

10.8. DEVELOPMENT APPLICATION DA 2022/0163 - PROPOSED ARTISAN FOOD AND DRINK PREMISES - MICRODISTILLERY - ATTACHMENTS

Attachment Titles:

1. Draft Conditions of Development Consent - 2022/0163
2. Proposed Artisan Food and Drink Premises - Microdistillery - Floor Site and Elevation Plans

Attachment 1 - Draft Conditions of Development Consent – 2022/0163

Application No: 2021/0268
 Property No:
 Contact:
 Doc ID:



TBA - DATE

Ellen Webb
 c/o MJM Solutions
 2-722 Little River Road,
 Little River NSW

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION
 Pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*

APPLICATION NO:	2022/0163
APPLICANT:	Ellen Webb c/ MJM Solutions
OWNER:	Ellen Webb and David McDougall
PROPERTY DESCRIPTION:	Lot 26 in Deposited Plan 1018407
PROPERTY ADDRESS:	2 722 Little River Road, Little River
PROPOSED DEVELOPMENT:	Artisan Food and Drink Industry
DETERMINATION:	Approval subject to condition Council resolution
CONSENT TO OPERATE FROM:	TBA
CONSENT TO LAPSE ON:	TBA

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.

Nick Wilton
Manager Growth and Activation

TBA
Date of Determination



Leading, Engaging and
 Supporting Strong and
 Vibrant Communities

P: 1300 ASK SVC (1300 275 782)

Tumut Office
 76 Capper Street
 Tumut NSW 2720

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DA APPLICATION 2022/0163 Lot 26 DP 1018407

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 an Artisan Food and Drink Industry.

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 Survey	21125	T.J Hinchcliffe & Associates	19 March 2021
Site Plan, Floor Plan	210032 BD01 Issue D	MJM Consulting Engineers	6 October 2022
Elevations, Sections, Windows Schedule	210032 BD02 Issue D	MJM Consulting Engineers	6 October 2022
Internal Sewer Plan	210032 Sheet C2 Issue D	MJM Consulting Engineers	27 October 2021
Internal Drainage Plan	210032 Sheet C1 Issue E	MJM Consulting Engineers	20 October 2022
Revised Statement of Environmental Effects	210032 Revision A	MJM Consulting Engineers	24 October 2022
Site classification and land capability assessment	7768_1	McMahon Earth Science	12 May 21
Section J report	Revision 4	Evergreen Energy Consultants Pty Ltd	9 November 2022

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.

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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

That the work must be carried out in accordance with the requirements of the National Construction Code.

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 Certifier (PC) 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. Compliance with Disability Discrimination Act 1992

This approval does not protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is therefore advised to investigate their liability under this Act.

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

Note: *Disability (Access to Premises - Buildings) Standards 2010 -As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.*

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE
Application for a Construction Certificate (Building Works)**

7. 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

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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.

Note: Land conditions adjacent to the site have been identified as potential landslip and accordingly a geotechnical report shall be prepared and submitted to Council for approval prior to any construction certificate being issued for this development. The Geotechnical analysis should provide a land structural stability analysis to ensure that the building can be erected in the proposed location. In the event the structural stability of the land cannot be achieved the report should make recommendations on how stability can be achieved through the proposed footings or other structural means for the development.

- (d) Essential services plan outlining the existing and proposed fire safety measures.
- (e) Plans detailing the layout, extent and location of key components of any required Hydraulic Fire Safety System/s (Fire Hydrant and Fire Hose Reels) including Specifications that describe the basis for the design, installation and construction and identify the provisions of the BCA upon which the design of the system is based. The Plans and Specifications shall both be endorsed by a competent fire safety practitioner (CFSP) as complying with the relevant provisions of the Building Code of Australia (BCA).
- (f) Disabled access provisions to common and public areas in accordance with AS1428 Design for Access and Mobility and the Premises Code.
- (g) 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 Certifier (PC) 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.*

8. Appointment of Principal Certifier (PC)

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

- (a) A Construction certificate for the building work has been issued by:
- (i) the consent authority; or
 - (ii) an accredited certifier; and
- (b) the person having the benefit of the development consent has:
- (i) appointed a Principal Certifier (PC) for the building work, and

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- (ii) notified the Principal Certifier (PC) that the person will carry out the building work as an owner-builder, if that is the case, and
- (b1) the Principal Certifier (PC) 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 Certifier (PC) 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 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.*

9. Plan of Management

Prior to the issue of a Construction Certificate, a Plan of Management must be submitted to Council and approved to address any operational and management procedures to be employed, to ensure that the development can operate without unreasonable disturbance to the surrounding locality.

The Plan of Management must address but not be limited to:

- The approved operational features of the premises, including capacity details, hours of operation and staffing
- Name and contact details of relevant people.
- Management of the premises, including noise mitigation measures, responsible service of alcohol, security and safety measures be clarified.
- Identities a process of recording and addressing complaints.
- Any incident management.
- Car parking arrangements and provision of transport services (mini bus).
- Waste Management, bin locations.

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

10. Building Materials & Colour Scheme

Details and samples of all new external building materials and finishes, including their proposed colours, shall be submitted for the approval of Council prior to the issue of the Construction Certificate.

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

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10 Access for People with Disabilities

Access for people with disabilities shall be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992*.

Prior to the issue of a Construction Certificate, the plans shall demonstrate compliance.

Note: *Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.*

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

11. Accessible Car Parking Spaces

One (1) of the car parking spaces provided as part of the total requirement shall be reserved for disabled persons.

These spaces shall be constructed and identified in accordance with Volume 1 of the National Construction Code (NCC) and AS/NZS 2890.6 - Parking Facilities; Off-street parking for people with disabilities.

Details to demonstrate compliance shall be submitted to and approved by the Principal Certifier (PC) prior to the issue of the Construction Certificate.

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

12. 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.*

13. 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, Snowy Valleys Council, for the following approvals:

- Carry out sewerage works
- Carry out water supply
- Carry out stormwater drainage works
- Approval to install an Onsite Sewer Management System and Approval to Operate (given the nature of the proposed effluent a separate stand-alone system will be required for the proposed development)

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

14. Erosion and Sediment Control Plan

To minimise soil erosion and sediment movement during construction, the following measures shall be implemented:-

- (a) Erosion and sediment controls are to be in place before the disturbance of any soils on

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the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside the worksite boundaries.

- (b) Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping. Soil is to be retained within the property.
- (c) Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are protected from erosion and do not encroach upon any footpath, nature strip or roadway.
- (d) Final site spoil shall be disposed of to conform to the specifications and standards quoted and to any conditions of approval of those measures and must comply with any relevant NSW Department of Planning and Environment requirements.
- (e) Trenches shall be backfilled, capped with topsoil and compacted to a level at least 75mm above adjoining ground level.
- (f) Vehicular access shall be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where sediment is deposited on adjoining roadways the same shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.
- (g) All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for more than 14 days or such other period as may be approved after earthworks cease. All driveways and parking areas shall be stabilised with compacted sub-grade as soon as possible after their formation.

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

15. Light Spillage

Measures to ensure that no additional light "spillage" is created from the approved development into existing or nearby residences, shall be provided to the satisfaction of Council prior to issue of Construction Certificate.

Reason: *To ensure no reduction in residential amenity.*

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

16. Notice of Commencement

No work shall commence until a notice of commencement form has been submitted (form will be attached with issue of a Construction Certificate or Subdivision Works Certificate or available from Council's website), giving the Principal Certifier (PC):

- (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 Certifier (PC) (either Snowy Valleys Council or another Accredited Certifier)
- (c) Details of the Principal Contractor or Owner Builder.
 - Name
 - Builders Licence Number or Owner Builder Permit Number
 - Principal Contractor Company Name
 - Principal Contractor ABN
 - Address of Principal Contractor or Owner Builder
 - Email Address

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- (d) Copy of the HBCF Insurance Certificate (if residential building works exceed \$20,000) or Owner Builder Permit (if applicable);
- (e) Details demonstrating compliance with development consent conditions relevant prior to commencement of the development been satisfied.

Reason: *Statutory requirement.*

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

17. 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.*

18. 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 roads, drainage and vegetation 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, roads, drainage lines are to be carried out by the contractor/builder to Council's specification and supervision prior to occupation of the development.

Reason: *Public safety.*

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

19. Approved Plans to be available on site

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.*

20. 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*

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the material's compliance with the exemption conditions and must be provided to the Principal Certifier (PC).

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.*

21. Structure not to be built over easements/infrastructure

No portion of any structure shall be erected over any existing sillage or stormwater disposal drains or easements.

Reason: *To protect infrastructure.*

22. Ground Levels

Natural ground levels shall not be altered or adjusted other than shown on the approved plans or where varied by the conditions of consent without the prior consent of Council.

Finished ground levels shall be graded away from the buildings and adjoining properties must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to an approved storm water drainage system.

Reason: *To ensure that natural drainage of the property and adjoining properties is not affected.*

23. 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 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.*

24. Damage to Adjoining Properties

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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.*

25. Prevention of Nuisance

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.*

26. 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.

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.*

27. Excavations and Backfilling

All excavations and backfilling associated with the erection or demolition of a building shall be executed safely and in accordance with appropriate professional standards properly guarded and protected to prevent them from being dangerous to life or property.

Reason: *To ensure the safety of life and property.*

28. 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 lodgement of*

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an application under section 4.55 of the Environmental Planning and Assessment Act 1979.

29. 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.*

30. 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.

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 OCCUPATION CERTIFICATE

31. 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 Certifier (PC) 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.*

32. Section 68 Local Government Act Final

The applicant is to ensure that the works associated with the Section 68 approval for this development be completed and inspected by Council prior to the issue of any Occupation Certificate.

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Reason: *To ensure that the development is completed as per this consent and the approved plans.*

33. Council Property

The applicant shall rectify any damage to Council property (including footpaths, road furniture, landscaping/trees, drainage, water, sewer, kerb and gutter, road pavement and the like) as a result of the development, prior to the issue of any Occupation Certificate at no cost to Council.

Reason: *To ensure that Councils assets are protected.*

34. Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the *Environmental Planning and Assessment (Amendment) Regulation 2000*, prior to the issue of the Occupation Certificate for the building.

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

- Forwarded to Snowy Valleys Council;
- Forwarded to the Fire Commissioner; and
- Prominently displayed in the building.

Reason: *To ensure the safety of the building.*

35. National Plumbing and Drainage Code

All plumbing and drainage shall comply with the requirements of Australian Standard AS3500 "National Plumbing and Drainage Code" and the relevant New South Wales Amendments.

Reason: *To comply with legislation.*

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT

36. Annual Fire Safety Statement

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

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

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

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

Reason: *To ensure compliance with fire safety requirements.*

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37. Capacity Limits of development

The development shall be restricted to a maximum of 12 patrons at any one time including a maximum of 4 tables and 12 chairs to accommodate the patrons. The maximum number of patrons shall be controlled via a booking system established by the proponent.

The maximum capacity of the development for both input products and finished products shall be capped onsite at 4,000L at any one time.

Reason: *To ensure the amenity impacts of the development are appropriately managed*

38. Hours of Operation

The hours of operation once an occupation certificate has been issued for the development shall be restricted to 10am to 8pm Monday – Sunday.

Reason: *To ensure the amenity impacts of the development are appropriately managed*

39. Fumes and Odour

The ongoing use is not to give rise to any adverse fumes or odour impact on adjoining properties.

Reason: *To ensure the amenity impacts of the development are appropriately managed*

40. Operational Noise

The proponent shall ensure that all operational noise shall not exceed 5 dBA above background noise levels.

Reason: *To ensure the amenity impacts of the development are appropriately managed*

41. Maintenance of access roads

The proponent shall be required to 'make good' in accordance with Council's standards and under Council's supervision any damage that is caused to the road between Little River Road and the entrance to the subject property of this consent where it is determined in Council's opinion that any such damage has been caused through the operation of the development or additional traffic load on the subject road

Reason: *To ensure that Council's assets are not impacted through additional traffic loads.*

42. Storage of hazardous materials

Design In areas where hazardous and toxic materials are to be stored, the bund pallet must be of sufficient size to contain 110% of the volume of the largest tank on the site plus the volume displaced by any additional tanks within the bunded area.

Ongoing Hazardous and toxic materials must be stored in accordance with SafeWork NSW requirements. All tanks, drums and containers of toxic and hazardous materials in excess of 20L must be stored in a bunded area. Where applicable, the bund/s must comply with the requirements of:

- AS 1940 : 2004 for flammable and combustible liquids

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- AS 3780 : 1994 for corrosive substances
- AS 2714: 1993 for organic peroxides
- AS 4326 : 1995 for oxidising agents
- AS/NZS 4452 : 1997 for toxic substances.

There must be an EPA approved spill kit /absorbent material available on the premises at all times. The operator must ensure the absorbent material/spill kit is located in an appropriate location, near to or in the area where the highest risk of spills occurring exists. The operator must ensure a register with an up to date copy of a Safety Data Sheets is kept for each hazardous substance, and that it is readily accessible to all employees.

Any chemicals, including liquid chemicals, kept onsite must to be stored and handled in accordance with, but not limited to, the requirements of the following:

- Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011.
- Australian Standard 1940:2004 - The Storage and Handling of Flammable and Combustible Liquids.
- Australian Standard 4452:1997- The Storage and Handling of Toxic Substances.
- Protection of the Environment Operations Act 1997
- NSW EPA Storing and Handling Liquids, Environment Protection Training Sutherland Shire Council Development Application No.: DA21/0268 Page 6 Manual, 2007
- Safework NSW requirements Note: Storage of chemicals contrary to the above requirements may result in offences under the Protection of the Environment Operations Act 1997.

Reason: *To ensure appropriate safety in the handling of hazardous materials.*

CONCURRENCE CONDITIONS

43. Department of Planning & Environment – Water General Terms of Approval (GTAs)

- (a) Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
- (b) A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents relating to Development Application DA2022/0163 provided by Council to Department of Planning and Environment—Water.

B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment—Water, must be notified in writing to determine if any variations to the GTA will be required.

Reason: *To ensure that the development complies with the GTAs issued by the Department of Planning & Environment - Water*

END OF CONDITIONS

Attachment 2 - Proposed Artisan Food and Drink Premises - Microdistillery - Floor Site and Elevation Plans

PROPOSED MICRO DISTILLERY

LOT 2 722 LITTLE RIVER ROAD
TUMUT, NSW
FOR: ELLEN WEBB

DRAWING SCHEDULE

DATE	DESCRIPTION
22/09/2021	ISSUED FOR APPROVAL
07/10/2021	ISSUED FOR APPROVAL
25/09/2022	ROOF LAYOUT
01/10/2022	ISSUED FOR APPROVAL

SITE NOTES

OVERALL SITE GRADING, EROSION CONTROL, MEASURES AND LANDSCAPING ARE TO BE IN ACCORDANCE WITH LOCAL GOVERNMENT REQUIREMENTS.

SITE SETOUT DIMENSIONS ARE TO BE ESTABLISHED AND COMPLETED BY A REGISTERED SURVEYOR.

BOUNDARY DIMENSIONS AND BEARINGS SHOWN ARE TO BE CONFIRMED WITH THE REFERRED LOCAL PLAN.

GENERAL NOTES

EXTERNAL WALLS ARE TO BE COLOURBOND CLADDING.

INTERNAL WALLS ARE TO BE BRICK OR CONCRETE FINISH IN ACCORDANCE WITH THE LOCAL GOVERNMENT REQUIREMENTS.

DO NOT SCALE OFF DRAWINGS.

ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE LOCAL GOVERNMENT REQUIREMENTS.

THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH SPECIFICATIONS AND RELEVANT STANDARDS.

WINDOW AND DOOR SIZES ARE TO BE CONFIRMED WITH MANUFACTURER DETAILS.

WINDOW AND DOOR FRAMES ARE TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER DETAILS AND THE LOCAL GOVERNMENT REQUIREMENTS.

SMOKE DETECTORS TO BE LOCATED AND INSTALLED IN ACCORDANCE WITH LOCAL GOVERNMENT STANDARDS AND THE LOCAL GOVERNMENT REQUIREMENTS.

RECOMMENDED PLANNED CAMP FLOOR COVERING AND FURNITURE PROTECTION TO BE PROVIDED AND INSTALLED IN ACCORDANCE WITH LOCAL GOVERNMENT REQUIREMENTS.

LOCALITY PLAN
SCALE 1:100 (A1)

BRICK COLLAR TO MATCH EXISTING BUILDING

OVERALL SITE PLAN
SCALE 1:1000 (A1)

PART SITE PLAN
SCALE 1:500 (A1)

No.	DATE	AMENDMENTS	BY
A	22/09/2021	ISSUED FOR APPROVAL	HC
B	07/10/2021	ISSUED FOR APPROVAL	HC
C	25/09/2022	ROOF LAYOUT	HC
D	01/10/2022	ISSUED FOR APPROVAL	HC

Filename:

PROJECT:
PROPOSED MICRO DISTILLERY, LOT 2, 722 LITTLE RIVER ROAD TUMUT, NSW

SHEET SUBJECT:
SITE PLAN, FLOOR PLAN

CLIENT:
ELLEN WEBB

PROJECT NO.	SHEET NO.	ISSUE	DATE
210032	BD01	D	MAY 2020

DESIGNED	CHECKED	DRAWN	CHECKED
LT	LT	LT	LT

Local Government

APPROVED CONTRACTOR

bdg

BUILDING DESIGNERS

MJM

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NORTH ELEVATION
SCALE 1:100 (A1)

EAST ELEVATION
SCALE 1:100 (A1)

SOUTH ELEVATION
SCALE 1:100 (A1)

WEST ELEVATION
SCALE 1:100 (A1)

SECTION B-B
SCALE 1:50 (A1)

SECTION A-A
SCALE 1:50 (A1)

WINDOW SCHEDULE

NO.	GROUP	WIDTH	DEPTH	TYPE
W01	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W02	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W03	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W04	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W05	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W06	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W07	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W08	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W09	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W10	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W11	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W12	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W13	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W14	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W15	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W16	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W17	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W18	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W19	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)
W20	2100	1000	2100	ALUMINIUM SLIDE (SLIP-LOCK)

GLAZED DOOR SCHEDULE

NO.	GROUP	WIDTH	DEPTH	TYPE
D1	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D2	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D3	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D4	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D5	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D6	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D7	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D8	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D9	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)
D10	2100	1000	2100	ALUMINIUM SLIP DOOR (SLIP-LOCK)

NO.	DATE	REVISIONS	BY
A	22/09/2021	ISSUED FOR APPROVAL	RC
B	7/10/2021	ISSUED FOR APPROVAL	RC
C	25/09/2022	ROOF LAYOUT	RC
D	6/10/2022	ISSUED FOR APPROVAL	RC

Filename:

PROJECT:
PROPOSED MICRO DISTILLERY, LOT
2, 722 LITTLE RIVER ROAD
TUMUT, NSW

SHEET SUBJECT:
ELEVATIONS, SECTIONS, WINDOW
SCHEDULE

CLIENT:
ELLEN WEBB

PROJECT NO. 210032 SHEET NO. BD02 ISSUE D DATE MAY 20201

DESIGNED BY LT *SAH* CHECKED BY LT *SAH*

Local Government APPROVED CONTRACTOR **bda** BUILDING DESIGNERS

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