



## DRAFT CONDITIONS:

### General

1. The development shall be in accordance with the plans, specifications and Statement of Environmental Effects bearing the Snowy Valleys Council approval stamp and any amendments marked in red or otherwise modified by conditions of consent. The plans referenced by this approval are as follows:

Sheet Description	Number	Date	Revision
Statement of Environmental Effects – Tim Lee Architects	-	February 2021	-
Architectural Development Plan Set – Tim Lee Architects	1016-766 DA01 to DA36	-	C
Survey Plan – Rivland Surveyors	17072 – DT01	29/06/2017	-
Survey Plan – Gray Surveyors	19166	27/08/2019	-
Wastewater Management Plan – Richard Miller		May 2020	-
Bushfire Assessment- Ember Bushfire Consulting		14/04/2020	-
Section J Assessment – Tim Lee Architects		June 2020	-
Traffic Impact Assessment – Quantum Traffic		24/06/2021	Rev 1

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below. The use of the site is for the express purpose of a 'caravan park' as defined by the Tumut Local Environmental Plan 2012. In the event of any inconsistency between the consent documentation and the consent conditions, the conditions of this consent prevail.

**REASON:** *It is in the public interest that work is carried out in accordance with the approved plans. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.*

2. A Construction Certificate must be obtained pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia prior to any works commencing.

NOTE 1: No building, engineering, excavation work or food premises fit out must be carried out in relation to this development until the necessary Construction Certificate has been obtained.

NOTE 2: You must not commence work until you have received the Construction Certificate, even if you made an application for a construction Certificate at the same time as you lodged this Development Application.

NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

**REASON:** *To ensure the design of the proposed work may be assessed in detail before*

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Tumbarumba Office: Bridge St (PO Box 61), Tumbarumba NSW 2653 | Tumut Office: 76 Capper St, Tumut NSW 2720  
info@svc.nsw.gov.au | www.svc.nsw.gov.au | Ph: 1300 ASK SVC (1300 275 782) ABN: 53 558 891 887

construction commences and because it is in the public interest that the development complies with the appropriate construction standards. Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

3. Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits shall be submitted with the application for the Construction Certificate. These plans shall be prepared in accordance with Australian Standard AS/NZS 3500.3- 2015.

**REASON:** *To ensure that the drainage will satisfy the requirements of the Building Code of Australia.*

4. Provision must be made in the building and on the site for:
  - a) access to the building for people with disabilities in accordance with the Building Code of Australia;
  - b) toilet facilities for people with disabilities in accordance with the Building Code of Australia, and such toilet facilities must be accessible to all persons working in, or using, the building; and
  - c) motor vehicle parking spaces on the site for the exclusive use of people with disabilities in accordance with Table D3 of the Building Code of Australia.

NOTE: These matters must be addressed in the plans and specifications submitted with the application for a Construction Certificate.

**REASON:** *To provide for the use of the development by people with disabilities. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.*

5. Any proposed site fill must be of clean material only, free from organic matter, and if to be built on compacted in horizontal layers not more than 250mm thick to 95% of the standard maximum dry density of the soil. A validation certificate shall be provided to Council verifying that the material to be used is free of contaminants and fit for purpose and re-use in residential, commercial or industrial use, prepared by a qualified Geotechnical Engineer.

NOTE: Soil density tests from a NATA registered laboratory, and conducted in accordance with Australian Standard 1289, will be required, prior to the issue of a Construction Certificate for the erection of a building or the issue of a Subdivision Certificate.

**REASON:** *To ensure that any fill is correctly placed and compacted. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*

6. Only signage is approved as part of the application may be erected on site, no signs or advertising material (other than those classed as exempt development) shall be erected on or in conjunction with the proposed occupation of the site without a subsequent application being approved by Council.

**REASON:** *Advertising structures and signs may require a development application to assess the impact on the amenity and safety of the area. Section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979, as amended.*

### General Engineering

7. An application shall be made to Council (and application fees paid in accordance with Council's current Fees and Charges Schedule) under section 138 of the Roads Act 1993 for the required access driveway, prior to construction taking place. The design is to be in accordance with Council's *Rural Driveway Construction Procedure and Specification*. It is recommended that pre-application discussions are held with Councils Engineering staff.

Compliance certificates shall be obtained from Council to verify that the required works have been satisfactorily completed prior to occupation.

**REASON:** *To ensure that the access to the premises meets required design standards.*

8. The reversing of vehicles onto or away from the road reserve shall not be permitted. All vehicles shall be driven forward onto and away from the development. Sufficient area must be provided and maintained within the land to ensure forward entry and exit.

**REASON:** *To ensure that traffic moves in an orderly way from the proposed development.*

### Prior to Construction Certificate

9. Prior to the issue of Construction Certificate, a Bush Fire Protection Plan indicating compliance with the provisions of Planning for Bush Fire Protection Manual 2006, must be submitted to and approved by the Principal Certifying Authority.

**REASON:** *It is in the public interest that the development be protected from bush fire. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.*

10. The premises shall be connected to an onsite sewage system, in accordance with the provisions of the *Local Government (General) Regulation 2005*. An application to alter, modify or upgrade the existing on-site sewage system must be submitted and approved by Council under section 68 of the *Local Government Act 1993* prior to the issue of a Construction Certificate.

**REASON:** *To comply with the Local Government (General) Regulation 2005 and Environmental and Health Protection Guideline for Onsite Sewage management for Single Households, 1998. To ensure that no nuisance is created by the disposal of wastewater. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*

11. Prior to the release of Construction Certificate a geo-technical report must be submitted to the Principal Certifying Authority that demonstrates that the foundation upon which a footing/slab is to be located is classified in accordance with Part 3.2.4 "Site Classification", of the Building Code of Australia and AS 2870 Residential Slabs and Footings.

This report must be carried out by an experienced geo-technical engineering consultant, with associated testing being conducted by a NATA registered laboratory. The report shall identify the type of "site classification" that exists on the subject site. Any footing/slab design is to be designed having regards to the identified site classification.

**REASON:** *It is in the public interest that all building elements are designed to be able to withstand the combination of loads and other actions to which they may be subjected. Section 4.15(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.*

12. Prior to the issue of a Construction Certificate details of all structural concrete and structural steelwork shall be submitted to the Principal Certifying Authority for approval, all such details shall be certified by a practising Structural Engineer.

**REASON:** *It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15(1)(b) and (e) of the Environmental Planning and Assessment Act 1979.*

13. Prior to the release of a Construction Certificate, a plan of a management including site layout plan shall be submitted to Council in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. This plan shall also outline noise management measures, including the prohibited generation of electronically amplified noise from the site. The plan shall also include limitation on the number of visitors to the site, in accordance with the Regulation.

**REASON:** *To protect the amenity of the existing rural area and to ensure compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*

#### **Prior to Commencement**

14. Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:

Development Control Plan 2011,

Erosion and Sediment Control Guidelines for Building Sites; and

Soils and Construction Volume 1, Managing Urban Stormwater

**NOTE:** All erosion and sediment control measures must be in place prior to earthworks commencing.

**REASON:** *To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*

15. Prior to commencement and for the duration of construction, a portable chemical closet or temporary toilet connected to the sewer (where available) shall be provided for workers use. Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a) a standard flushing toilet connected to a public sewer, or
- b) if that is not practicable, a sewage management facility approved by Council

**REASON:** *To provide adequate sanitary facilities during the construction phase. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*

16. At least 2 days prior to any work commencing on site Council must be informed, by the submission of a Notice of Commencement in accordance with Section 81A of Environmental Planning & Assessment Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. The required form may be completed online at Council's website ([www.snowyvalleys.nsw.gov.au](http://www.snowyvalleys.nsw.gov.au)) hardcopies may be obtained from Council.

**REASON:** *To ensure compliance with the requirements of the Environmental Planning & Assessment Act 1979.*

17. During Construction all excavation and backfilling associated with the erection/demolition of the building must be properly guarded and protected to prevent them from being dangerous to life or property.

**REASON:** *It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15(1)(b) and (e) of the Environmental Planning and Assessment Act 1979.*

#### **Prior to Occupation**

18. A part occupation certificate may be issued prior to the completion of the building work on receipt of an application for an occupation certificate for part of the buildings provided that component of the development is safe and suitable for occupation, and an agreement regarding the process for completion of the project is entered into between the applicant and Council.

Final Occupation Certificate shall not be issued until such time as an application for Occupation Certificate is made and all conditions of this consent have been satisfied, and the development is constructed in accordance with the plans, specifications and Statement of Environmental Effects as approved under this development consent.

**REASON:** *To ensure that the building project is safe and suitable for occupation.*

19. Permanent cut and fill batters are to be treated with vegetation (ground covers) to protect them from erosion and further ground movements.

**REASON:** *To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimized. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*

20. An Occupation Certificate, must be obtained pursuant to Section 6.4 of the *Environmental Planning and Assessment Act 1979*, from either Council or an accredited certifying authority, prior to occupation of the building.

In order to obtain this, the Occupation Certificate form must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate Application form will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

**NOTE:** The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

**REASON:** *It is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.*

21. The applicant must obtain a section 68 final certificate and an approval to operate the On Site Sewerage Management System associated with the development.

**REASON:** *To ensure that the effluent from the development does not pollute the environment.*

22. Prior to the occupation of the Moveable Dwelling, a certificate from a practicing structural engineer is required to be submitted to Council. The certificate shall certify that the framing of the Moveable Dwelling complies with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Certification will also be required for the following inspections:

**Wet Area Flashings Certificate :** Wet areas have been installed in accordance with AS 3740 - Waterproofing of wet areas within residential building.

**Plumbing and drainage compliance certificate:** That the plumbing and drainage work within the structure complies with AS3500.

An approval to occupy will not be issued unless Council has received an original Certificate of Compliance for the above inspections.

**REASON:** *To ensure the structural integrity, and fitness for use of the transportable building. Prior to occupation, a Section 68 certificate under the Local Government Act 1993 shall be obtained from Council permitting the operation of a caravan park and camping ground on the subject site.*

### Site Management

23. The site shall be permitted to be utilised the purpose of a caravan park or a camping ground, of not more than 15 powered sites and 3 moveable dwellings. These sites and moveable dwelling shall only be occupied for short term stays of not more than 150 days in a 12-month period, in accordance with Section 73 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

**REASON:** *To ensure compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*

**Rural Fire Service Conditions (Bushfire Safety Authority)**

1. The development proposal is to be generally consistent with the plans prepared by Tim Lee Architecture numbered 1016-766, dated 09/06/2020.
2. The development is to comply with the recommendations within part 7 of the bush fire assessment report prepared by Ember Bushfire Consulting ref: RM.60.20 dated 14 April 2020, except where modified by General Terms of Approval within this bush fire safety authority.
3. A Bush Fire Property Management Plan shall be prepared for the property as a whole to ensure fuel loads within the property, beyond the proposed asset protection zones do not exceed current grassland levels.

**Asset Protection Zones**

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

4. From the commencement of building works and in perpetuity, the property around the cabins, administration building and amenities building must be managed as an inner protection area (IPA) for the following distances:
  - North for a distance of 36 metres;
  - South for a distance of 45 metres;
  - East for a distance of 50 metres; and
  - West for a distance of 40 metres.

Asset Protections Zones shall be managed in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

### Construction Standards

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

5. New construction for all buildings must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant BAL12.5 requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019. Access - Internal

### Roads

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

6. Access roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of Planning for Bush Fire Protection 2019:
  - SFPP access roads are two-wheel drive, all-weather roads;
  - access is provided to all structures;
  - traffic management devices are constructed to not prohibit access by emergency services vehicles;
  - access roads must provide suitable turning areas in accordance with Appendix 3; and
  - one way only public access roads are no less than 3.5 metres wide and have designated parking bays;
  - the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating; and
  - there is suitable access for a Category 1 fire appliances to within 4m of the static water supply where no reticulated supply is available. Non-perimeter roads are:
    - minimum 5.5m carriageway width kerb to kerb;
    - parking is provided outside of the carriageway width; ;
    - curves of roads have a minimum inner radius of 6m;
    - the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
    - the road crossfall does not exceed 3 degrees; and
    - a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

### Water and Utility Services

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

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



- a 10,000 litre static water supply must be provided on-site (at each building);
- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure, (5-20 metres);
- 65mm Storz connection with a ball valve is fitted to the outlet;
- the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material;
- underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank;
- a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole;
- above-ground tanks are manufactured from concrete or metal;
- raised tanks have their stands constructed from non combustible material or bush fire resisting timber. - -
  - The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine;
- unobstructed access can be provided at all times;
- underground tanks are clearly marked;
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters;
- all exposed water pipes external to the building are metal, including any fittings;
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005;
- A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - Markers must be fixed in a suitable location so as to be highly visible; and
  - Markers should be positioned adjacent to the most appropriate access for the water supply.
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
  - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal;
- polymer sheathed flexible gas supply lines are not used; and -
- above-ground gas service pipes are metal, including and up to any outlets.

### Emergency and Evacuation Planning Assessment

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

8. Prior to the use of the development emergency management planning shall be in place consistent with Table 6.8d of Planning for Bush Fire Protection 2019.

**General Advice – Consent Authority to Note**

Asset Protection Zones referenced in condition 3 extend beyond the development area delineated on plans by Tim Lee Architects to the west of proposed cabins and south of amenities building.