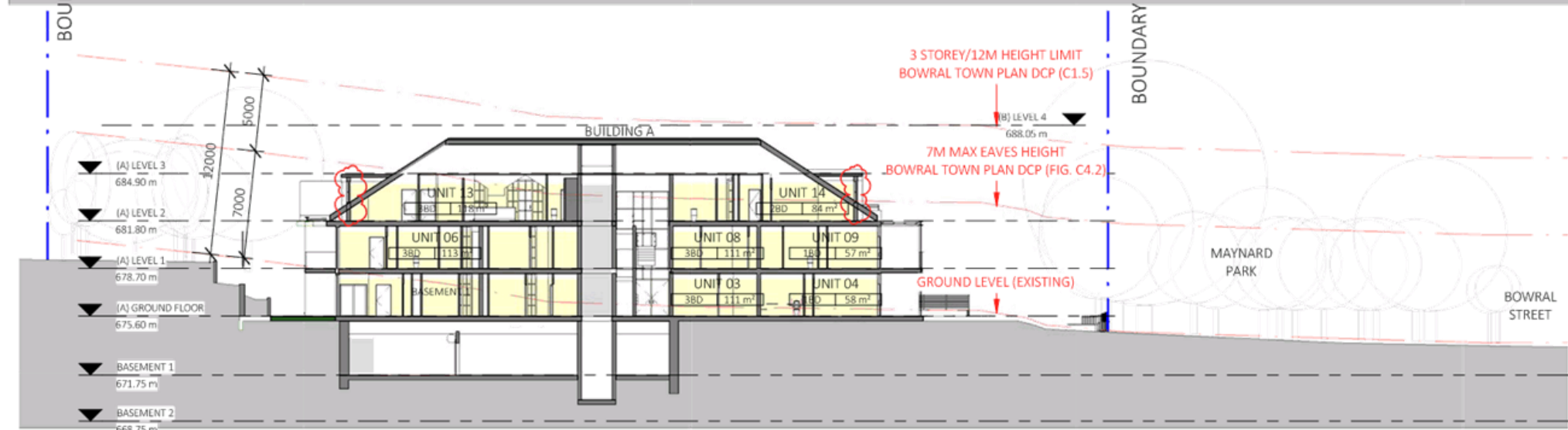
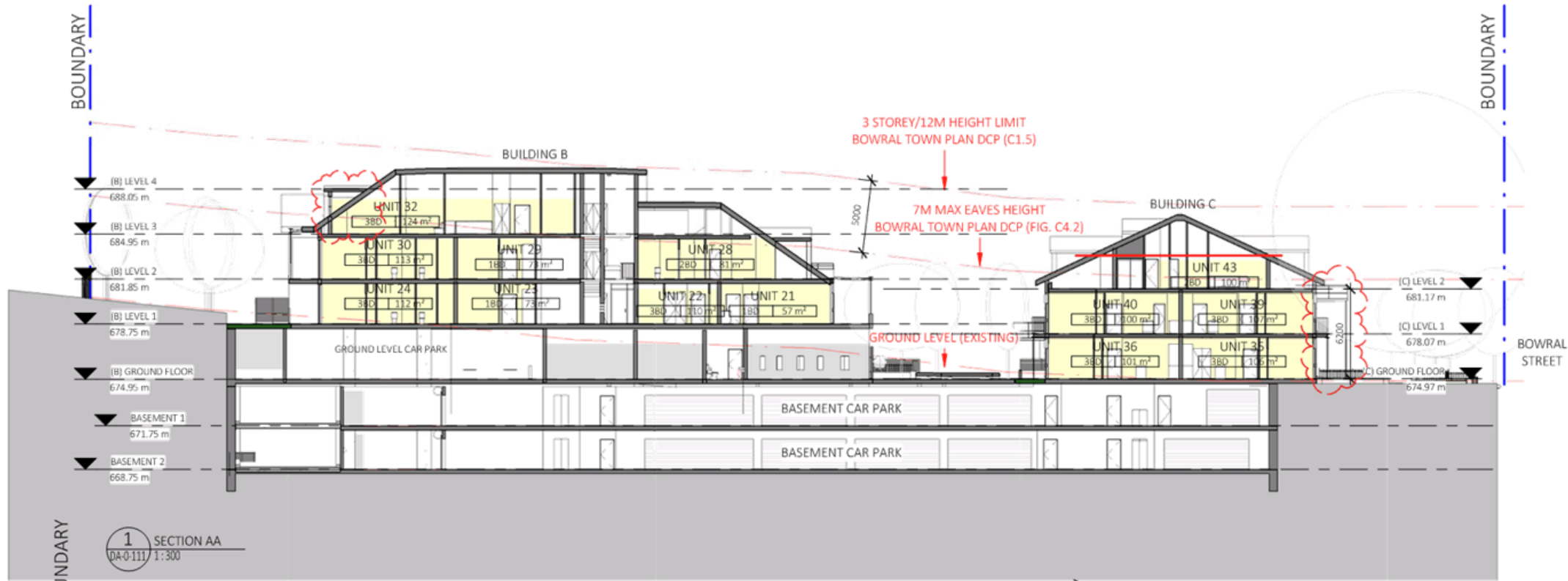
7. All stormwater treatment devices shall be monitored, maintained and managed as per the Operational Environmental Management Plan referred in Condition 6 above.

Reason for Conditions 2 to 7 – To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term.

Construction Activities

8. The Soil and Water Management Plan prepared by Site Plus (Dwg. No. 17164-C01 and C02; Rev A, dated 20/12/2017) shall form the basis of a final Soil and Water Management Plan that shall be prepared for all works proposed or required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book". The Plan shall be prepared **prior to the issuance of a Construction Certificate**, be developed in consultation with Water NSW and be to the satisfaction of Council.
9. The Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity including demolition and earthworks. The controls shall prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain and shall be regularly maintained and retained until works have been completed and groundcover established.

Reason for Conditions 8 & 9 – To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.



REVISION D
 1- DORMA'S AMENDED
 2- BALCONY FRAMING AMENDED

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A	ISSUE FOR CLIENT REVIEW	03/05/2017	RD	AC
B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC
D	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
BOWRAL

Corner Moss Vale Road and Bowral Street, Bowral

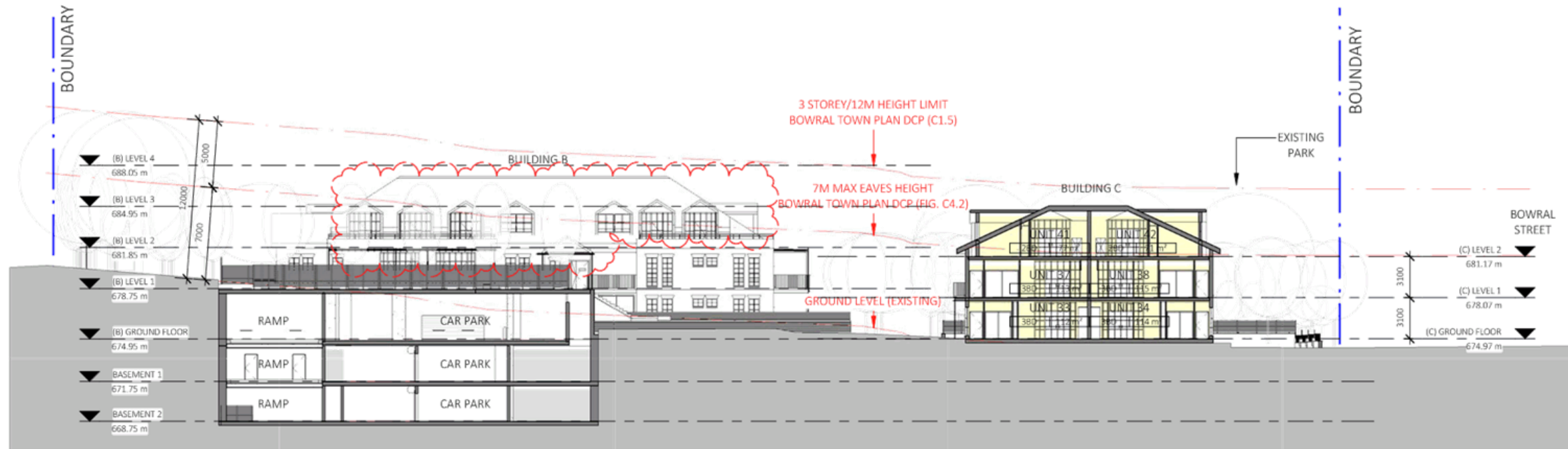
CLIENT
 A&R, G&M De Angelis

DRAWING
SECTION 1

PROJECT NO	DRAWING NO	REVISED	DATE
13-037	DA-0-401	D	19/04/2017

SCALE @ A3	SCALE @ A4	DRAWN	AUTHORIZED
1:300	1:150	RD	FC





1 SECTION CC
 DA-0-111 1:300

REVISION D
 DORMA'S AND BALCONY FENESTRATION AMENDED

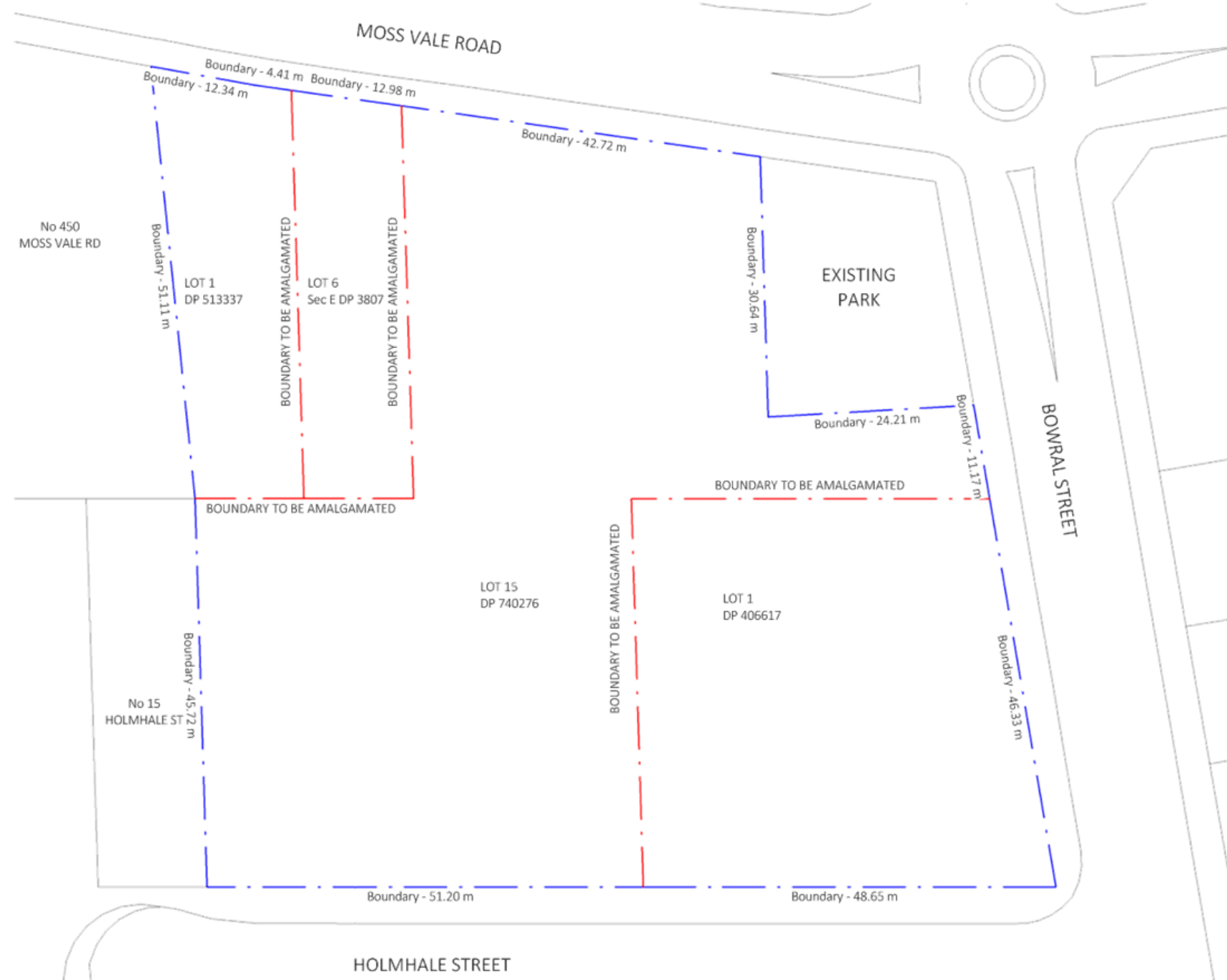
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D	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-0-402	D	19/04/2017
SCALE @ A3	SCALE @ A1	DRAWN	AUTHORISED
1:300	1:150	MC	FC





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B	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC

PROJECT
BOWRAL

Corner Moss Vale Road and Bowral Street, Bowral

CLIENT
 A&R, G&M De Angelis

DRAWING
AMALGAMATION PLAN

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-0-126	B	19/04/2017

SCALE (P/A)	DRAWN	AUTHORIZED
1:500	NT	FC

SCALE 1:500





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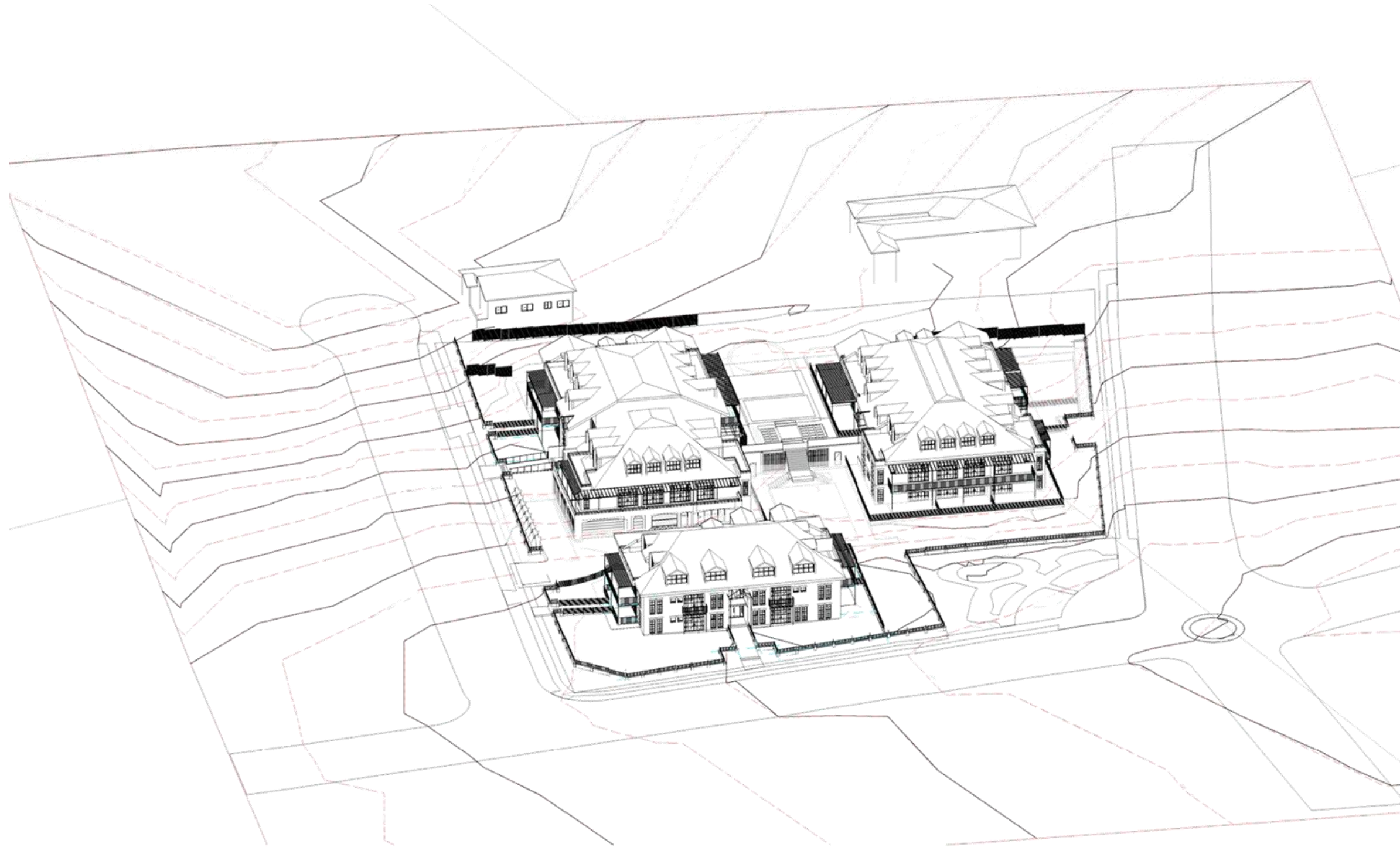
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A	ISSUE TO COUNCIL DA REQUIREMENTS	07/05/2018	RK	FC



PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
VIEWS FROM THE SUN 9 Am
 PROJECT NO: 13-037 DRAWING NO: SK-0-9005 REVISION: A DATE: 19/04/2017
 DRAWN: RK AUTHORIZED: FC
 SCALE: 1:500 25m





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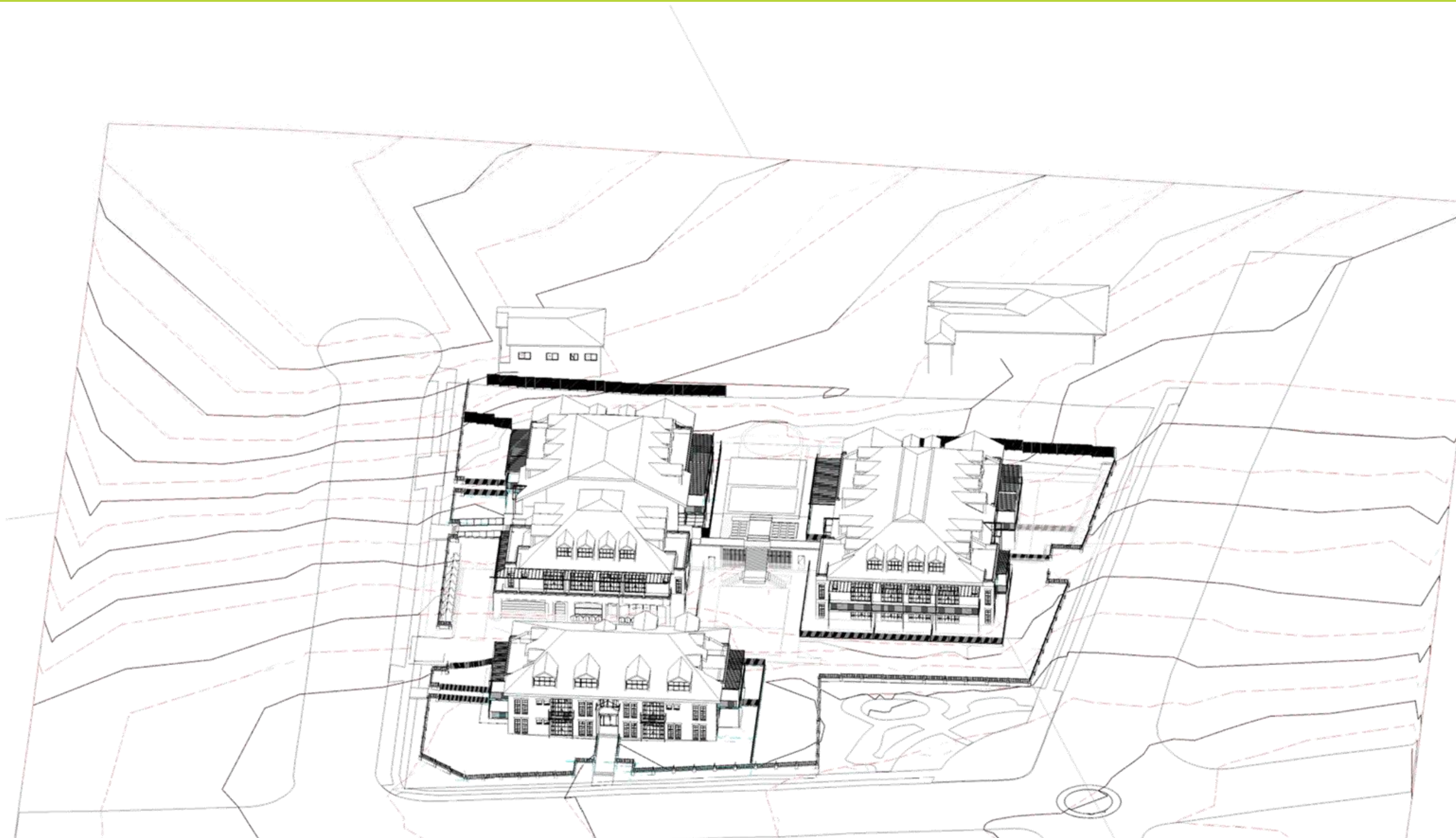
REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE TO COUNCIL DA REQUIREMENTS	07/09/2018	RK	FC



PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
VIEWS FROM THE SUN 10
 Am
 PROJECT NO: 13-037 DRAWING NO: SK-0-9006 REVISION: A DATE: 19/04/2017
 DRAWN: RK AUTHORIZED: FC
 SCALE: 1:500





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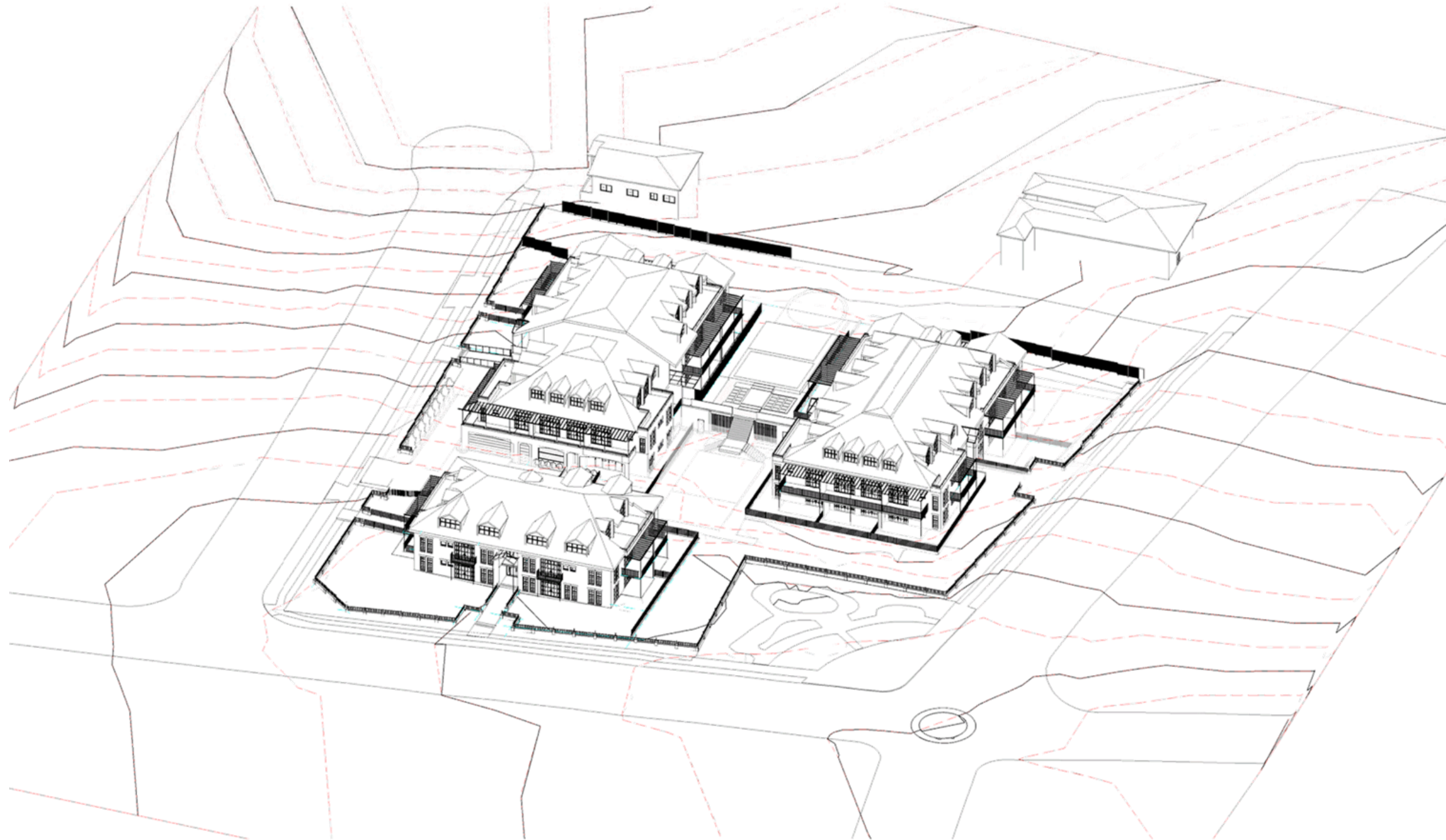
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A	ISSUE TO COUNCIL DA REQUIREMENTS	07/05/2018	RE	FC



PROJECT
BOWRAL
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DRAWING
VIEWS FROM THE SUN 11
 Am
 PROJECT NO: 13-037 DRAWING NO: SK-0-9007 REVISION: A DATE: 19/04/2017
 DRAWN: RK AUTHORIZED: FC
 SCALE: 1:500





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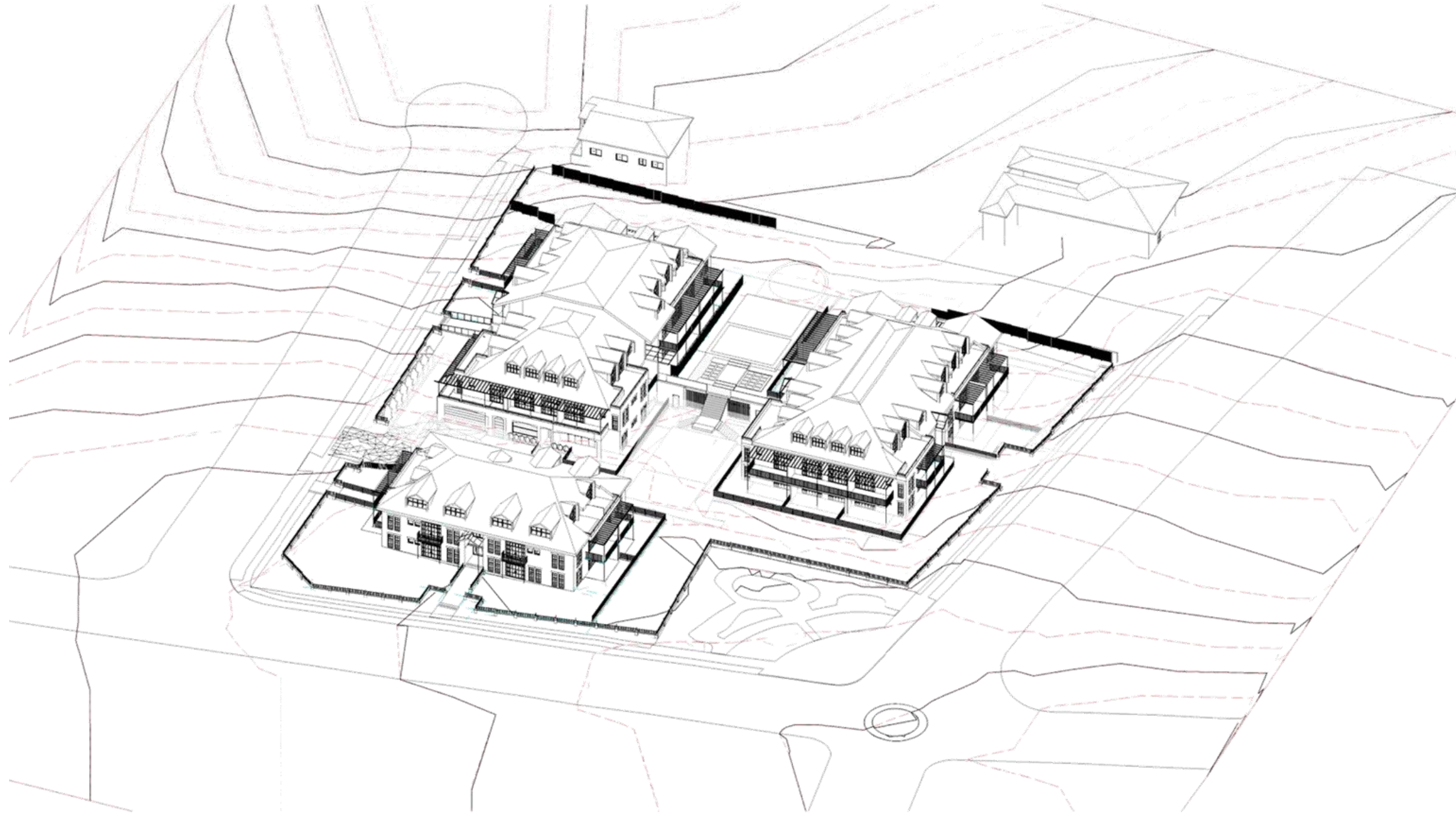
REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE TO COUNCIL DA REQUIREMENTS	07/09/2018	RK	FC



PROJECT
BOWRAL
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DRAWING
VIEWS FROM THE SUN 12
 Pm
 PROJECT NO. 13-037 DRAWING NO. SK-0-9008 REVISION A DATE 19/04/2017
 DRAWN BY RK AUTHORIZED BY FC
 SCALE 1:500





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A	ISSUE TO COUNCIL DA REQUIREMENTS	07/09/2018	RE	FC

PROJECT
BOWRAL

Corner Moss Vale Road and Bowral Street, Bowral

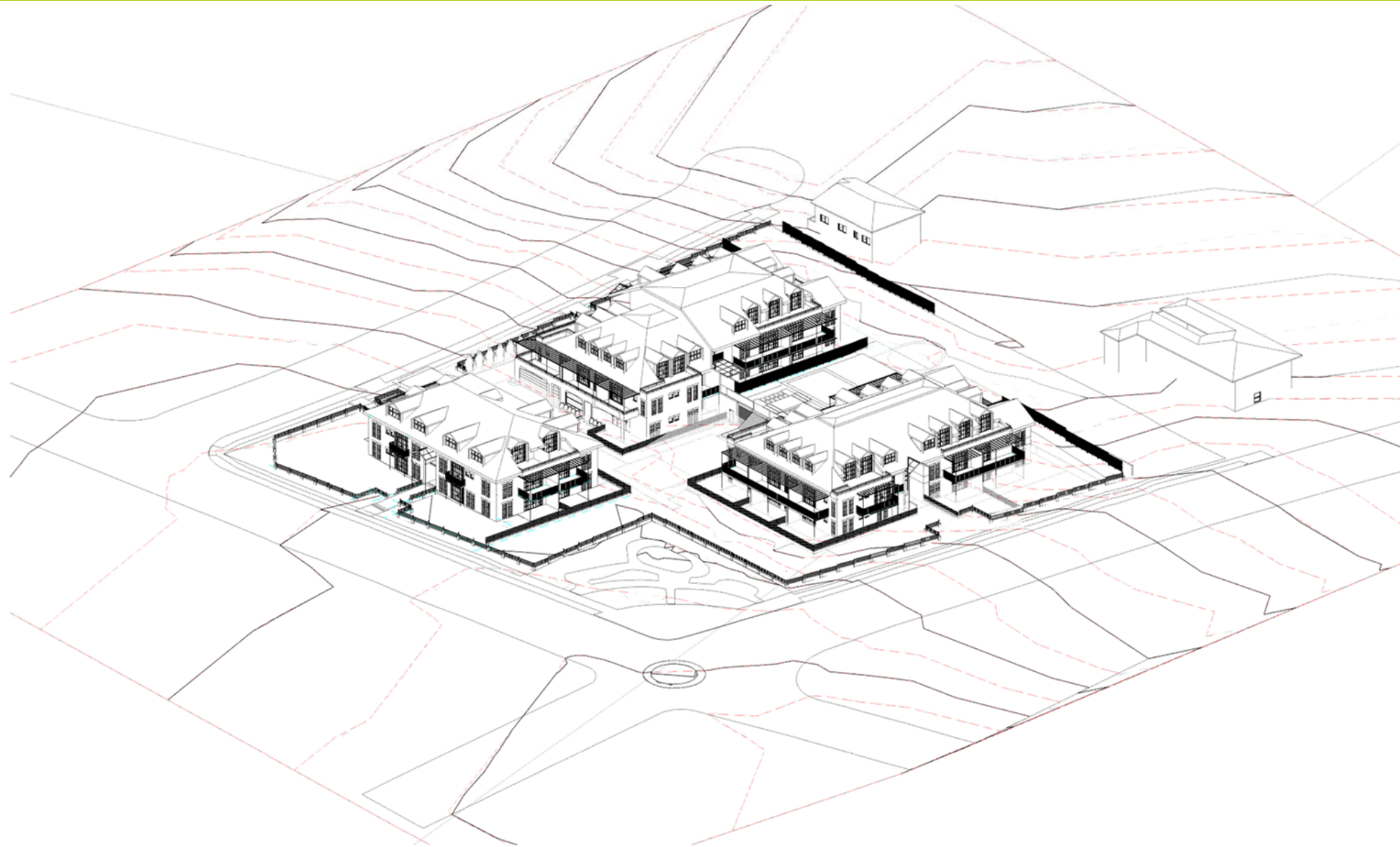
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DRAWING
VIEWS FROM THE SUN 1 Pm

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	SK-0-9009	A	19/04/2017
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		RK	FC

SCALE 1:500





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A	ISSUE TO COUNCIL DA REQUIREMENTS	07/09/2018	RK	FC

PROJECT
BOWRAL

Corner Moss Vale Road and Bowral Street, Bowral

CLIENT
A&R, G&M De Angelis



DRAWING
VIEWS FROM THE SUN 2 Pm

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	SK-0-9010	A	19/04/2017

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RK	FC

SCALE 1:500 20m





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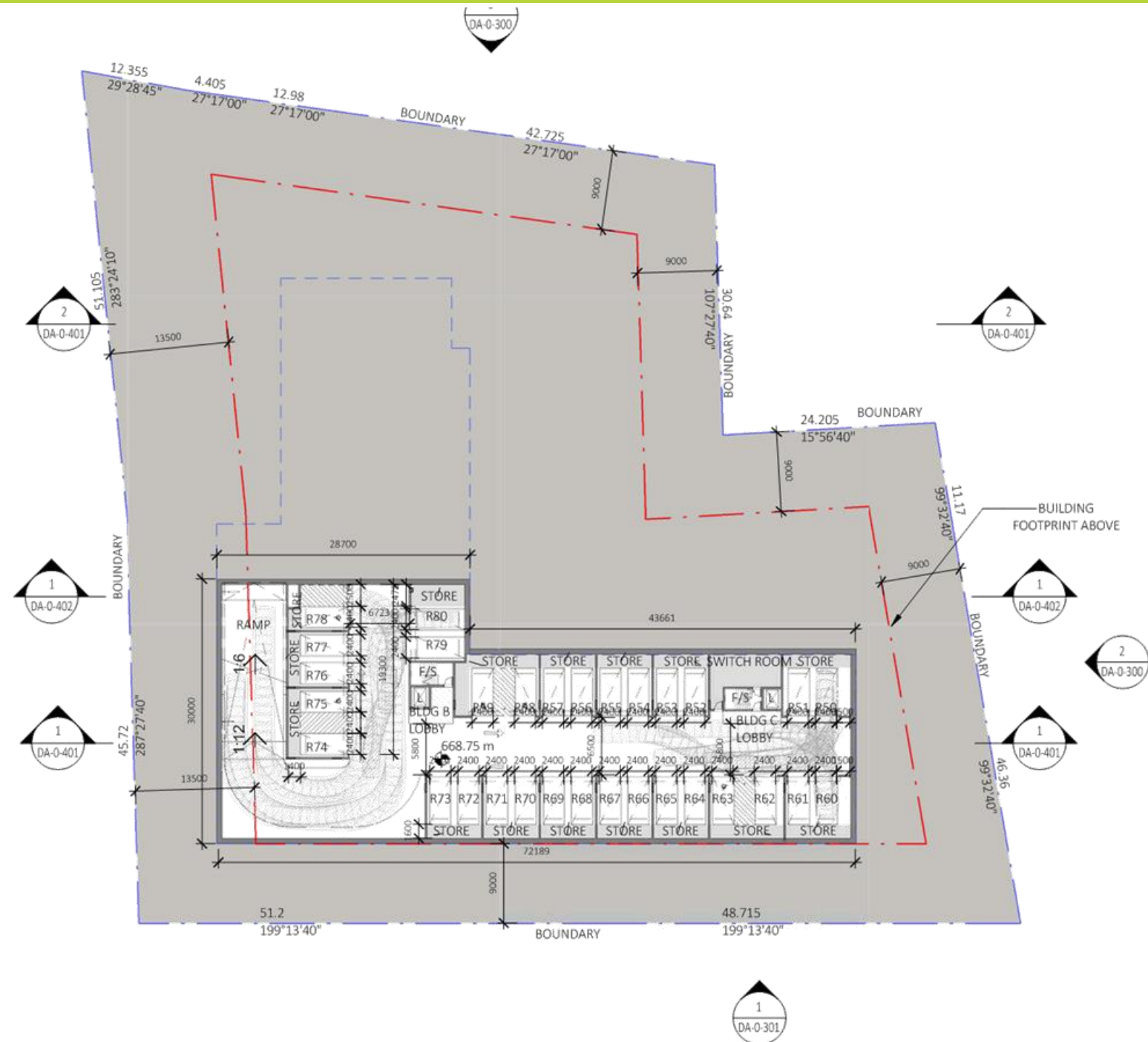
REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE TO COUNCIL DA REQUIREMENTS	07/09/2018	RE	FC



PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING			
PROJECT NO	DRAWING NO	REVISION	DATE
13-037	SK-0-9011	A	19/04/2017
		DRAWN	AUTHORISED
		RK	FC
SCALE 1:500			





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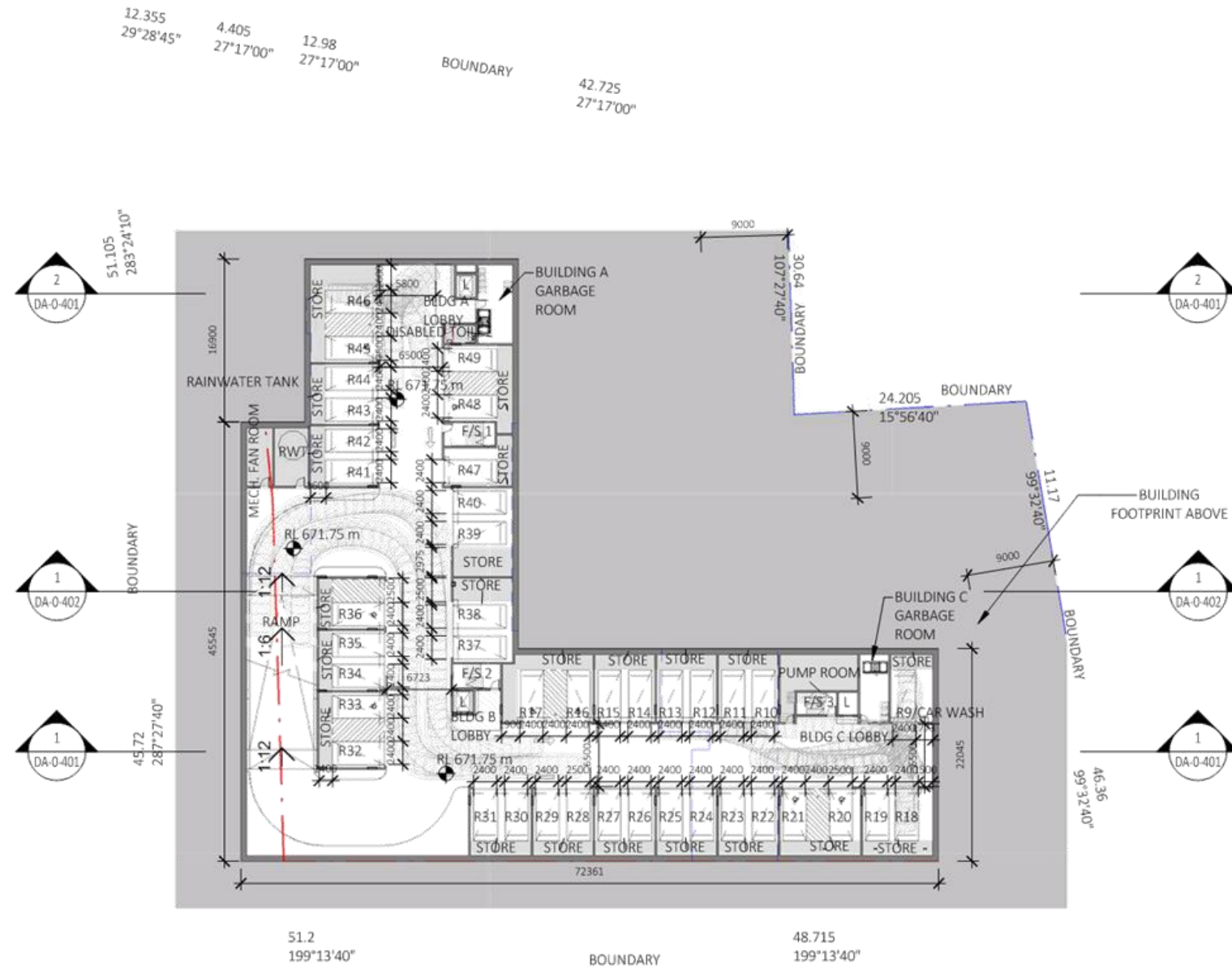
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REV	DESCRIPTION	DATE	ISSUED	CHECKED

PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING			
PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	SK-0-9002		19/04/2017
DRAWN		AUTHORISED	
RK		FC	
SCALE 1:500			





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REV	DESCRIPTION	DATE	ISSUED	CHECKED

PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral

CLIENT
 A&R, G&M De Angelis

DRAWING
BASEMENT 1 VEHICLE PATHS

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	SK-0-9003		19/04/2017

DRAWN: RK
 AUTHORIZED: FC

SCALE: 1:500





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REV	DESCRIPTION	DATE	ISSUED	CHECKED

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral

CLIENT
 A&R, G&M De Angelis

DRAWING
 GROUND FLOOR-VEHICLE PATHS

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	SK-0-9004		19/04/2017
SCALE @ A1		DRAWN	AUTHORIZED
		RK	FC





1 SOLAR & CV - GROUND LEVEL
 DA 0-300 1 : 500
 8/10 = 3+ HOUR SOLAR ACCESS
 2/10 = 1.5+ HOUR SOLAR ACCESS
 80% 3 HOUR SOLAR ACCESS
 8/10 = CROSS VENTILATED (80%)

2 SOLAR & CV - LEVEL 1
 DA 0-300 1 : 500
 12/18 = 3+ HOUR SOLAR ACCESS
 6/18 = 1.5+ HOUR SOLAR ACCESS
 66.6% 3 HOUR SOLAR ACCESS
 12/18 = CROSS VENTILATED (66.6%)

- LEGEND**
- 3+ HOURS
 - 2.5+ HOURS
 - 2+ HOURS
 - 1.5+ HOURS
 - 1+ HOURS
 - CROSS VENTILATION



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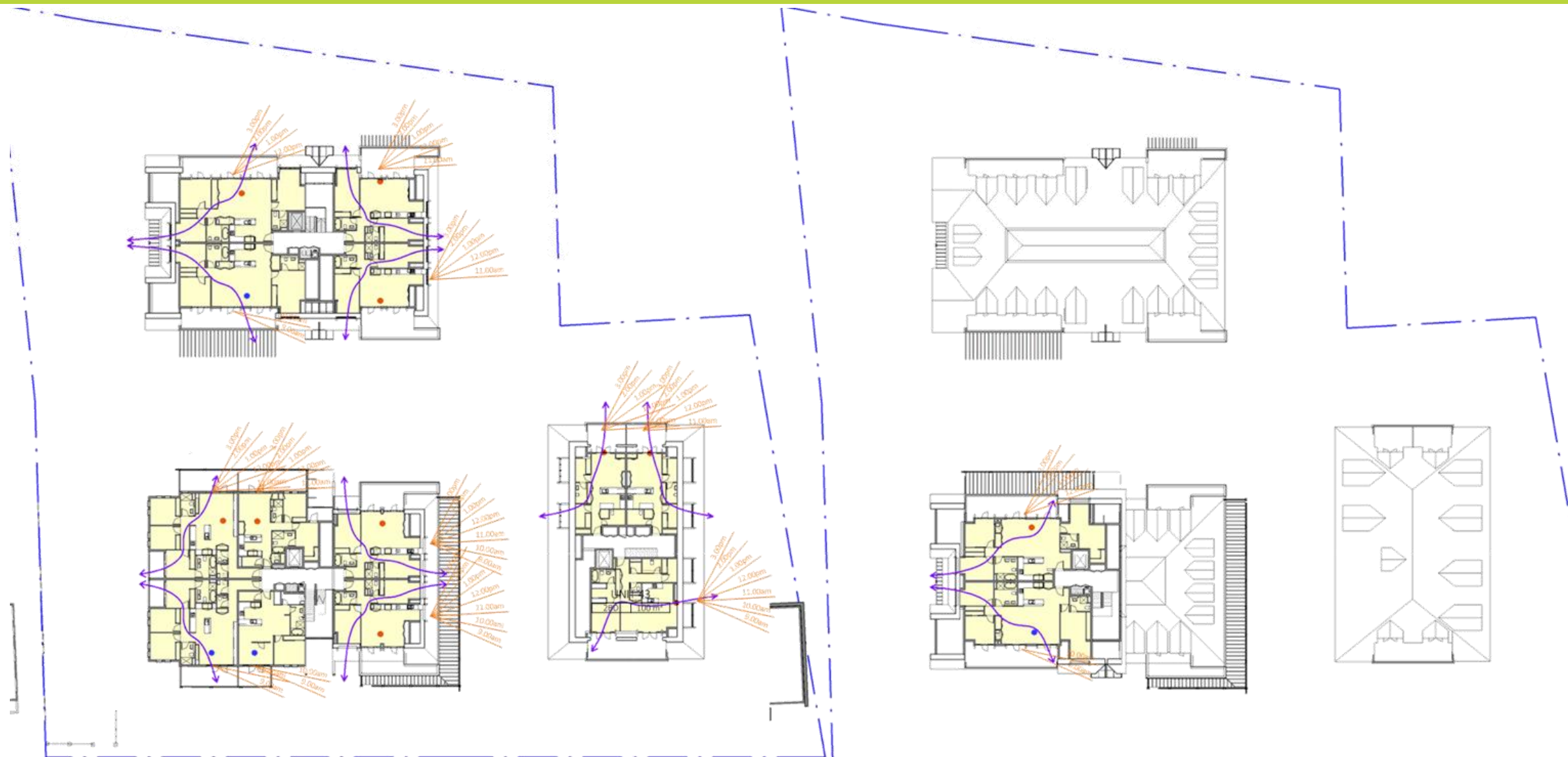
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PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
SOLAR & CV - SHEET 1

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-0-911	C	19/04/2017
SCALE @ A3	SCALE @ A4	DRAWN	AUTHORISED
1 : 500	1:250	RD	FC
SCALE 1:500		25m	





1 SOLAR & CV - LEVEL 2
 04-0-300 1:500

10/13 = 3+ HOUR SOLAR ACCESS
 3/13 = 1.5+ HOUR SOLAR ACCESS
 77% 3 HOUR SOLAR ACCESS
 11/13 = CROSS VENTILATED (84%)

2 SOLAR & CV - LEVEL 3
 04-0-300 1:500

1/2 = 3+ HOUR SOLAR ACCESS
 1/2 = 1.5+ HOUR SOLAR ACCESS
 50% 3 HOUR SOLAR ACCESS
 2/2 = CROSS VENTILATED (100%)

LEGEND

- 3+ HOURS
- 2.5+ HOURS
- 2+ HOURS
- 1.5+ HOURS
- 1+ HOURS
- CROSS VENTILATION

WINTER SOLSTICE

TOTAL SOLAR:
 31/43 = 72%

TOTAL CROSS VENTILATION:
 33/43 = 77%

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B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC



PROJECT:
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT:
 A&R, G&M De Angelis

Drawing: **SOLAR & CV - SHEET 2**

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-0-912	B	19/04/2017
SCALE @ A3	SCALE @ A1	DRAWN	AUTHORIZED
1:500	1:250	RD	FC

SCALE 1:500





REVISION G:
 - DORMA'S AMENDED

SITE AREA: 7816.8 m²

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REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE FOR CLIENT REVIEW	03/05/2017	RD	AC
B	ISSUE FOR REVIEW	28/07/2017	NT	FC
C	ISSUE FOR REVIEW	22/09/2017	TJ	FC
D	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
E	EXTERNAL FINISHES UPDATED FOR COUNCIL APPROVAL	07/05/2018	AY	FC
F	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC
G	DORMA'S AND BALCONY	07/09/2018	RK	FC

PROJECT:
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT:
 A&R, G&M De Angelis

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-0-111	G	19/04/2017
SCALE @ A3	SCALE @ A1	DRAWN	AUTHORISED
1 : 500		RD	FC
SCALE 1:500		25m	





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A	ISSUE FOR CLIENT REVIEW	03/05/2017	RD	AC
B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
C	ISSUE TO COUNCIL DA REQUIREMENTS	07/09/2018	RK	FC



PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-0-951	C	19/04/2017
SCALE @ A1	SCALE @ A3	DRAWN	AUTHORIZED
1:2000	1:1000	RD	FC





REVISION D
 BALCONY FRAMING AMENDED

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A	ISSUE FOR REVIEW	22/09/2017	TJ	FC
B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MM	FC
D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral

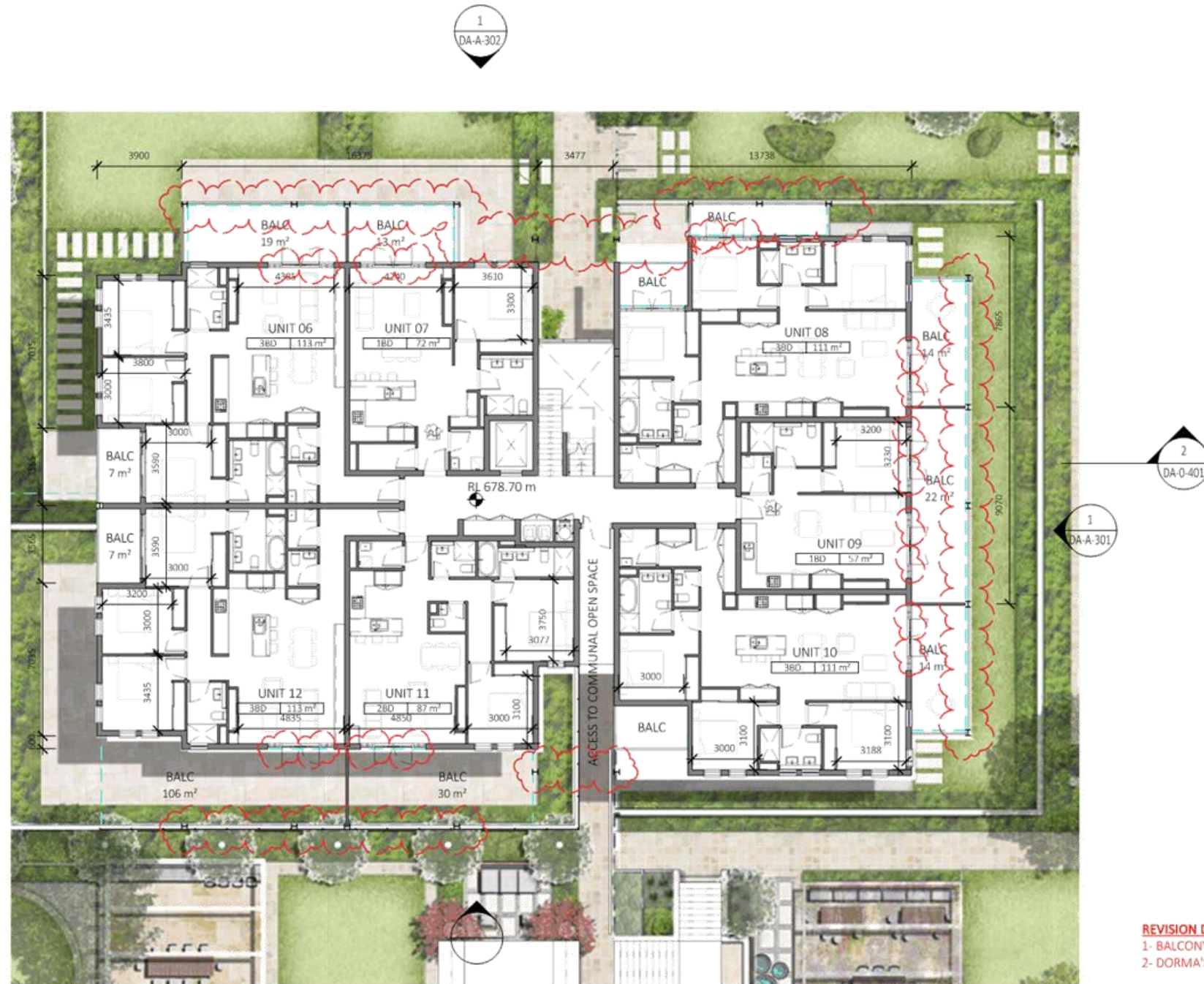
CLIENT
 A&R, G&M De Angelis

DRAWING
 (A) GROUND FLOOR

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-A-203	D	19/04/2017

SCALE @ A3	SCALE @ A1	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





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C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC
D	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC



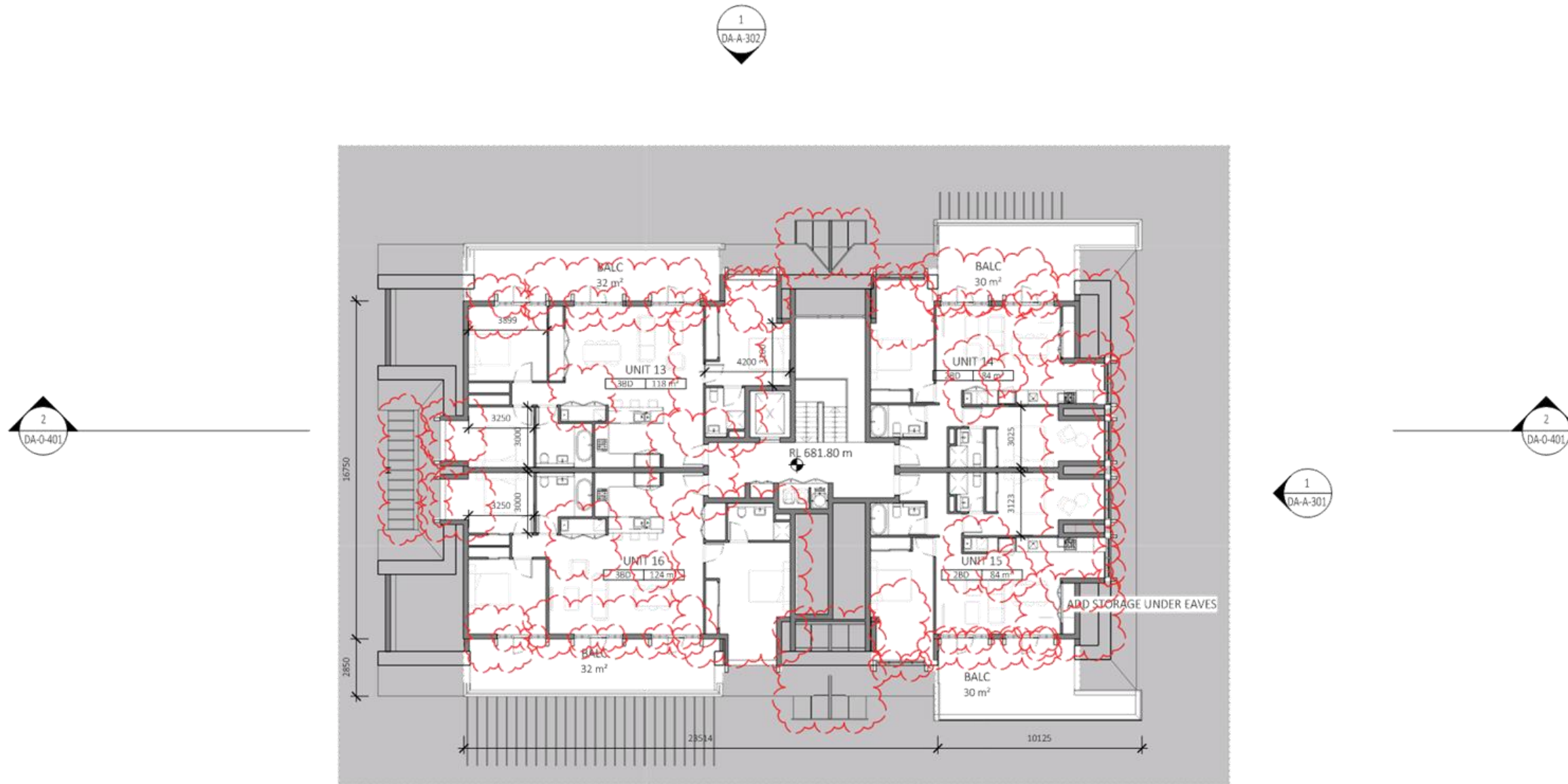
PROJECT: BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT: A&R, G&M De Angelis

DRAWING: (A) LEVEL 1

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-A-204	D	19/04/2017

SCALE @ A0	SCALE @ A1	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





REVISION D
 DORMERS MODIFIED
 ROOM LAYOUT CHANGES
 BALCONY ENTRY CHANGES
 AREAS MODIFIED; UNIT 14 & 15 - 87/77; UNIT 16 - 119/118

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C	ISSUE FOR REVIEW	03/07/2018	MM	FC
D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

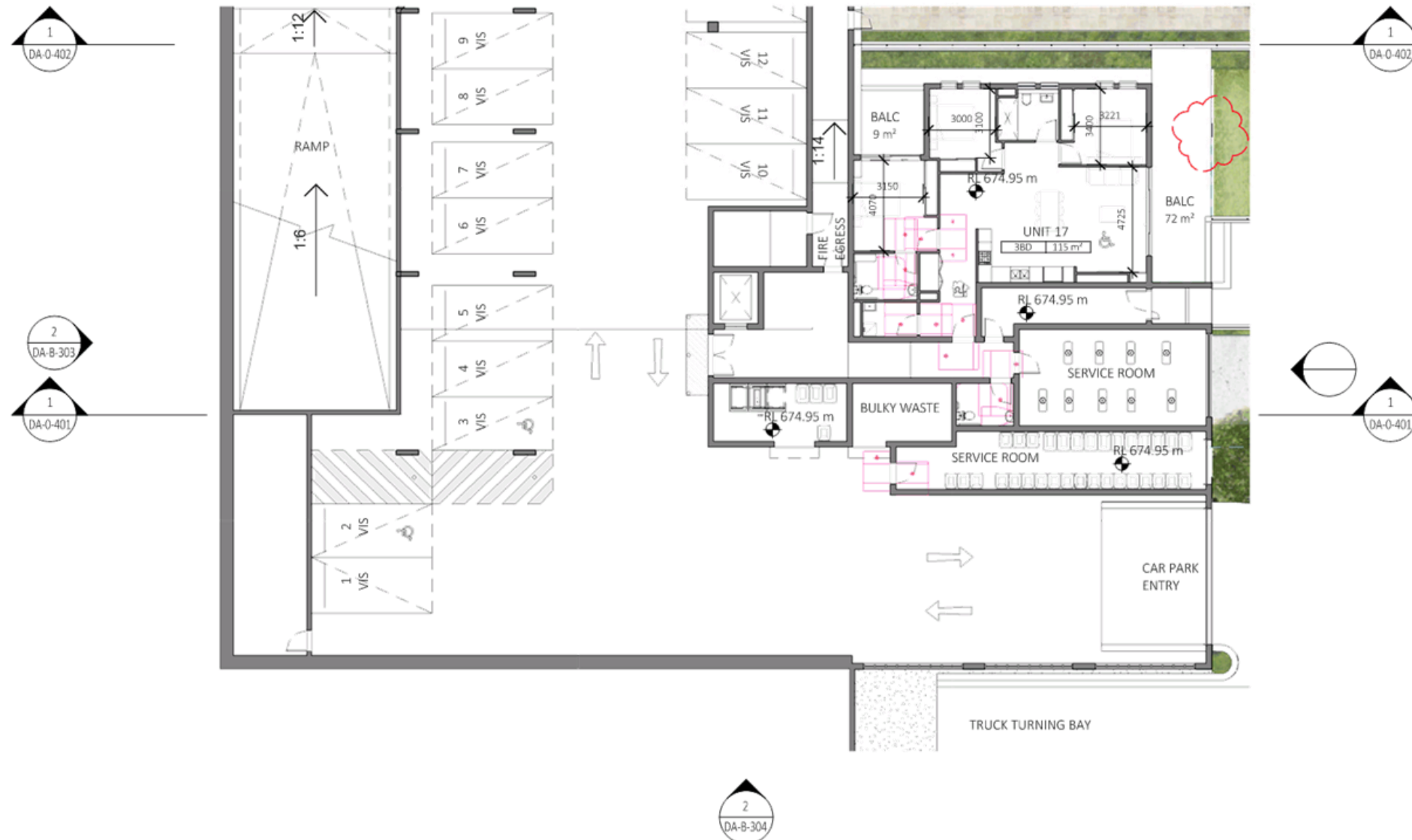
PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
CLIENT
 A&R, G&M De Angelis

DRAWING
 (A) LEVEL 2

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-A-205	D	19/04/2017

SCALE @ A3	SCALE @ A1	DRAWN	AUTHORISED
1 : 200	1:100	TJ	FC





REVISION C
 COLUMNS ADDED

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C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
 (B) GROUND FLOOR

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-B-203	C	19/04/2017
SCALE @ A1	SCALE @ A3	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





REVISION D
 DORMERS MODIFIED
 ROOM LAYOUT CHANGES
 BALCONY ENTRY CHANGES

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C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC
D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

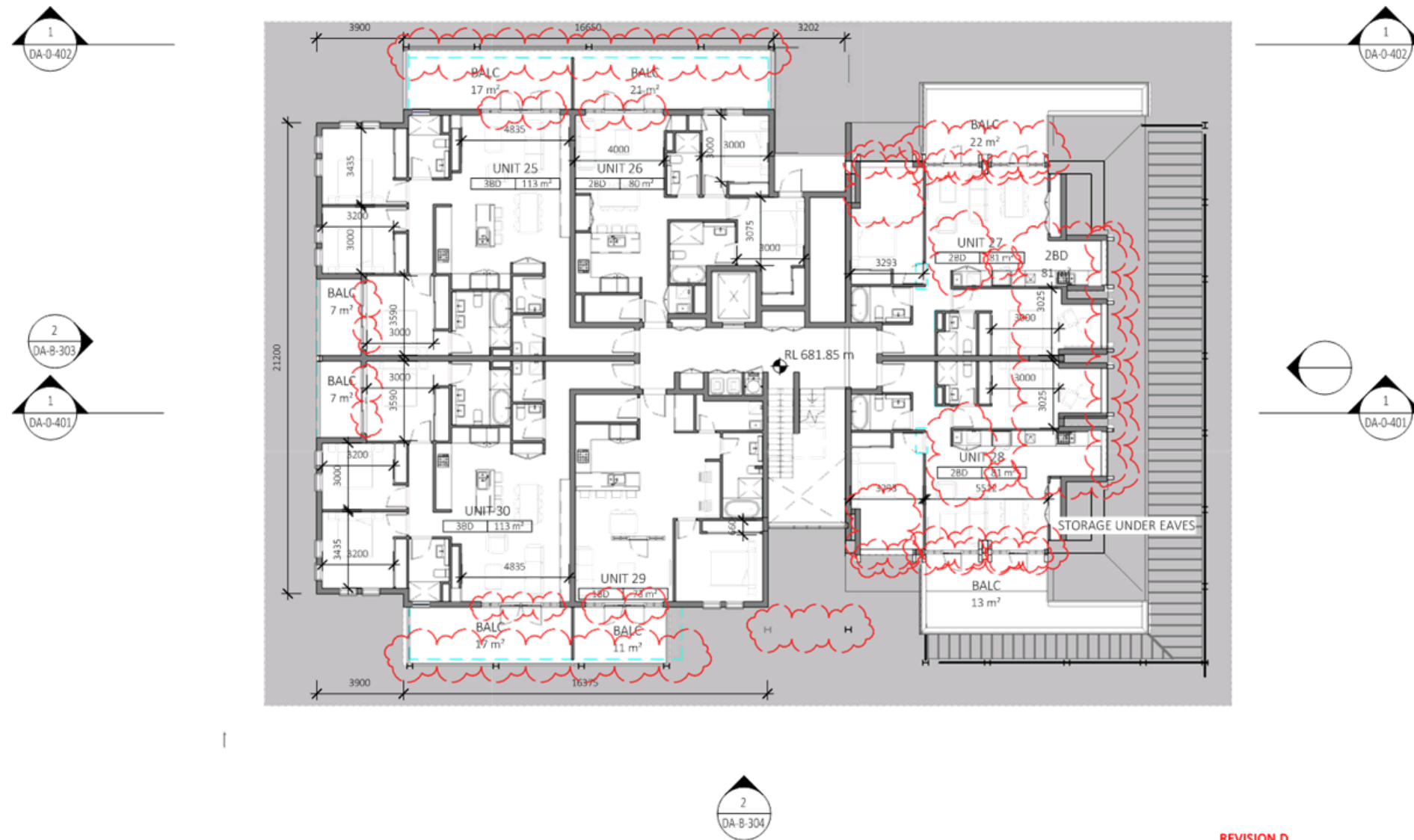


DRAWING
(B) LEVEL 1

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-B-204	D	19/04/2017

SCALE @ A3	SCALE @ A1	DRAWN	AUTHORIZED
1 : 200	1 : 100	TJ	FC





REVISION D
 DORMERS MODIFIED
 ROOM LAYOUT CHANGES
 BALCONY ENTRY CHANGES

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C	ISSUE FOR REVIEW	03/07/2018	MN	FC
D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

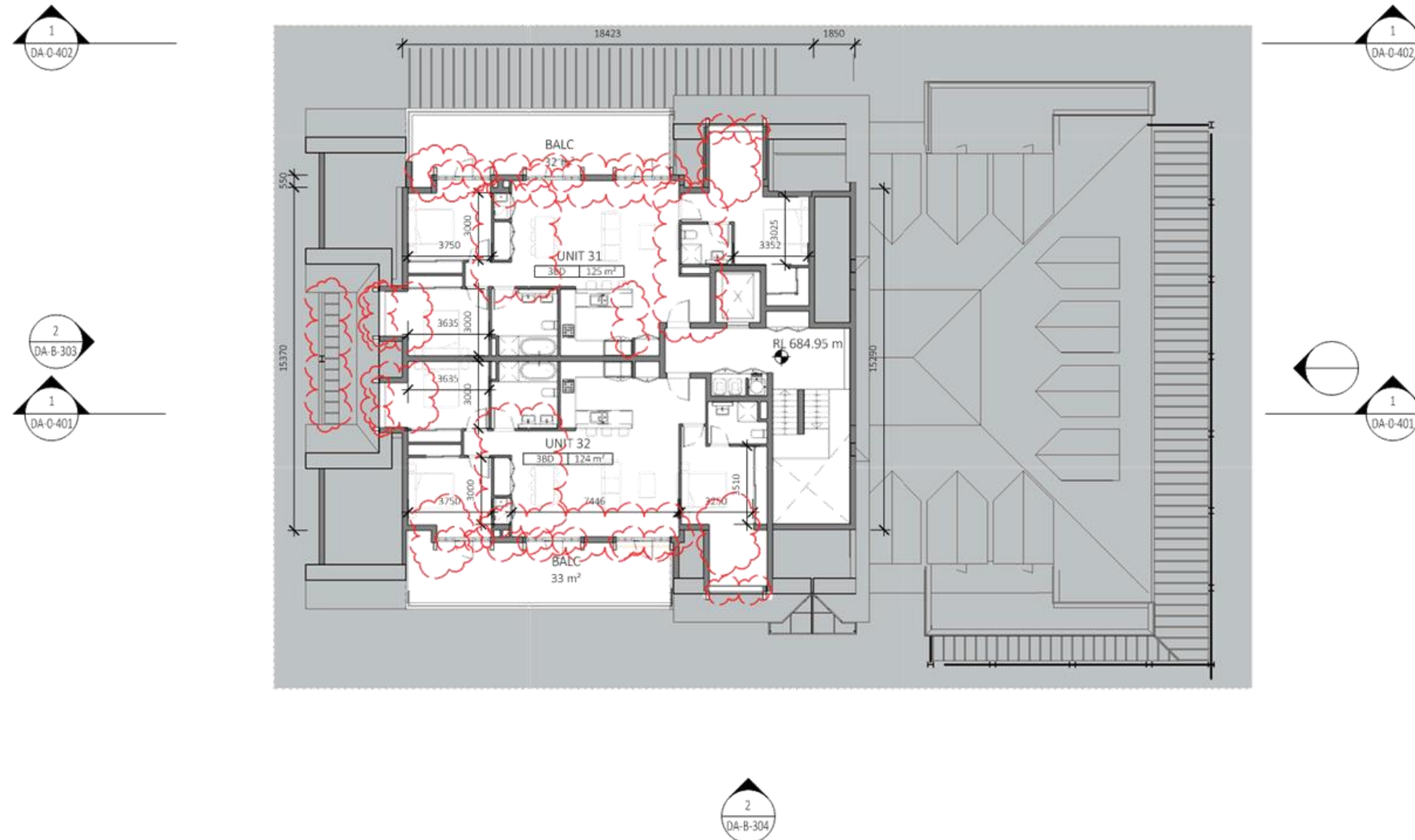
PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

Drawing
(B) LEVEL 2

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-B-205	D	19/04/2017

SCALE @ A1	SCALE @ A3	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





REVISION D
 DORMERS MODIFIED
 ROOM LAYOUT CHANGES
 BALCONY ENTRY CHANGES

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C	ISSUE FOR REVIEW	03/07/2018	MM	FC
D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

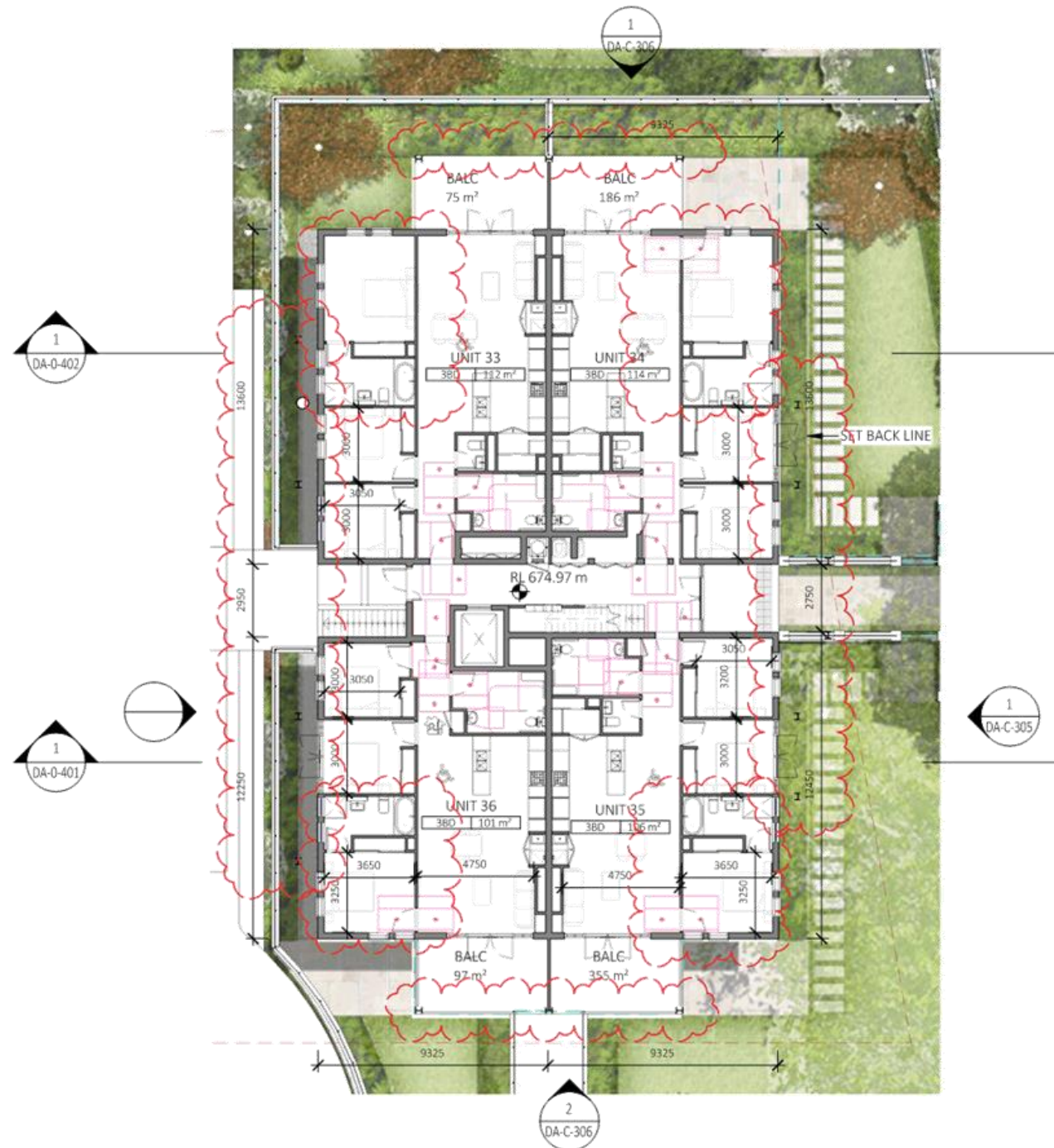
PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
(B) LEVEL 3

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-B-206	D	19/04/2017

SCALE @ A3	SCALE @ A1	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





REVISION D
 BALCONY FRAMING AMENDED

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A	ISSUE FOR REVIEW	22/09/2017	TJ	FC
B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
C	ISSUE FOR REVIEW	03/07/2018	MN	FC

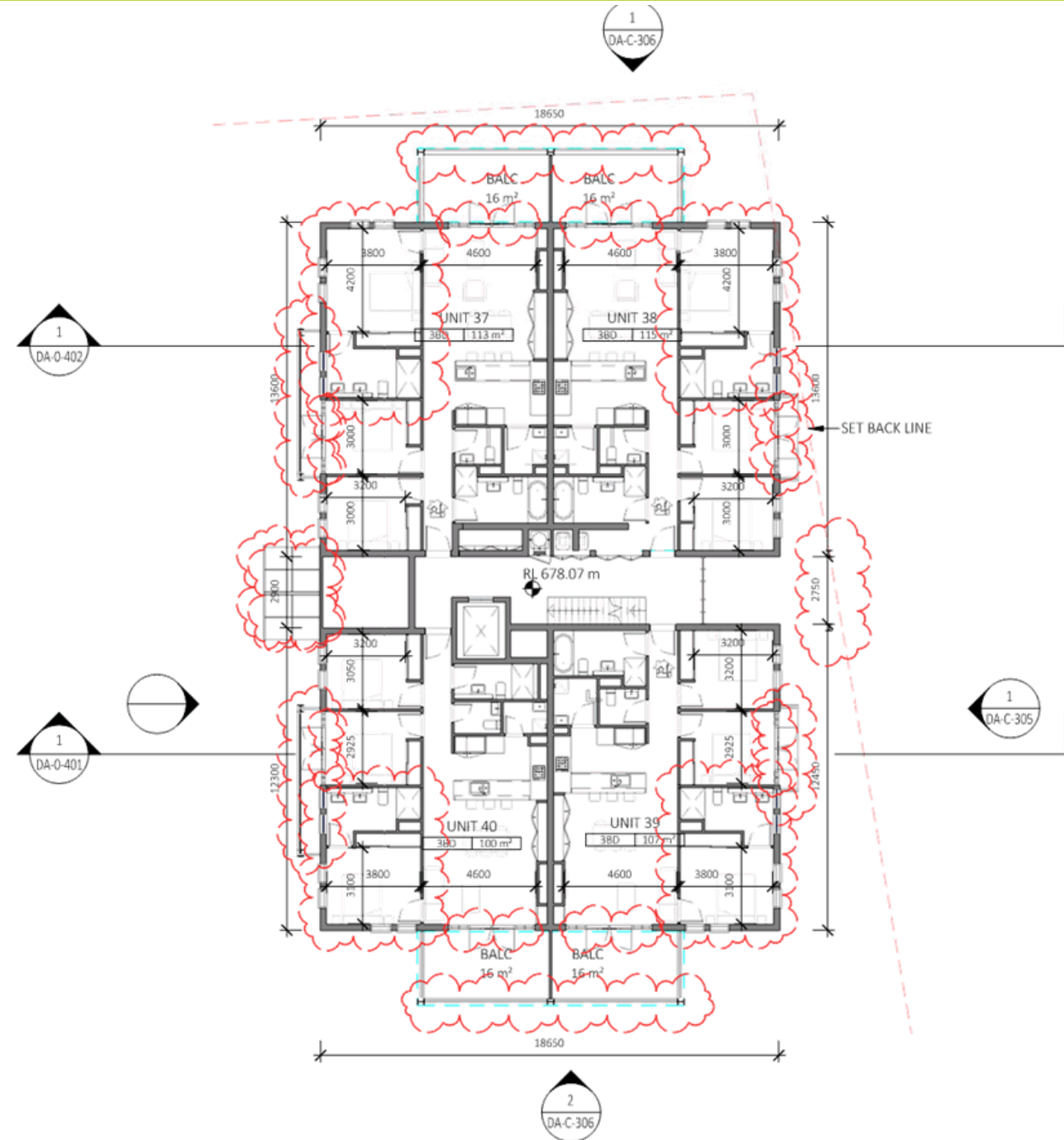


PROJECT:
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT:
 A&R, G&M De Angelis

DRAWING:
(C) GROUND FLOOR

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-C-203	C	19/04/2017
SCALE @ A0	SCALE @ A1	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





REVISION D
 1- BALCONY FRAMING AMENDED
 2- BALCONY DOORS AMENDED

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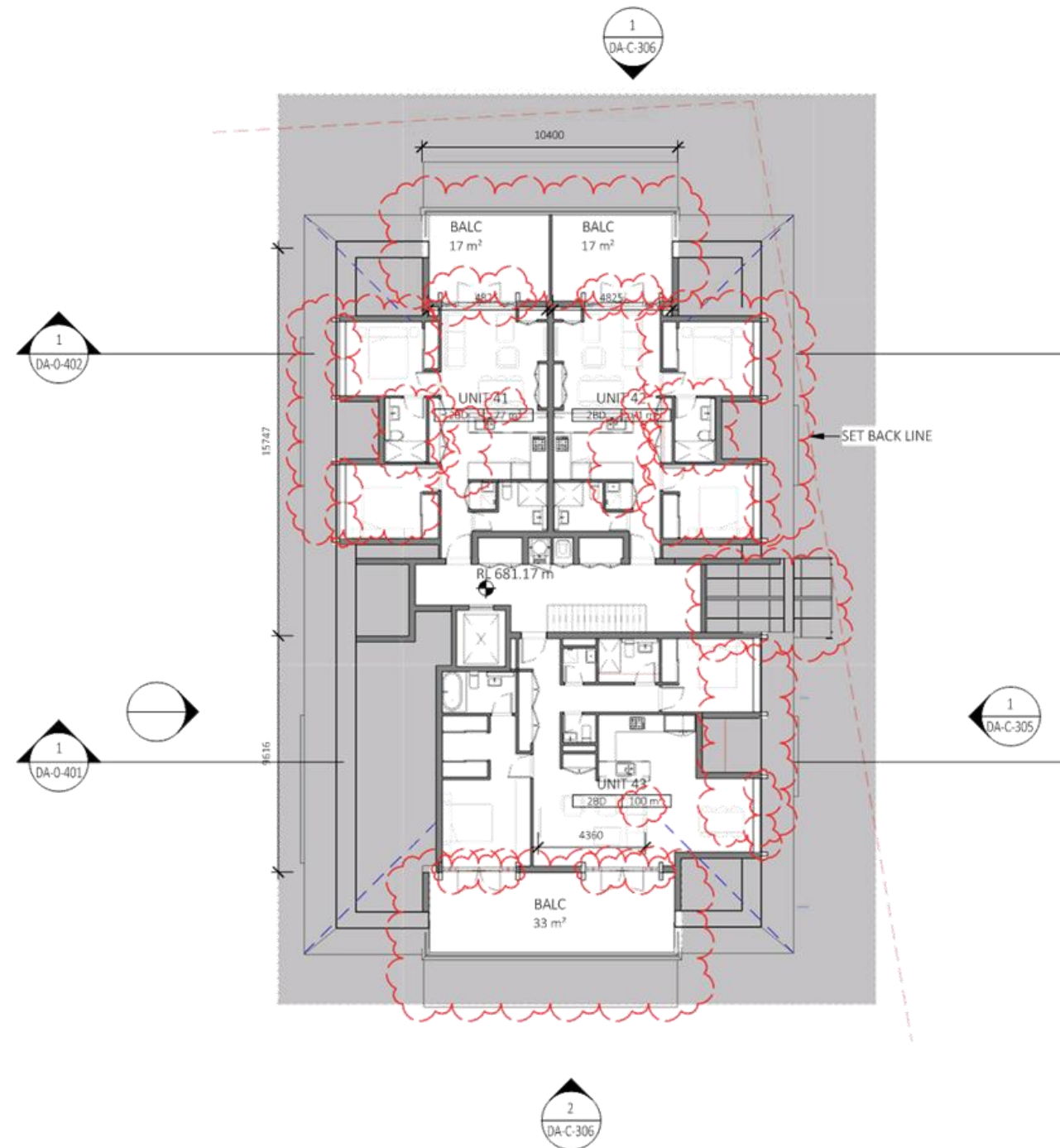
REV	DESCRIPTION	DATE	ISSUED	CHECKED
A	ISSUE FOR REVIEW	22/09/2017	TJ	FC
B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
C	ISSUE FOR REVIEW	03/07/2018	MN	FC
D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis



PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-C-204	D	19/04/2017
SCALE @ A3	SCALE @ A1	DRAWN	AUTHORISED
1 : 200	1:100	TJ	FC





REVISION D
 ROOF INFILL MODIFIED
 DORMERS MODIFIED
 ROOM LAYOUT CHANGES
 BALCONY ENTRY CHANGES
 AREAS MODIFIED; UNIT 41 & 42 - 92/80; UNIT 43 - 105/103

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D	DORMERS AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC



PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
(C) LEVEL 2

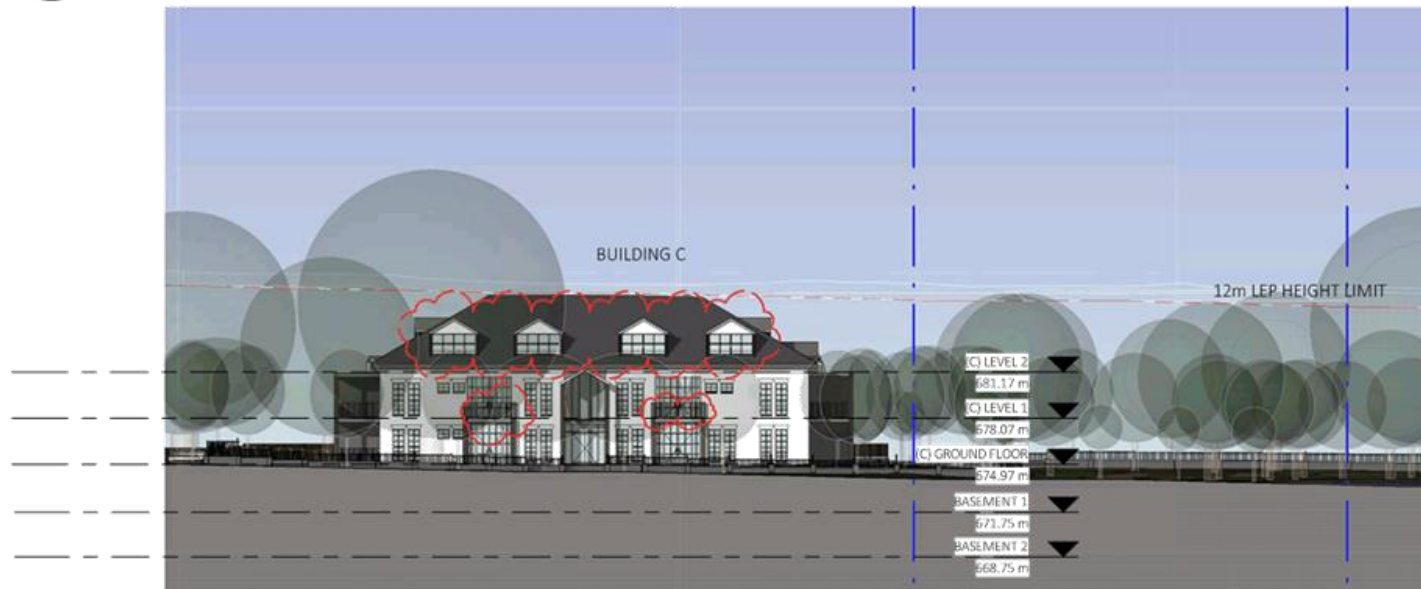
PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-C-205	D	19/04/2017

SCALE @ A1	SCALE @ A3	DRAWN	AUTHORIZED
1:200	1:100	TJ	FC





1 MOSSVALE ROAD
 DA-0-201 1:400



2 BOWRAL STREET
 DA-0-201 1:400

REVISION D:
 1-BALCONY FRAMING AMENDED
 2-DORMA'S AMENDED

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B	EXTERNAL FINISHES UPDATED FOR COUNCIL APPROVAL	07/05/2018	AY	FC
C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC
D	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-0-300	D	19/04/2017
SCALE @ A3	SCALE @ A1	DRAWN	AUTHORISED
1:400	1:200	NT	FC





1 HOLM HALE ROAD
 DA-0-201 1:400

REVISION D:
 1- BALCONY FRAMING AMENDED
 2- DORMA'S AMENDED

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C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC
D	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
 STREET ELEVATION 02

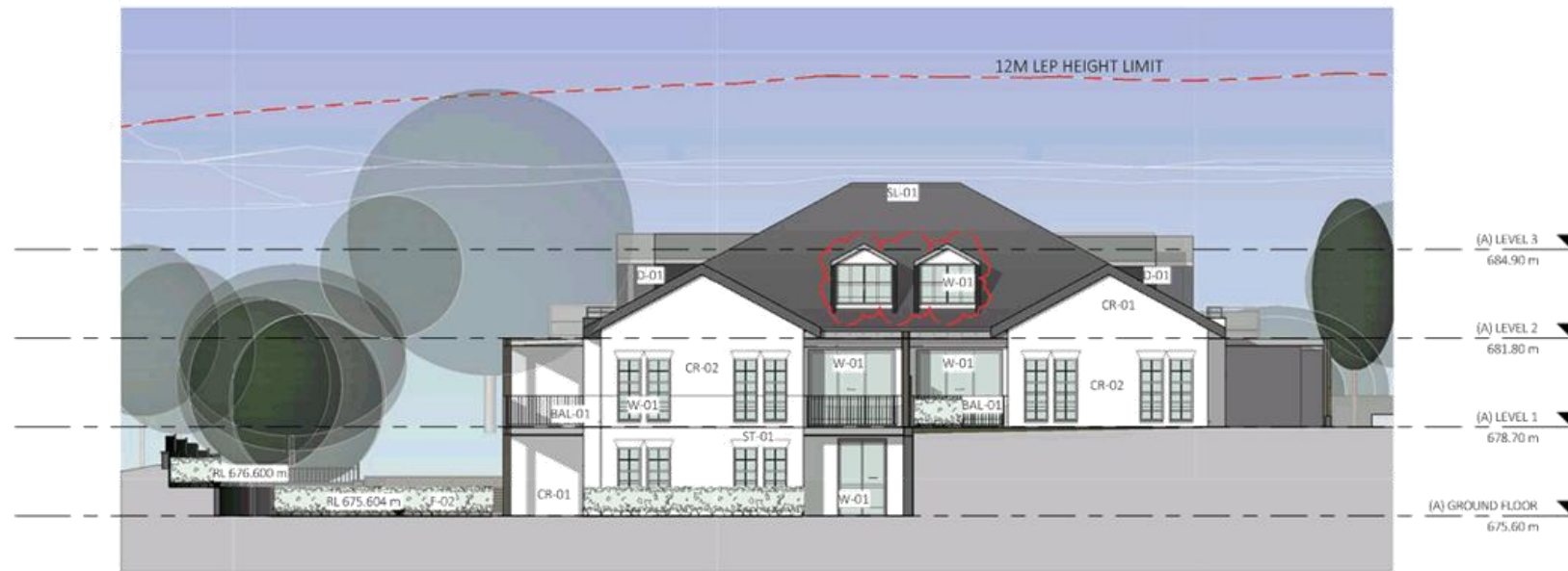
PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-0-301	D	19/04/2017

SCALE @ A1	SCALE @ A3	DRAWN	AUTHORIZED
1:400	1:200	NT	FC





1 (A) NORTH ELEVATION
 DA-A-203 1:200



2 (A) SOUTH ELEVATION
 DA-A-203 1:200

REVISION E
 COLUMNS AND FACADE PORTICO AMENDED

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REV	DESCRIPTION	DATE	ISSUED	CHECKED
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B	ISSUE FOR DEVELOPMENT APPLICATION	10/11/2017	NT	FC
C	EXTERNAL FINISHES UPDATED FOR COUNCIL APPROVAL	07/05/2018	AY	FC
D	ISSUE FOR REVIEW	03/07/2018	MM	FC
E	DORMER'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RR	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
 (A) NORTH & SOUTH
 ELEVATION
 PROJECT NO: 13-037
 DRAWING NO: DA-A-301
 SCALE @ A3: As
 SCALE @ A1: 1:100
 REVISION: E
 DATE: 19/04/2017
 DRAWN: VS
 AUTHORIZED: FC
 SCALE: 1:200





2 (A) EAST ELEVATION
 DA-A-204 1:200



REVISION E
 COLUMNS AND FACADE PORTICO AMENDED

1 (A) WEST ELEVATION
 DA-A-203 1:200

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D	ISSUE FOR REVIEW	03/07/2018	MN	FC
E	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
 (A) EAST & WEST ELEVATION
 PROJECT NO: 13-037
 DRAWING NO: DA-A-302
 REVISION: E
 DATE: 19/04/2017
 SCALE @ A3: As
 SCALE @ A1: 1:100
 DRAWN: TJ
 AUTHORIZED: FC
 indicated





1 (B) NORTH ELEVATION
 DA-B-203 1:200



2 (B) SOUTH ELEVATION
 DA-B-203 1:200

REVISION E
 COLUMNS AND FACADE PORTICO AMENDED

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C	EXTERNAL FINISHES UPDATED FOR COUNCIL APPROVAL	07/05/2018	AY	FC
D	ISSUE FOR REVIEW	03/07/2018	MN	FC
E	DORMER'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RR	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
 (B) NORTH & SOUTH ELEVATION
 PROJECT NO: 13-037
 DRAWING NO: DA-B-303
 SCALE @ A3: As
 REVISION: E
 DATE: 19/04/2017
 DRAWN: TJ
 AUTHORIZED: FC
 indicated





2 (B) EAST ELEVATION
 DA-B-203 1:200



1 (B) WEST ELEVATION
 1:200

REVISION E
 COLUMNS AND FACADE PORTICO AMENDED

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 Nominated Architect: Robert Nigel Dickson
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D	ISSUE FOR REVIEW	03/07/2018	MN	FC
E	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

Drawing
 (B) EAST & WEST ELEVATION

PROJECT NO.	DRAWING NO.	REVISION	DATE
13-037	DA-B-304	E	19/04/2017
SCALE @ A1	SCALE @ A3	DRAWN	AUTHORIZED
As	1:100	TJ	FC

indicated





1 (C) NORTH ELEVATION
 DA-C-203 1:200



2 (C) SOUTH ELEVATION
 DA-C-203 1:200

REVISION E
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D	ISSUE FOR REVIEW	03/07/2018	MM	FC
E	DORMAS AND BALCONY FENESTRATION AMENDED	07/09/2018	RR	FC

PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

DRAWING
 (C) NORTH & SOUTH
 ELEVATION
 PROJECT NO: 13-037
 DRAWING NO: DA-C-305
 REVISION: E
 DATE: 19/04/2017
 SCALE @ A3: As
 SCALE @ A1: 1:100
 DRAWN: TJ
 AUTHORIZED: FC
 INDICATED SCALE: 1:200





1 (C) WEST ELEVATION
 DA-C-203 1:200



2 (C) EAST ELEVATION
 DA-C-203 1:200

REVISION E
 COLUMNS AND FACADE PORTICO AMENDED

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D	ISSUE FOR REVIEW	03/07/2018	MN	FC
E	DORMA'S AND BALCONY FENESTRATION AMENDED	07/09/2018	RK	FC

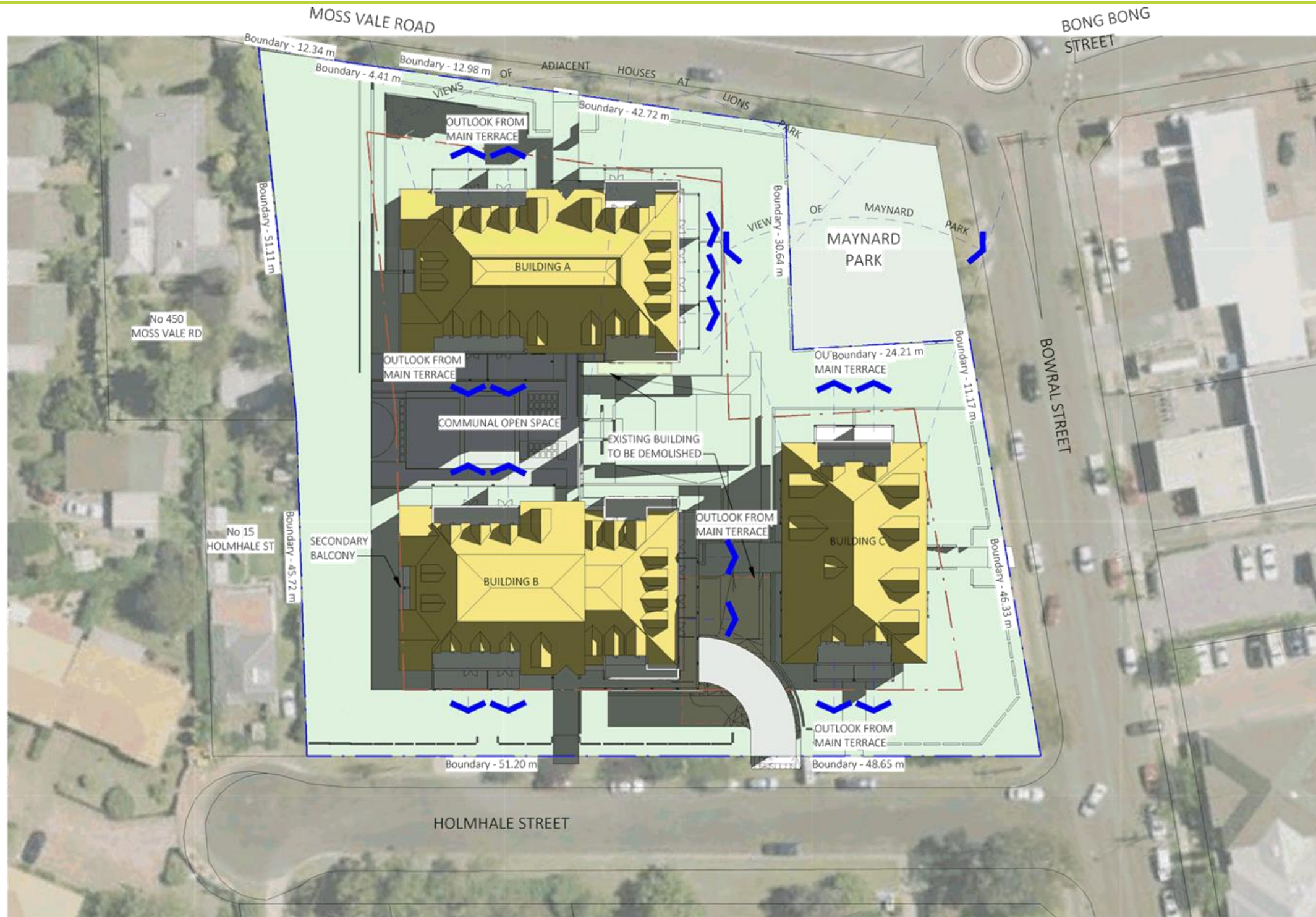
PROJECT
 BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
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DRAWING
 (C) EAST & WEST ELEVATION

PROJECT NO.	DRAWING NO.	REVISION	DATE
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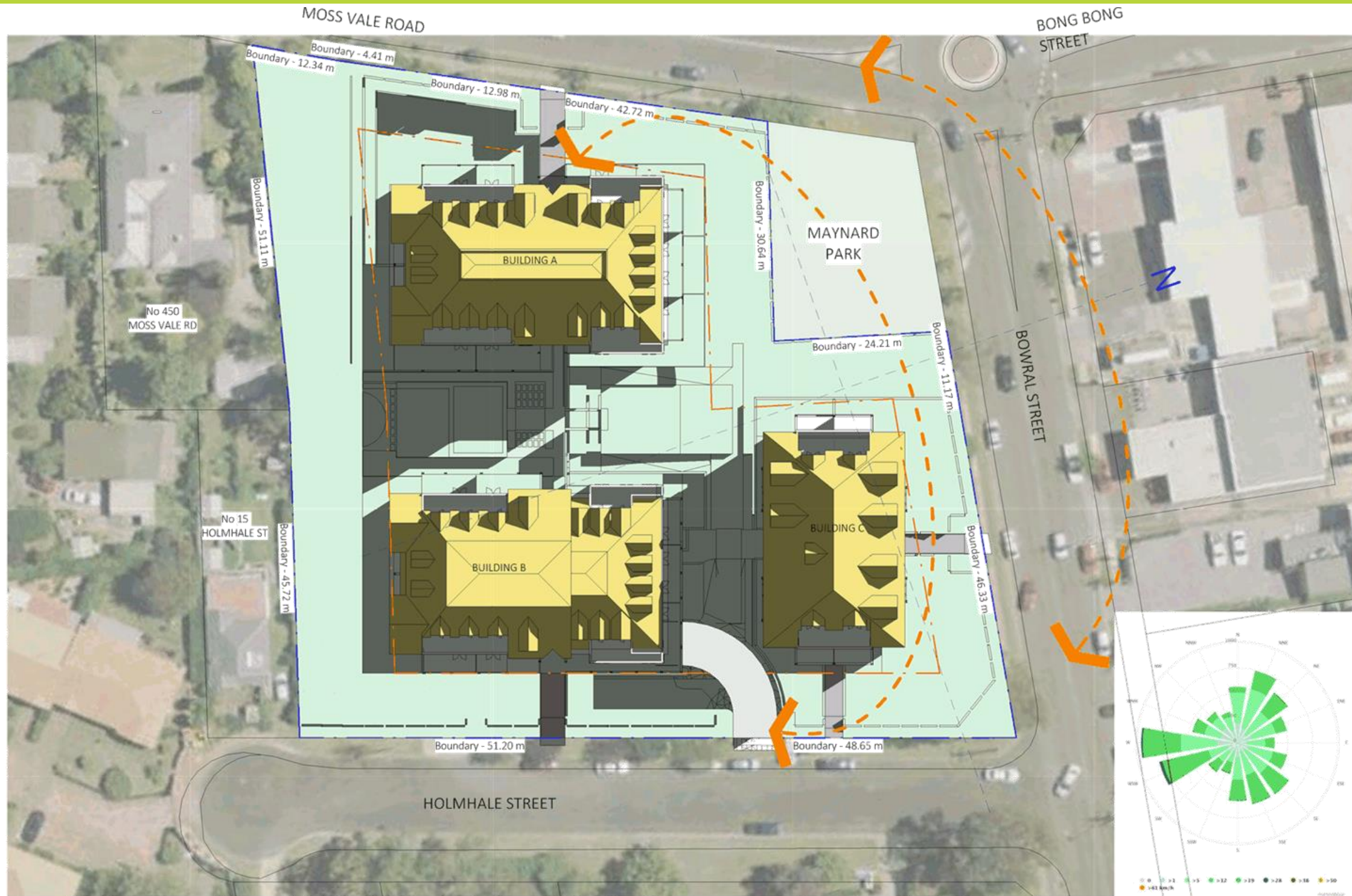
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C	ISSUE TO COUNCIL DA REQUIREMENTS	09/07/2018	MN	FC

PROJECT
BOWRAL
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DRAWING
BUILT FORM & VIEWS

PROJECT NO	DRAWING NO	REVISION	DATE
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	SCALE 1:500		





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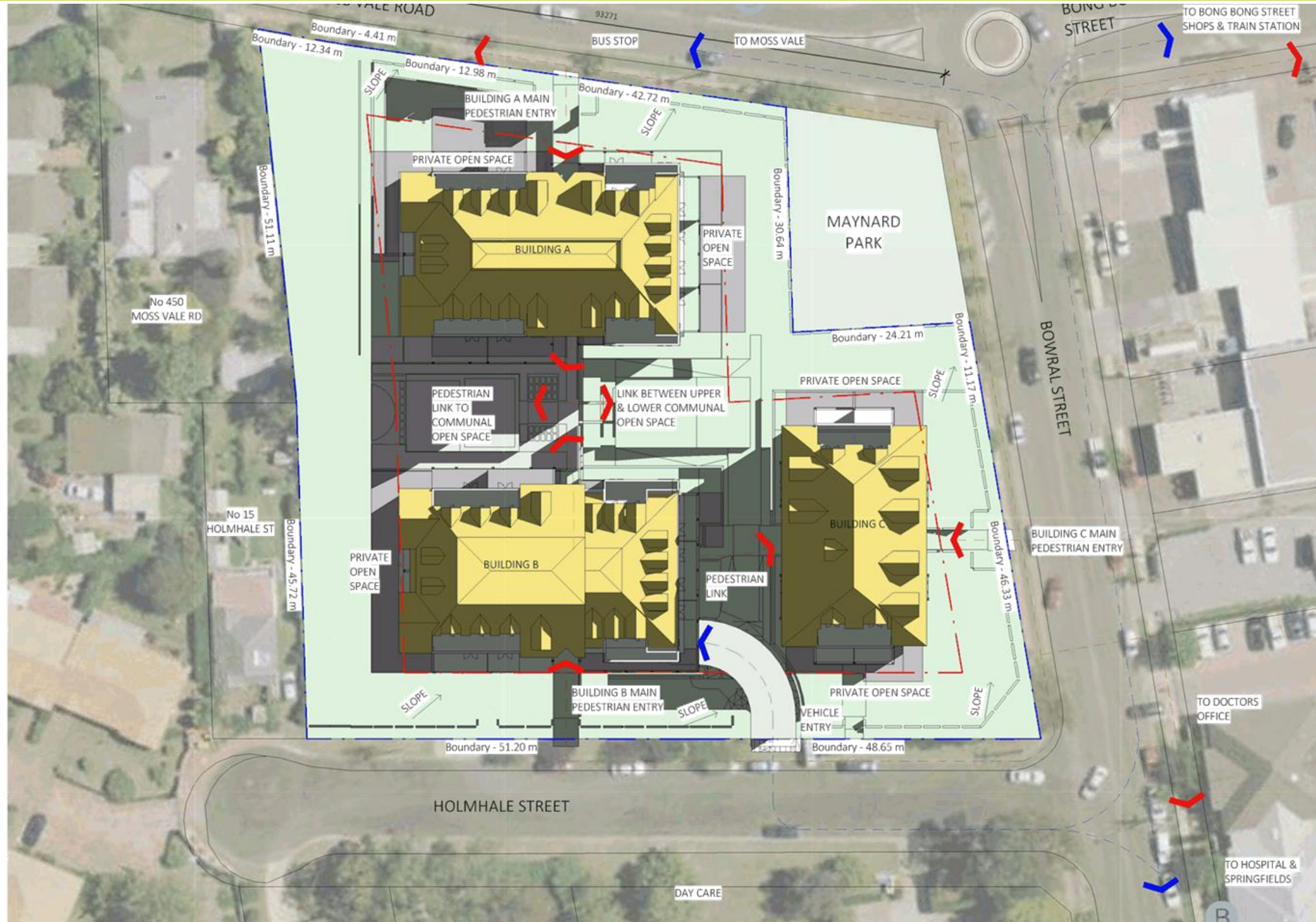
PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
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Drawing
SOLAR & VENTILATION

PROJECT NO.	DRAWING NO.	REVISION	DATE
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1: 500	TJ	FC	

SCALE 1:500





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PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral

CLIENT
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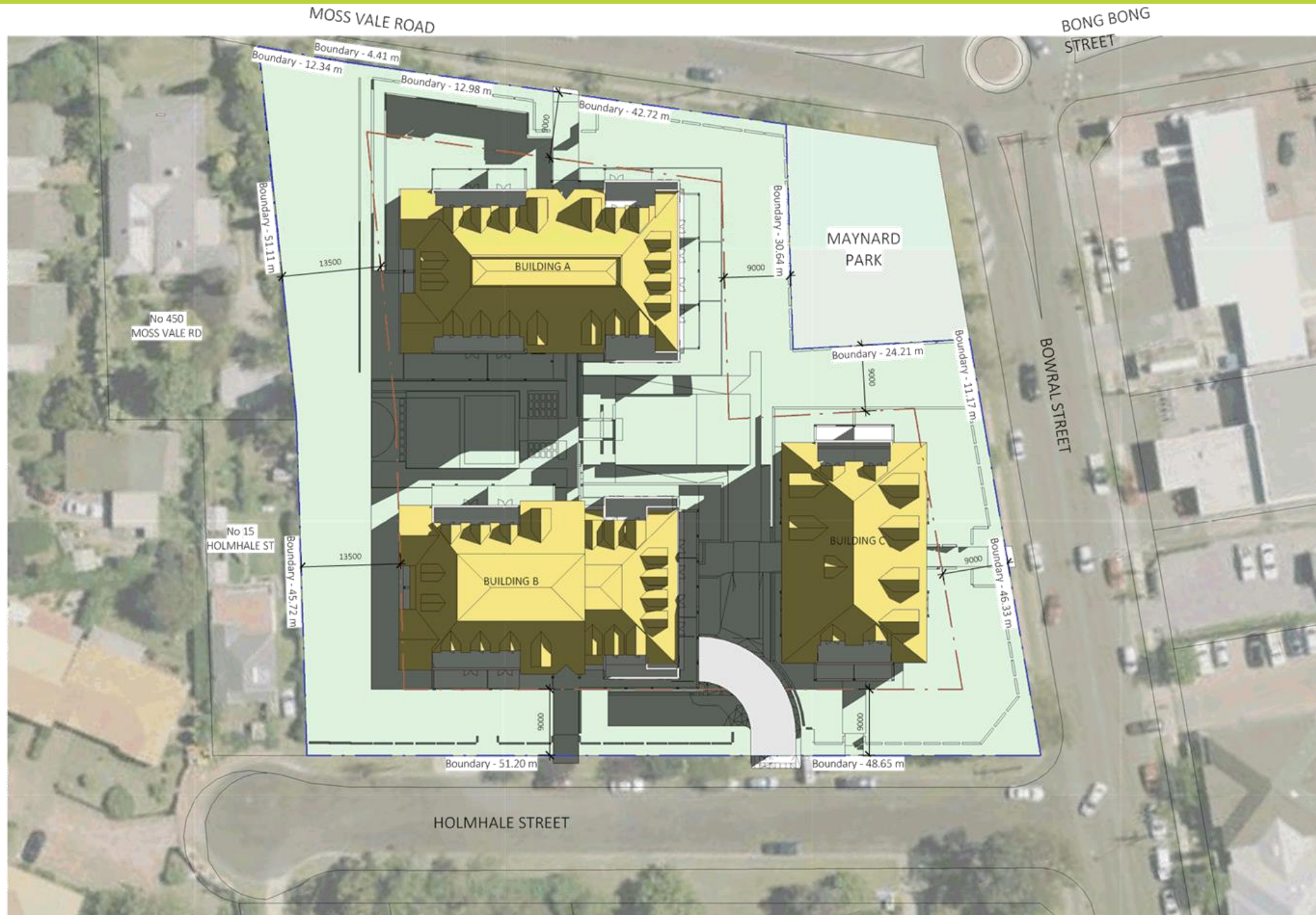


DRAWING
PEDESTRIAN & VEHICLE ACCESS

PROJECT NO	DRAWING NO	REVISION	DATE
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PROJECT
BOWRAL
 Corner Moss Vale Road and Bowral Street, Bowral
 CLIENT
 A&R, G&M De Angelis

Drawing
SET BACKS

PROJECT NO	DRAWING NO	REVISION	DATE
13-037	DA-0-123	C	19/04/2017
SCALE (P.A.)	DRAWN	AUTHORIZED	
1 : 500	TJ	FC	

SCALE 1:500





DEEP SOIL 2969 SQM
 TOTAL LANDSCAPE 4839 SQM

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PROJECT NO	DRAWING NO	REVISION	DATE
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1 : 500	TJ	FC	
SCALE 1:500			20%



ATTACHMENTS TO REPORT

Item 12.6

Crown Land Management Act 2016 - Initial Categorisation of Crown Land

Attachment 1

Table comparing categorisations assigned by Crown and Council

ATTACHMENTS TO REPORTS

12.6 Crown Land Management Act 2016 - Initial Categorisation of Crown Land
ATTACHMENT 1 Table comparing categorisations assigned by Crown and Council



ATTACHMENT 1

RESERVE NAME	GAZETTED OR DEDICATED PURPOSE (AS PER CROWN RECORDS)	CROWN CATEGORISATION	COUNCIL RECOMMENDATION	AGREE or AMEND
OMMEMORATION PARK	Public Recreation	Park	Natural Area - Bush and	Amend
ALMORAL	Public Recreation or Conservation; Preservation Of Graves	Area of Cultural Significance	Area of Cultural Significance & Natural Area - Bush and	Amend
ERRIVA	Access	General Community Use	General Community Use	Agree
IVERBEND RESERVE	Public Recreation	Park	General Community Use	Amend
ERRIVA CAMP GROUNDS	Baths; Public Recreation	Park	Natural Area - Bush and & Area of Cultural Significance	Amend
ERRIVA	Public Recreation	Park	Park & Area of Cultural Significance	Amend
ERRIVA	Public Recreation; Resting Place	Multiple Categories (Needs Resolving)	Area of Cultural Significance & Natural Area - Bush and	Amend
ERRIVA	Public Hall; Public Recreation or Conservation	Multiple Categories (Needs Resolving)	Park & Area of Cultural Significance	Amend
ERRIVA	Bush Fire Brigade Purposes	General Community Use	General Community Use	Agree
ERRIVA	Cemetery	General Community Use	General Community Use	Agree
ERRIVA	Public Recreation	Park	General Community Use & Area of Cultural Significance	Amend
ERRIVA	Public Recreation	Park	Area of Cultural Significance & Natural Area - Bush and	Amend
ERRIVA	Public Recreation	Park	Area of Cultural Significance & Natural Area - Bush and	Amend
ERRIVA	Public Recreation	Park	Area of Cultural Significance & Natural Area - Bush and	Amend
ERRIVA	Public Recreation	Park	Area of Cultural Significance & Natural Area - Bush and	Amend
ORBERT GARDENS	Public Park	Park	Park & Area of Cultural Significance	Amend
INTERNATIONAL PARK	Public Baths; Public Recreation; Resting Place	Multiple Categories (Needs Resolving)	Park, General Community Use & Area of Cultural Significance	Amend
JAR MEMORIAL PARK	Public Recreation	Park	Park & Area of Cultural Significance	Amend
UNDANOON	Public Recreation	Park	Park & Area of Cultural Significance	Amend
ENROSE RUBBISH DEPOT	Rubbish Depot	General Community Use	General Community Use & Natural Area - Bush and	Amend
ENDALE	Public Recreation	Park	Park, General Community Use, Natural Area - Bushland & Area of Cultural Significance	Amend
UNDANOON	General Cemetery	General Community Use	General Community Use & Natural Area - Bush and	Amend
ENDALE	Public Recreation	Park	Park	Agree
OWRAL	Public Recreation	Park	General Community Use	Amend
ANYONLEIGH	Community Purposes; Public Recreation	Multiple Categories (Needs Resolving)	General Community Use & Natural Area - Bush and	Amend
ASTANGALOOON	General Cemetery	General Community Use	Area of Cultural Significance & Natural Area - Bush and	Amend
OANNA FALLS RESERVE	Public Recreation	Park	Park & Natural Area - Bushland	Amend
OODMAY'S FORD	Public Recreation	Park	General Community Use & Natural Area - Bush and	Amend
ORONIA PARK HILLTOP	Public Recreation	Park	Park, General Community Use & Natural Area - Bush and	Amend
OBERTSON	Public Recreation	Park	Natural Area - Bush and	Amend
EDWAY	Public Recreation	Park	Park	Agree
EDWAY DAM	Pres. Of Native Fauna; Pres. Of Native Flora; Public Recreation	Natural Area (Subcategory required)	Natural Area - Bush and	Agree
FRY A	Public Recreation	Park	Natural Area - Bush and	Amend
JOHN ALXANDRA	Pres. Of Fauna; Pres. Of Native Birds; Pres. Of Native Flora; Pres. Of Trees	Natural Area (Subcategory required)	Natural Area - Bush and	Agree
ITTAGONG	Public Recreation	Park	General Community Use & Natural Area - Bush and	Amend
ACKY PARK RESERVE TRUST	Public Recreation	Park	General Community Use	Amend
LOSS VALE	General Cemetery	General Community Use	General Community Use	Agree
ITTAGONG, BOWKAL	Public Recreation	Park	Area of Cultural Significance & Natural Area - Bush and	Amend
ADDY'S RIVER	Public Recreation; Resting Place	Multiple Categories (Needs Resolving)	Natural Area - Bush and	Amend
ADDY'S RIVER RESERVE	Public Recreation; Resting Place	Multiple Categories (Needs Resolving)	Natural Area - Bush and	Amend
ADDY'S RIVER	Public Recreation	Park	Natural Area - Bush and	Amend
ENROSE	Public Recreation	Park	Natural Area - Bush and	Amend
ENROSE	Public Recreation	Park	General Community Use	Amend
ENROSE	Bush Fire Brigade Purposes	General Community Use	General Community Use & Natural Area - Bush and	Amend
ENROSE	General Cemetery	General Community Use	General Community Use	Agree
AMPDEN PARK (PART)	Addition; Public Recreation	Park	Sportsground	Amend
AMPDEN PARK (PART)	Addition; Public Recreation	Park	Sportsground	Amend
AMPDEN PARK (PART)	Addition; Public Recreation	Park	Sportsground & Natural Area - Bushland	Amend
AMPDEN PARK (PART)	Public Recreation	Park	Sportsground, Natural Area - Bushland & General Community Use	Amend
ORRISON COMMUNITY CENTRE	Community Centre	General Community Use	General Community Use	Agree
ORRISON	General Cemetery	General Community Use	General Community Use, Natural Area - Bushland & Area of Cultural Significance	Amend
OODLANDS	Public Recreation	Park	Natural Area - Bush and	Amend
JE.BY	Public Recreation	Park	Sportsground & Natural Area - Bushland	Amend
JE.BY	Public Recreation	Park	General Community Use & Natural Area - Bush and	Amend
ITTAGONG	Preservation Of Fauna; Preservation Of Native Flora; Public Recreation	Multiple Categories (Needs Resolving)	Area of Cultural Significance & Natural Area - Bush and	Amend
JE.BY	General Cemetery	General Community Use	General Community Use	Agree
JE.BY	Public Recreation	Park	Sportsground, Natural Area - Bushland & General Community Use	Amend
JE.BY, WOODLANDS	Public Recreation	Park	Natural Area - Bush and	Amend
JINGELLO HALL	Community Purposes	General Community Use	General Community Use, Park & Area of Cultural Significance	Amend
JINGELLO	Public Recreation	Park	Sportsground, General Community Use & Natural Area - Bushland	Amend
JINGELLO	Public Recreation	Park	Natural Area - Bush and	Amend
JINGELLO	Cemetery	General Community Use	Natural Area - Bush and	Amend
OBERTSON	Rubbish Depot	General Community Use	General Community Use & Natural Area - Bush and	Amend
FOIA WILDLIFE REFUGE	Promotion Of The Study And The Preservation Of Native Flora And Fauna	Natural Area (Subcategory required)	Natural Area - Bush and	Agree

ATTACHMENTS TO REPORT

Item 13.3

Planning Proposal to rezone Mt Ashby, 140 Nowra Road Moss Vale from E3 Environmental Management to SP3 Tourist

Attachment 1

Attachment 1 - Figure 1 - Location of subject land

Attachment 2

Attachment 2 - Figure 2 - Location of existing SP3 Tourist zones

Attachment 3

Attachment 3 - Letter from proponent regarding tourism establishment' on subject land

Attachment 4

Attachment 4 - Letter from Destination Southern Highlands regarding membership of Mt Ashby

Attachment 5

Attachment 5 - Figure 3 - Location of Site from Nearest Residential Development

Attachment 6

Attachment 6 - Figure 4 - High Value Environmental and Agricultural Lands Mapping in relation to the subject Land

ATTACHMENT 1

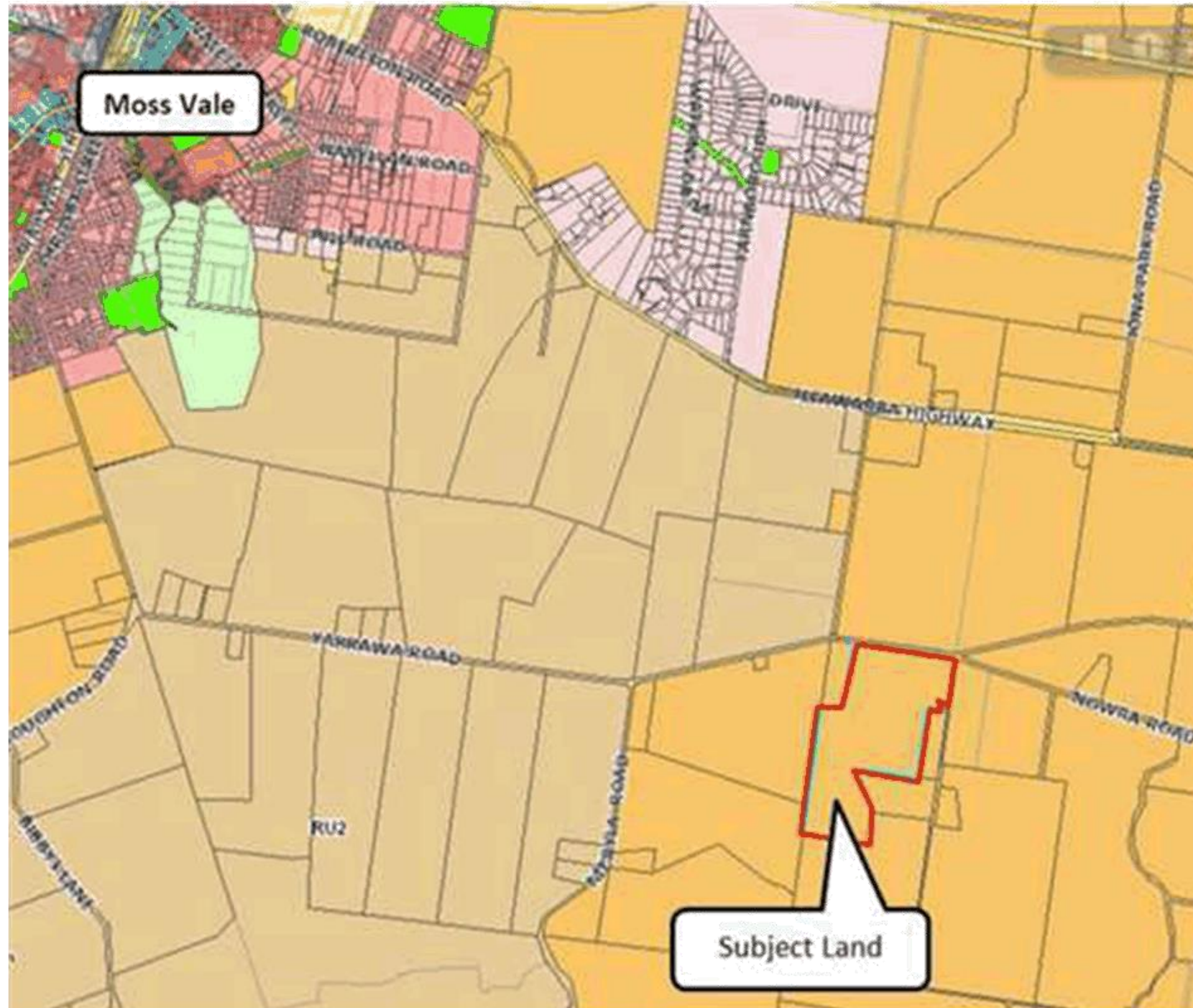


Figure 1 Location of Subject Land

ATTACHMENT 2

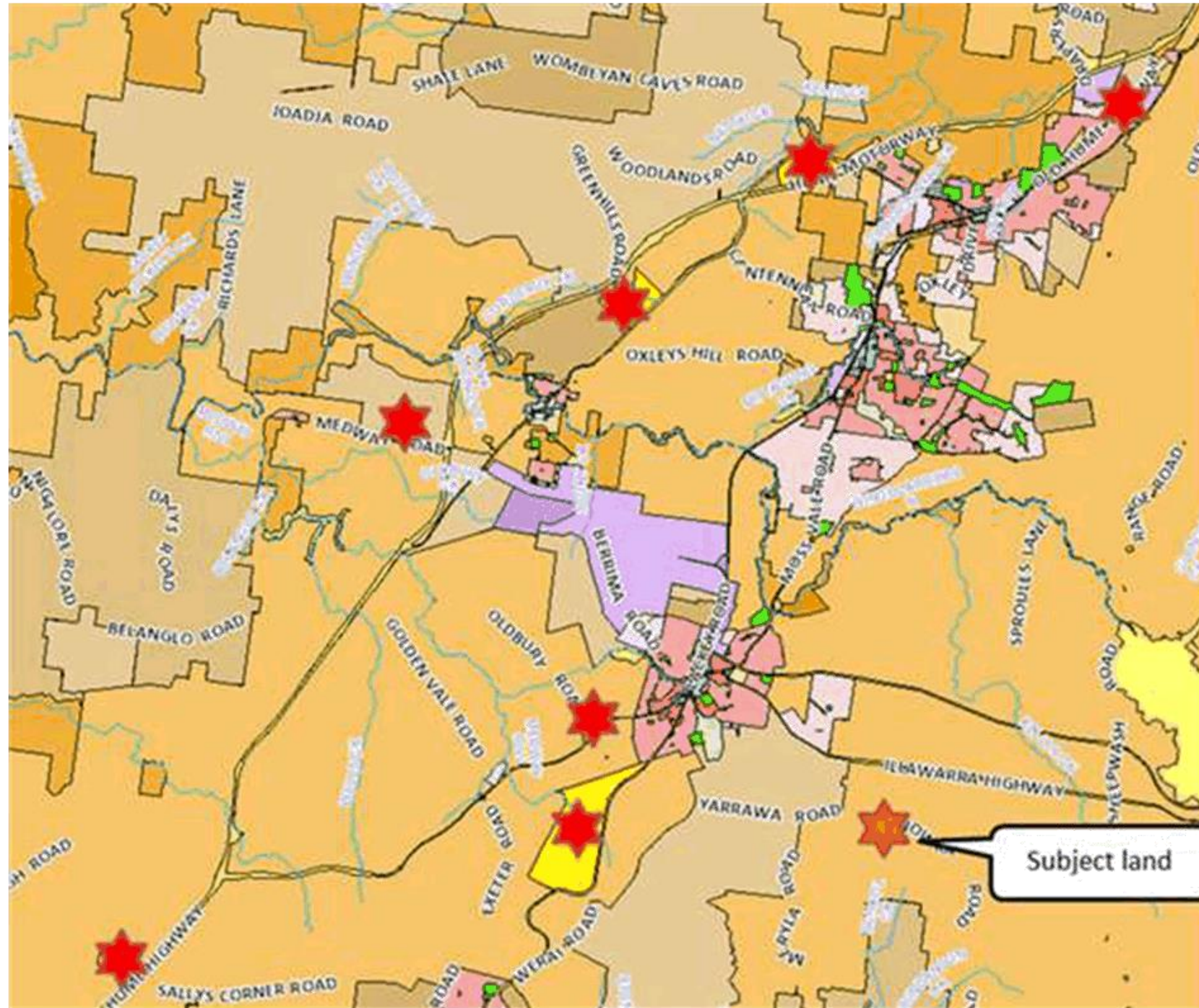


Figure 2 Location of SP3 Tourist Zones

13.3 Planning Proposal to rezone Mt Ashby, 140 Nowra Road Moss Vale from E3 Environmental Management to SP3 Tourist
ATTACHMENT 3 Attachment 3 - Letter from proponent regarding tourism establishment' on subject land



ATTACHMENT 3



P 0408 473 857
 E lep.planning@gmail.com
 W www.leppanning.com.au
 A 33 Holly Street, Bowral NSW 2576
 ARN 16 870 474 487

Wingecarribee Shire Council
 PO Box 141
 Moss Vale NSW 2577
 Attention: Susan Stannard

Dear Susan,

RE: Planning Proposal for the amendment of the zoning of Mt Ashby Vineyard, Nowra Road, Moss Vale to SP3 Tourist zone

The above Planning Proposal has received a gateway approval from the Department of Planning and been through the required public exhibition.

As a result of that exhibition, there is a need to address questions raised in relation to the site and the assessment of it against the relevant Council rezoning criteria, in particular that it should be a site continuously operating as a tourist establishment for at least three years. This letter is being provided in response to that and is provided on behalf of the property owner, Mr Chris Harvey.

The first point to make is that there is no specific definition of a 'tourist establishment'. It would be reasonable to assume that if there were a definition, it would encompass such uses that attract tourists and offer a range of services, goods and experiences that may enhance one's enjoyment of a locality.

It may in fact be the reason why one has ventured to that locality in the first instance – to visit the particular tourist establishment. Wine regions are widely and consistently acknowledged as tourism regions, attracting visitation by tourists who are drawn by the combination of food, wine and rural landscapes.

Tourist establishments may not necessarily be frequented exclusively by tourists. However, without tourists they may not be sustained by local patronage alone. The fact that Mt Ashby is popular with Southern Highland locals, does not default it from being a tourist establishment.

It is our submission that Mt Ashby is clearly a tourist establishment and has been since the day it was opened and we offer the following information in support.

Relevant development approvals for Mt Ashby date back to 2003 (LUA03/1879), some 15 years ago.

The cellar door was opened in 2006 and from its commencement offered food to

Providing a range of Planning and Development services including:

· Planning Proposals · Statement of Environmental Effects · Strategic Planning and Development advice · Advocacy and problem solving
 · Land and Environment Court · Local Government specialist

13.3 Planning Proposal to rezone Mt Ashby, 140 Nowra Road Moss Vale from E3 Environmental Management to SP3 Tourist ATTACHMENT 3 Attachment 3 - Letter from proponent regarding tourism establishment' on subject land



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 A 33 Holly Street, Bowral NSW 2576
 ARN 16 870 474 487

accompany wine as required by the Liquor Licencing Board. One of Mt Ashby's wines achieved a gold medal and was voted Best Wine in Show at the inaugural Cool Climate Wine Show. Since that time the winery has been awarded several more wine medals.

Local wineries and cellar doors exist on the back of tourists and tourism generally within the Highlands and as already argued, there can be no dispute that wineries and cellar doors are a major component of many recognized tourism destinations, including the Southern Highlands.

Mount Ashby Estate has been a member of Tourism Southern Highlands for over 15 years. I have attached a letter from Destination Southern Highlands, the peak tourism body in the region, attesting to Mt Ashby's involvement in tourism in the Shire.

Mt Ashby advertises in the Escape magazine (a tourism based publication) and within Highlife magazine. Chris Harvey was the Chairman of the Southern Highlands Food and Wine Association for 2 years before it merged with the Vignerons Association.

Since opening, the business has flourished. Due to the popularity of both the food and wine, coupled with the ambiance and character of the site, the numbers of visitors have increased to the extent that since 2009 a full time chef has been employed. There is currently also two apprentice chefs employed.

Opening hours for the cellar door and food offering are Thursday through to Sunday and Public Holidays from 11 am to 5 pm. These are hours geared towards the needs and wants of the tourist trade.

Currently Mt Ashby averages around 150 sittings every week for lunch and another 50 for wine tasting. They currently have a 4 3/4 star rating on Trip Advisor, a tourist related 'app'.

Under Development Consent 15/1138, issued by Council in April 2016, approval was granted for the conduct of functions. This approval recognized the role of functions, in particular weddings, in the overall tourism offering of the Southern Highlands. Mt Ashby currently offers the facilities for Private Dinners, Functions and Weddings in the evenings. These all have a curfew of 10.30 pm.

On average they cater for one function per month with an average of 60 guests. In 2018 so far there have already been 8 events. Details of each could be provided if necessary.

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13.3 Planning Proposal to rezone Mt Ashby, 140 Nowra Road Moss Vale from E3 Environmental Management to SP3 Tourist
ATTACHMENT 3 Attachment 3 - Letter from proponent regarding tourism establishment' on subject land



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W www.lepplanning.com.au
A 33 Holly Street, Bowral NSW 2576
ANN 16 870 474 457

In summary, there can be no doubt that Mt Ashby is a tourist establishment of long standing, certainly well in excess of three years and as such readily complies with the relevant requirement of Council's rezoning policy.

We trust that this information is useful and will allow you to progress the matter to a positive conclusion. Please do not hesitate to contact me directly if you require any clarifications.

Yours Faithfully,

Scott Lee
14 September 2018

Providing a range of Planning and Development services including:

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• Land and Environment Court • Local Government specialise

13.3 Planning Proposal to rezone Mt Ashby, 140 Nowra Road Moss Vale from E3 Environmental Management to SP3 Tourist
ATTACHMENT 4 Attachment 4 - Letter from Destination Southern Highlands regarding membership of Mt Ashby



ATTACHMENT 4



13 September 2018

Dear Sir/Madam,

I am writing on behalf of Destination Southern Highlands (DSH), the peak tourism body for the Southern Highlands NSW.

This is to certify that Mr Chris Harvey of Mount Ashby Estate, Moss Vale has been a financial member of DSH for the past 10 years. During this period Mount Ashby Estate has been an active partner via marketing campaigns, advertising in the annual Southern Highlands Destination Planner, product sales & participating in member activities.

If you require further information please do not hesitate in contacting me on 4871 2888.

Yours sincerely

Steve Rosa

**Manager Tourism & Events
Destination Southern Highlands**

62-70 Main Street Mittagong NSW 2575
PO Box 305 Mittagong NSW 2575

02 4871 2888 02 4871 3515
destination@wsc.nsw.gov.au

www.southern-highlands.com.au

ATTACHMENT 5

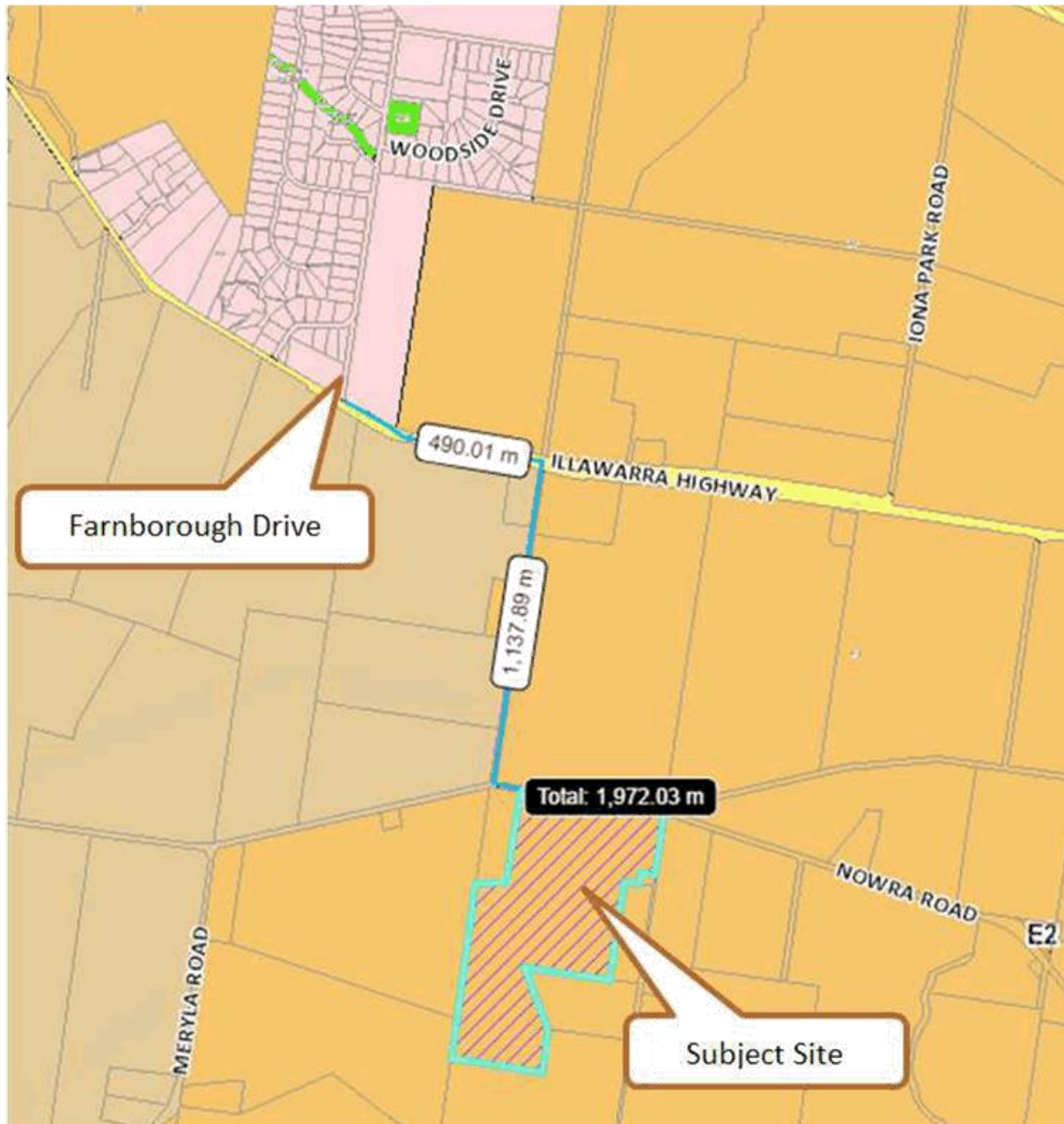


Figure 3 – Location of site from nearest residential development.

ATTACHMENT 6

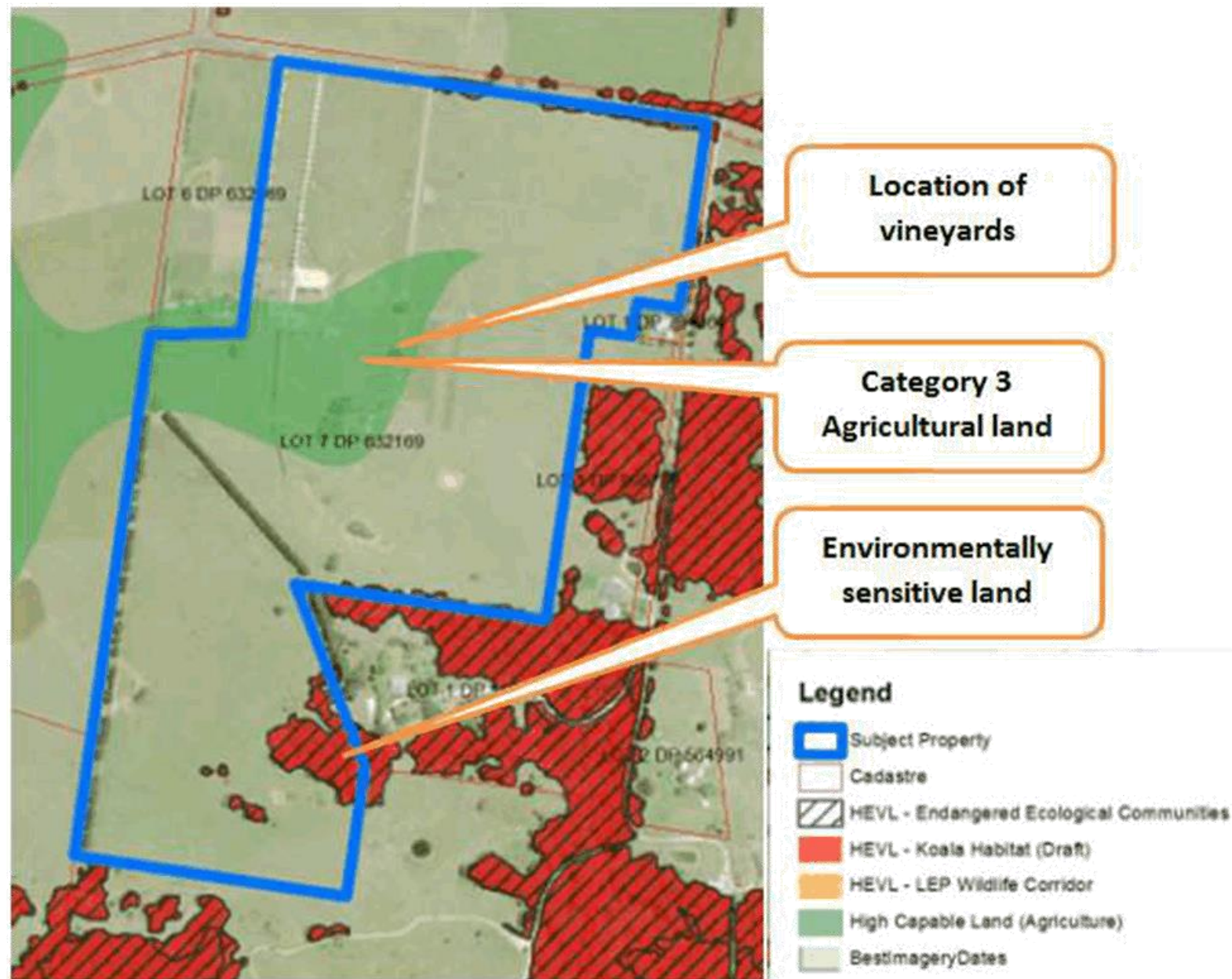


Figure 4 – High Value Environmental and Agricultural Lands Mapping in relation to the Subject Land

ATTACHMENTS TO REPORT

Item 13.4

Planning Proposals to reduce the minimum lot size of land in north-west Moss Vale

Attachment 1

Figure 1 - Location of subject land

Attachment 2

Figure 2 - Location of subject sites

Attachment 3

Figure 3 - Water & Sewer Infrastructure

Attachment 4

Figure 4 - Flooding context of subject land

Attachment 5

Figure 5 - Location of the proposed Moss Vale by-pass

Attachment 6

Figure 6 - Staging Plan for the proposed Moss Vale by-pass

Attachment 7

Figure 7 - Identified Threatened Ecological Community

Attachment 8

Figure 8 - Proposed minimum lot sizes

ATTACHMENT 1

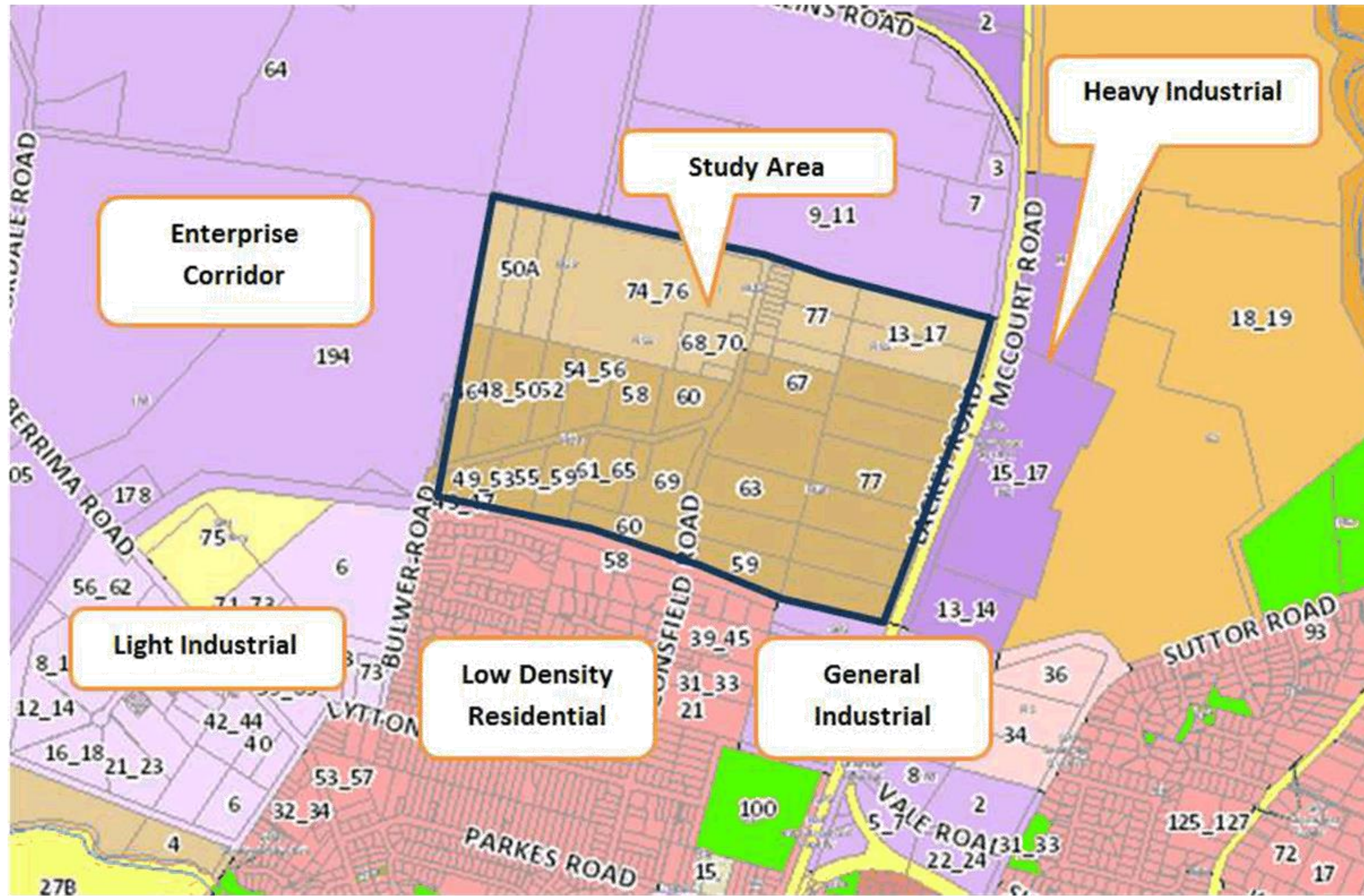


Figure 1 Location of subject land

ATTACHMENT 2

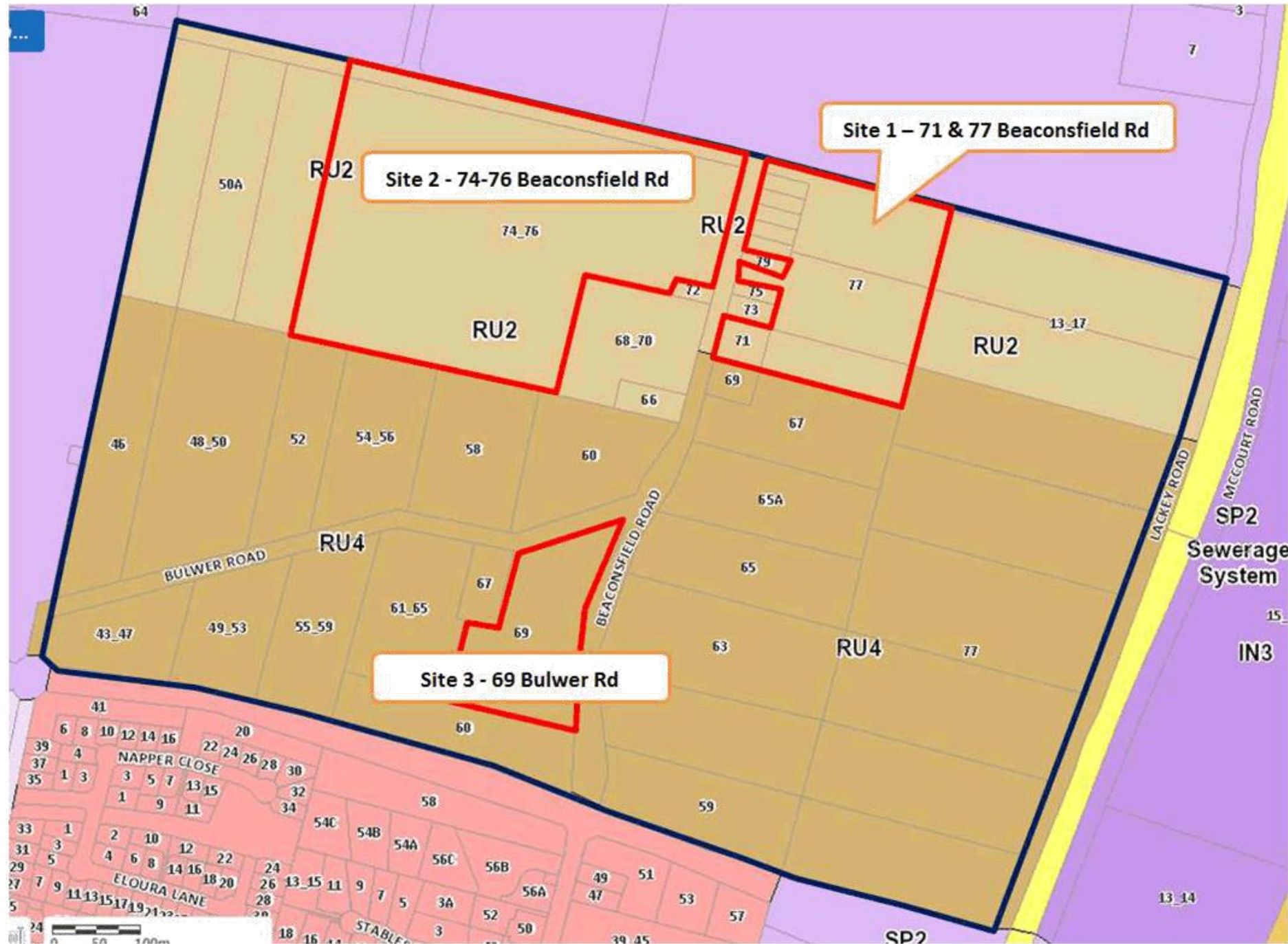


Figure 2 Location of Subject Sites

ATTACHMENT 3

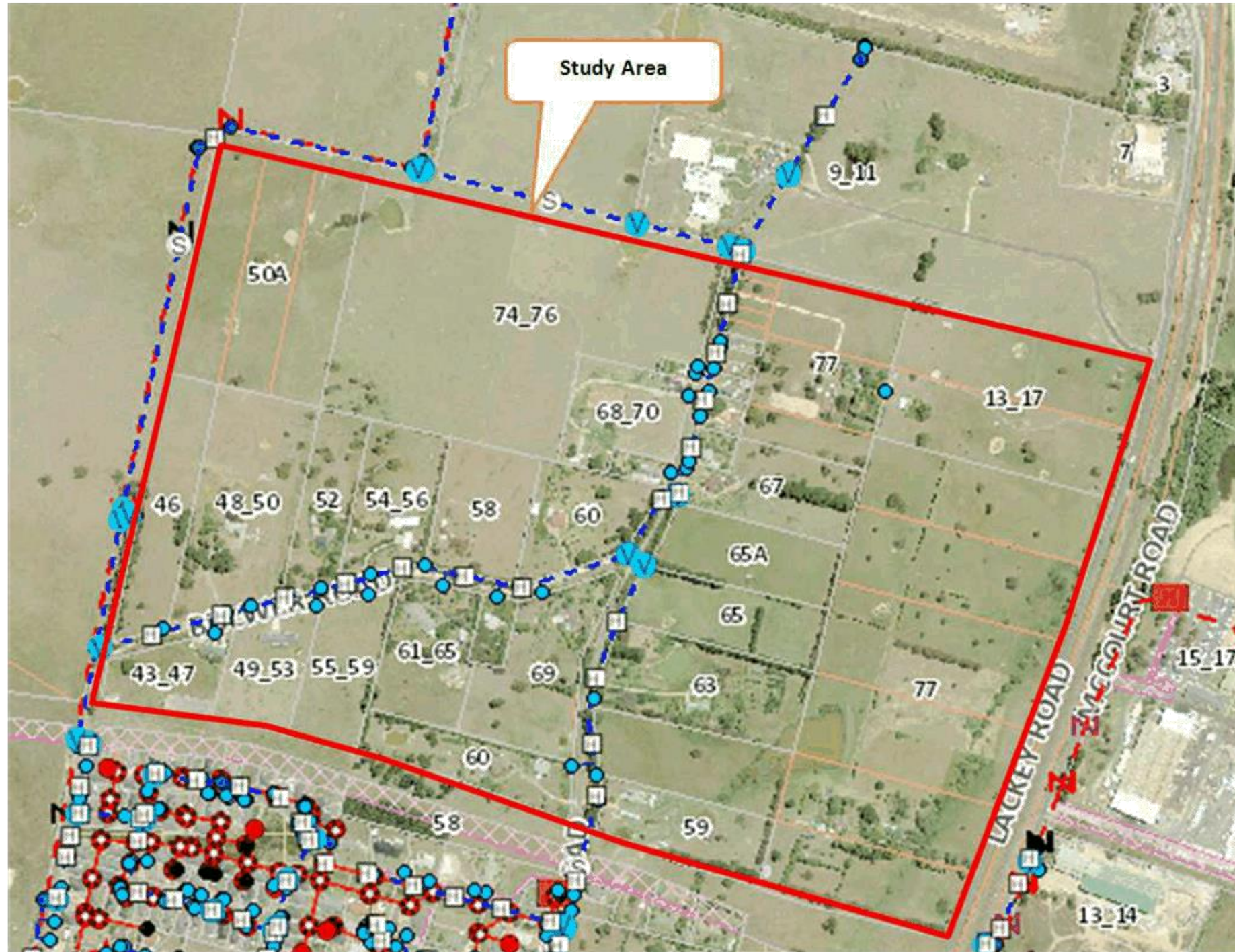


Figure 3 Water & Sewer Infrastructure

ATTACHMENT 4

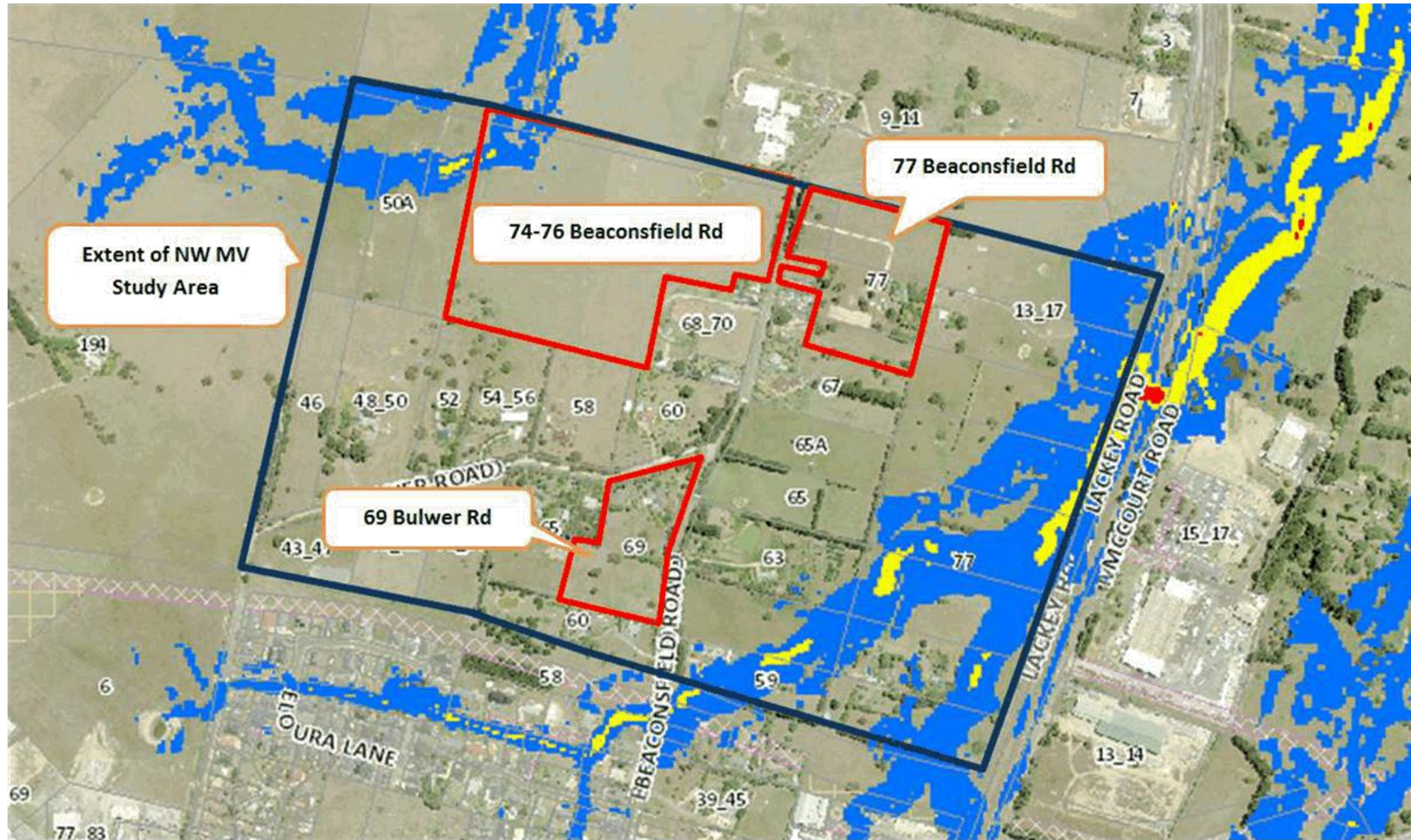


Figure 4 Flooding context of the subject land

ATTACHMENT 5

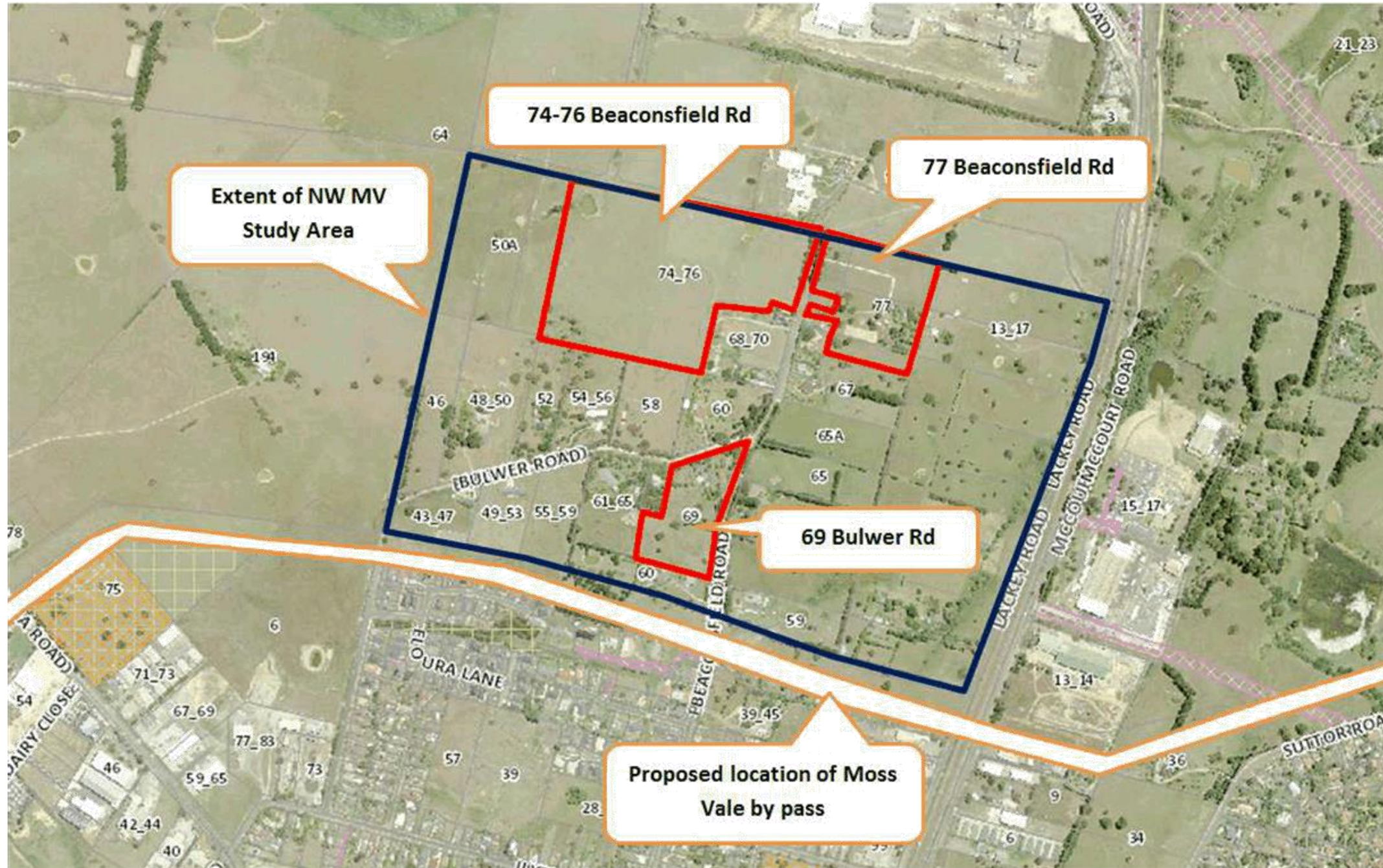


Figure 5 Location of the Proposed Moss Vale By-pass

ATTACHMENT 6

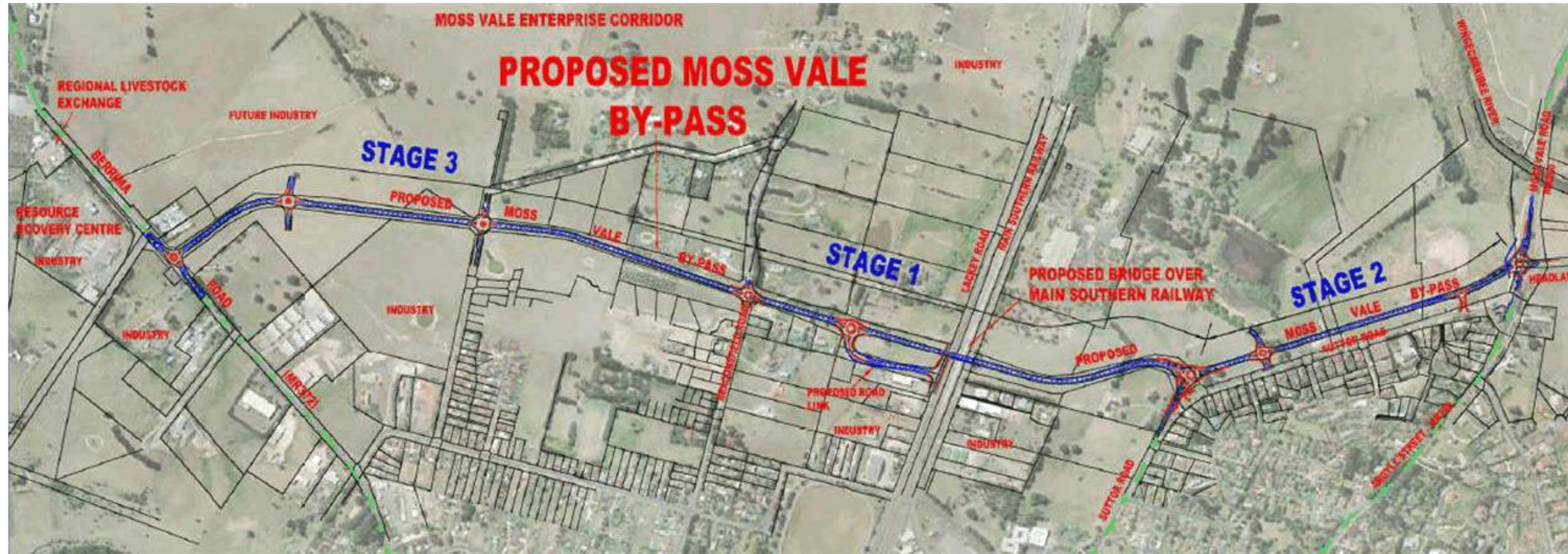
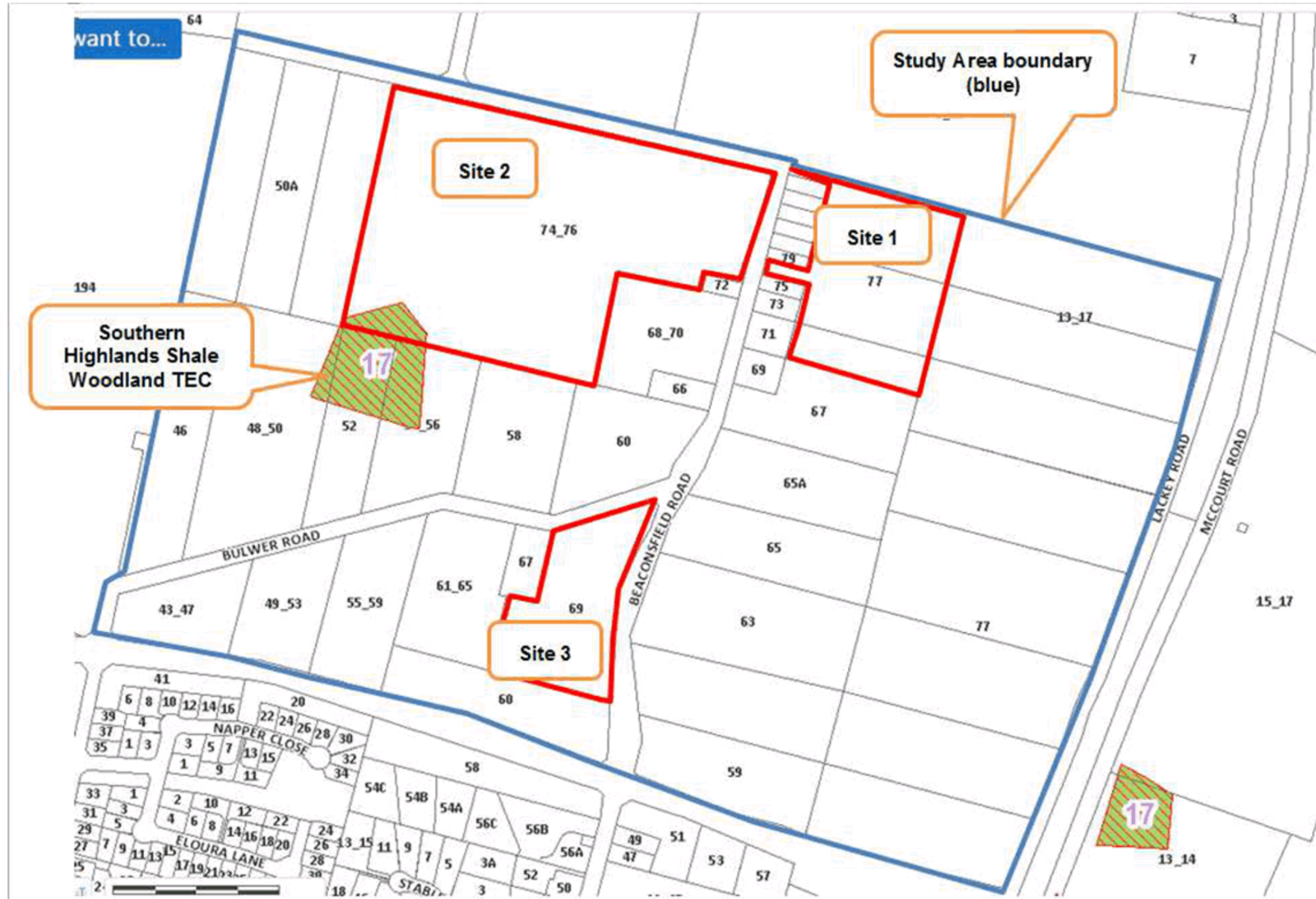


Figure 6 Staging Plan for the Proposed Moss Vale By-pass

ATTACHMENT 7



ATTACHMENT 8

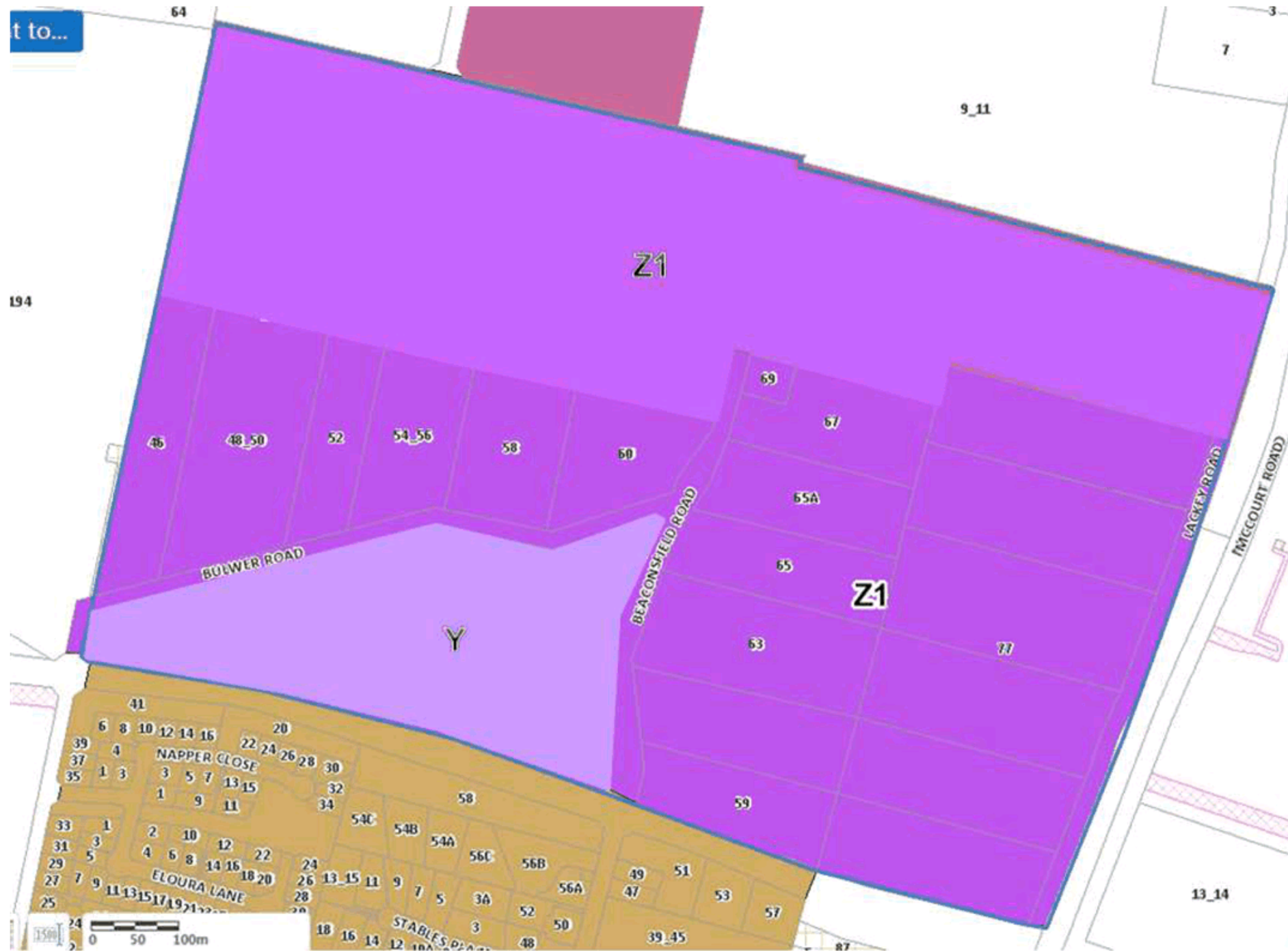


Figure 8 Proposed minimum lot sizes

ATTACHMENTS TO REPORT

Item 13.5

Post exhibition report on Planning Proposal to rezone land at Penrose Road, Penrose

Attachment 1

Figure 1 - Location of Penrose Village

Attachment 2

Figure 2 - Location of lots included in Planning Proposal

ATTACHMENT 1

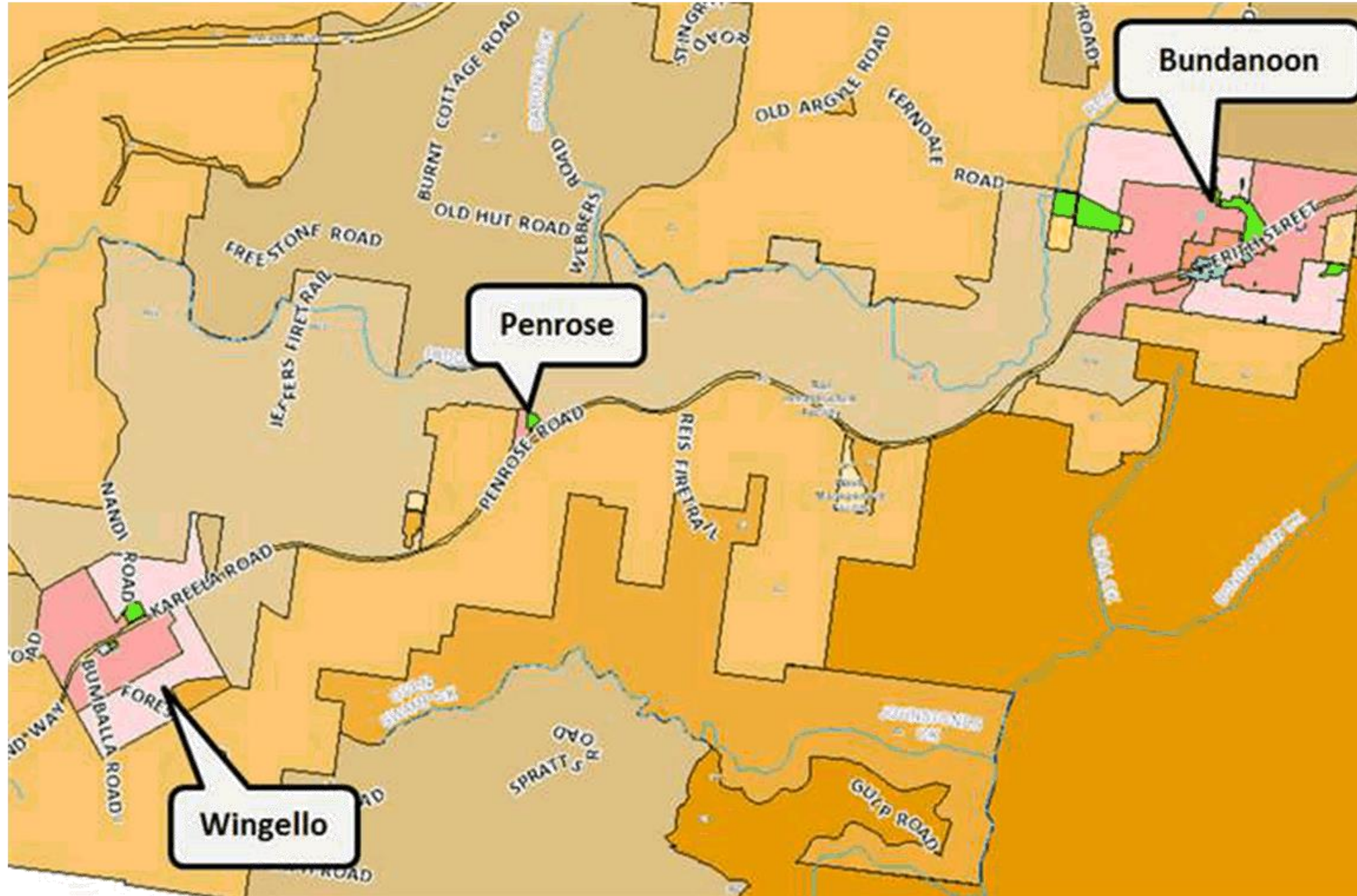


Figure 1 Location of Penrose Village

ATTACHMENT 2

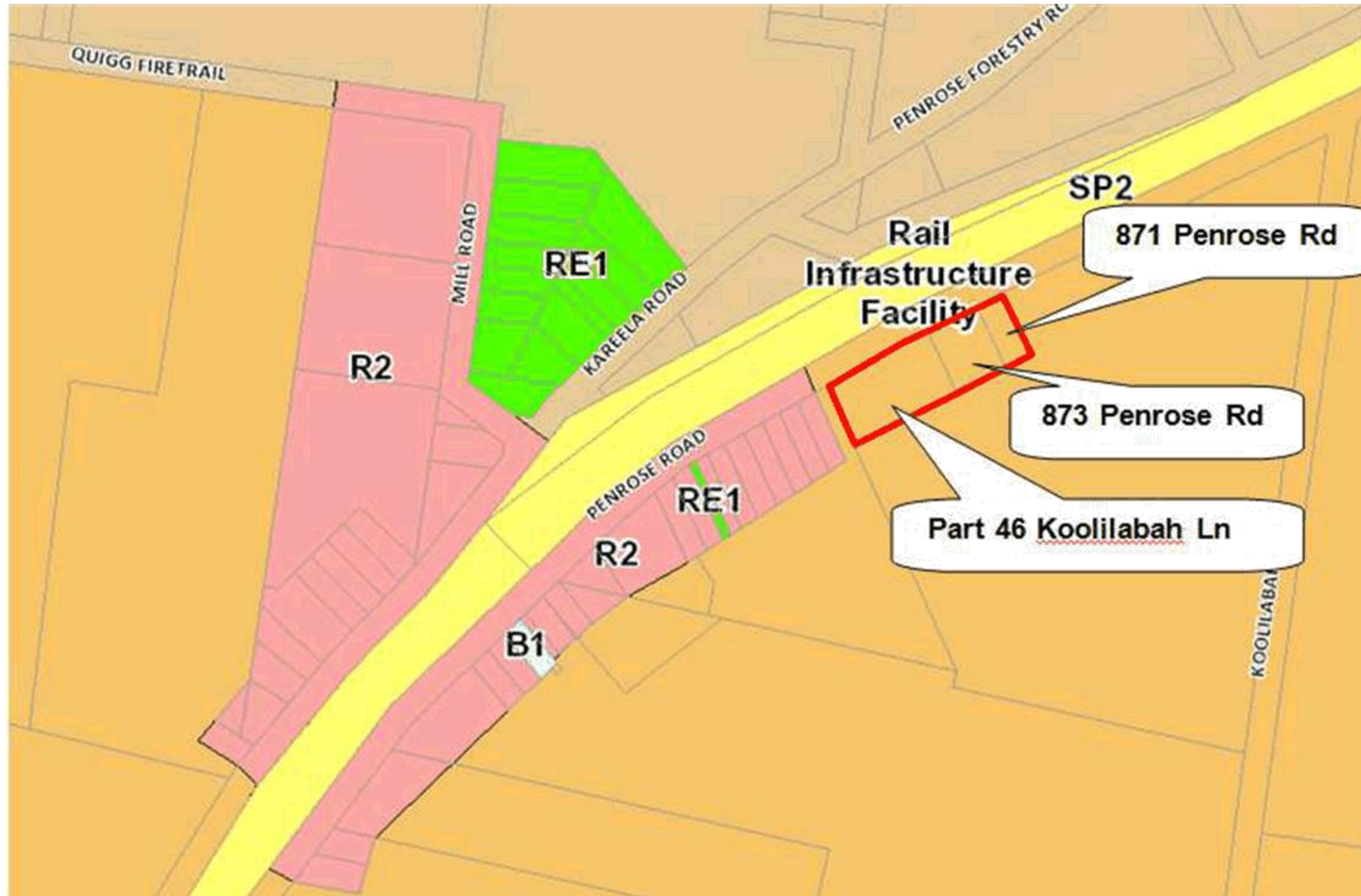


Figure 2 Location of lots to be included in Planning Proposal