

10.4. DEVELOPMENT APPLICATION 2022-0099 - RESIDENTIAL ALTERATIONS AND ADDITIONS LOT 32 DP 1120073, LITTLE RIVER ROAD, LITTLE RIVER - ATTACHMENTS

Attachment Titles:

1. PLANS - 3-722 LITTLE RIVER ROAD, LITTLE RIVER
3. DRAFT CONDITIONS OF CONSENT

Attachment 1 - PLANS - 3-722 LITTLE RIVER ROAD, LITTLE RIVER(1)

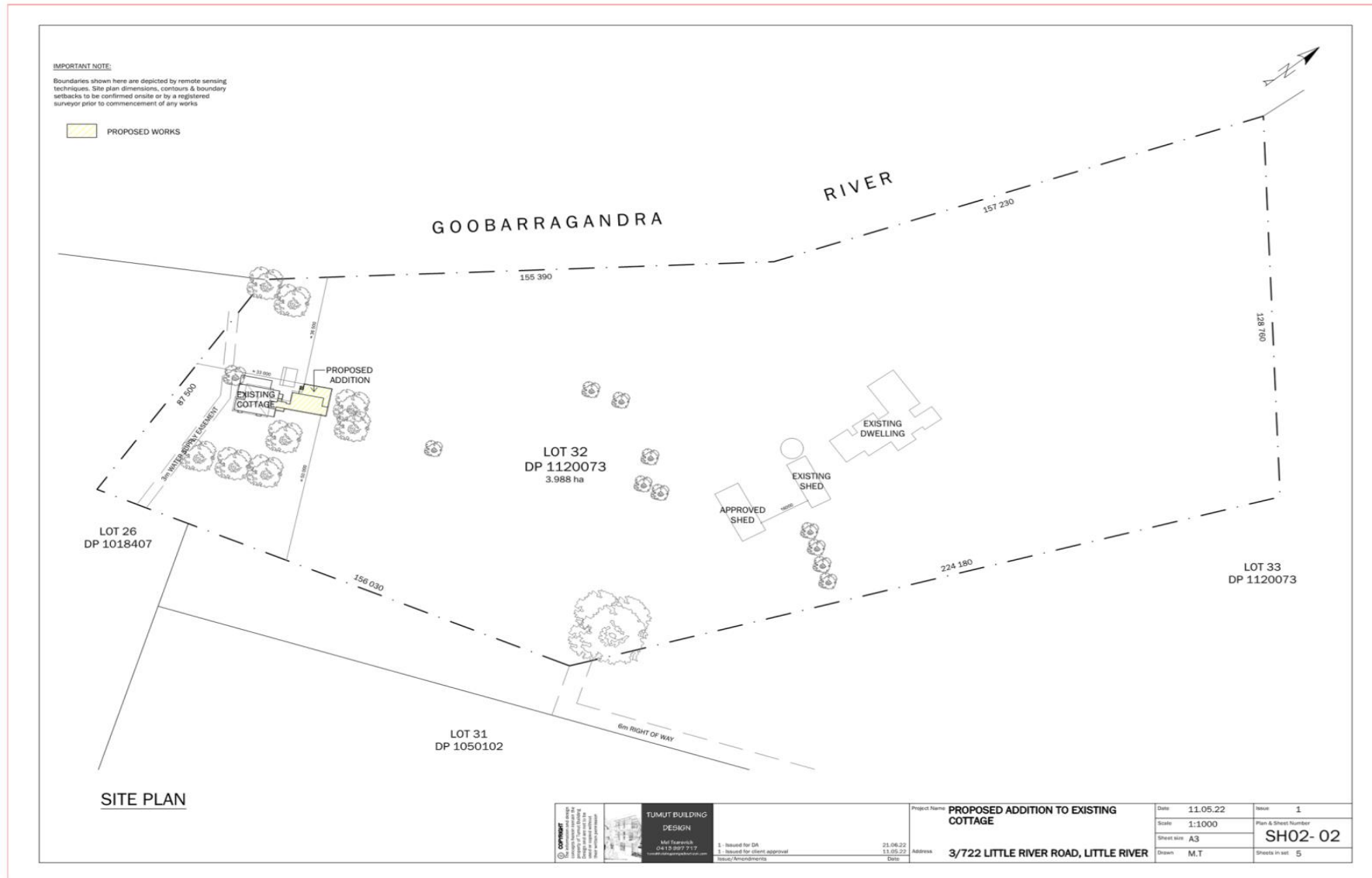
PROPOSED ADDITION TO EXISTING COTTAGE
3/722 LITTLE RIVER ROAD, LITTLE RIVER NSW 2720



SHEET LIST

- 01 TITLE PAGE
- 02 PROPOSED SITE PLAN
- 03 PROPOSED FLOOR PLAN
- 04 ELEVATIONS
- 05 SECTION & BASIX COMMITMENTS

TUMUT BUILDING DESIGN		PROPOSED ADDITION TO EXISTING COTTAGE		Date: 11.05.22	Sheet: 1
1. Required for DA		1. Required for client approval		Scale: N.T.S	Plan & Sheet Number: SH02- 01
23.06.22		13.05.22		Sheet size: A3	
Client: DAVID SHELTON		Drawn: M.T		Sheets in set: 5	



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Version: 3, Version Date: 13/04/2023

Attachment 3 - 20230413 - Draft Conditions of Consent - 3-722 Little River Road Little River**ADMINISTRATION CONDITIONS****1. Approved Development**

The development must be carried out in accordance with the attached approved plans and the particulars and statements submitted with the Development Application received on 16/06/2022, and subject to the following conditions.

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
Architectural Plan Set Tumut Building Design	Rev. 1 11/05/2022 Plan No. SH02-01,02,04,05,.dwg Issue. 2 29/07/22 Plan No. SH02-03,.dwg	Tumut Building Design	11/05/2022 29/07/2022
Statement of Environmental Effects	Page 1 to 6	Tumut Building Design	21/06/2022
Site classification	H22-170	ASCT	29/05/2022

GENERAL CONDITIONS

3. Prior to commencing any building construction works, the access to the lot is to be constructed by the legal access, by right of way demonstrate on the site plan and subdivision plan.

4. Construction Certificate

Prior to commencing any building construction works, the following provisions of the *Environmental Planning and Assessment Act 1979* are to be complied with:

- A Construction Certificate is to be obtained in accordance with Section 6.7 of the Act
- A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act
- Council is to be notified at least two (2) days in advance of the intention to commence building works in accordance with Section 6.6 of the Act
- Submit to the Principal Certifying Authority a copy of the insurance certificate as required by the Home Building Act 1989.

5. Compliance with Building Code of Australia

All aspects of the building design are to comply with the applicable Performance Requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the Performance Requirements can only be achieved by:

- Complying with the Deemed-to-Satisfy provisions, or
- Formulating a Performance Solution which:

- i. Complies with the Performance Requirements, or
- ii. Is shown to be at least equivalent to the Deemed-to-Satisfy provision, or
- c) A combination of (a) and (b).

6. Waste Management

An adequate waste receptacle area shall be provided on-site to store all waste pending disposal. Such area shall be screened, regularly cleaned and accessible to collection vehicles in the interest of amenity, safety and public convenience.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

7. Prior to the issue of a Construction Certificate details of all structural concrete and structural steelwork shall be submitted to the Principal Certifier for approval, all such details shall be certified by a practising Structural Engineer.
8. **Appointment of Principal Certifying Authority**
No work shall commence in connection with this Development Consent until:
 - (a) A Subdivision Works Certificate for the subdivision 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 certifying authority for the subdivision work, and
 - (ii) notified the principal certifying authority that the person will carry out the subdivision 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 subdivision work who must be the holder of a contractor licence if any residential building work is involved, and notified the principal certifying authority of such appointment, and
 - (ii) 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 subdivision work, 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 subdivision 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 subdivision work.
9. Prior to the issue of a construction certificate, the proponent shall submit to Council for approval a landscaping plan that provides for indigenous species around the area of work to improve the local environment in accordance with Council's Goobarragandra Development Control Plan provisions and screen the development from neighbouring allotments. The plan shall be approved by Council prior to any issue of a construction certificate and works in accordance with the plan be undertaken prior to the issue of any occupation certificate.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

10. Construction Certificate & Appointment of Principal Certifying Authority

Construction work in accordance with this consent must not commence until:

- a. A Construction Certificate has been issued.
- b. The person having the benefit of the development consent has appointed the Principal Certifier (PC).

- c. The PC (if not Council) has, no later than two (2) days before construction work commences, notified the Council (or other consent authority where applicable) of the PCA's appointment.
- d. The person having the benefit of the consent has given at least two (2) days' notice to the Council of the person's intention to commence the subdivision work.

11. 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.

12. Erosion and Sediment Control

Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land. Erosion and sediment control measures must address and incorporate general site management material handling practices, soil stabilisation, wind erosion, access measures and shall provide for:

- a. The diversion of uncontaminated run-off around cleared or disturbed areas
- b. The erection of a silt fence to prevent debris escaping into nearby waterways
- c. The prevention of tracking of sediment by vehicles onto roads
- d. The stockpiling of topsoil, excavated material, construction and landscaping supplies and debris within the site, and the removal or utilisation (where appropriate) of that stockpile after completion of the works.
- e. Maintenance of control measures until the land is effectively rehabilitated and stabilised beyond the completion of construction.

13. Demolition - asbestos

Prior to undertaking demolition works the applicant is to undertake an investigation with regard to the presence of asbestos containing materials within the building. If necessary, the applicant is to consult with the Environment Protection Agency (the EPA) if unsure of the presence of asbestos.

The removal of asbestos is to be done by persons holding a current removalist's licence issued by WorkCover NSW and disposed of at a facility approved by the EPA. Works on site are to comply with the WorkCover "Guide to Working with Asbestos" and the National Code of Practice for the Safe Removal of Asbestos. Further information can be obtained from the WorkCover web site at www.workcover.nsw.gov.au and the National Occupational Health and Safety Commission web site at www.nohsc.gov.au.

CONDITIONS TO BE SATISFIED DURING THE CONSTRUCTION PHASE

14. 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.

15. Stormwater

The applicant shall provide adequate stormwater drainage infrastructure (pits/pipes/open channels/detention storage) including that for the conveyance of stormwater passing through the site from upstream and sourced from the development to a discharge outlet in accordance with an approved Stormwater Drainage Plan for the development.

16. Maintenance of soil erosion and pollution controls

All erosion and sediment measures to minimise the effects of soil erosion and pollution are to be installed then maintained until disturbed areas are rehabilitated and landscaped. Roads servicing the construction site shall be maintained in a condition free of mud, soil and other construction materials at all times.

17. Mode of work

During construction work must be conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of building materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.

18. No removal of native vegetation except approved removal

There shall be no removal or disturbance to indigenous native vegetation, on any allotment, including canopy trees, understorey and ground cover vegetation, without the prior written consent of the Council, except trees shown as being removed on approved plans.

19. Maintenance of the site

All materials and equipment shall be stored wholly within the work site. Waste materials (including excavation and construction waste material) shall be managed on the site and then disposed of at an approved 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.

20. 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 have an on-site effluent disposal system approved under the *Local Government Act 1993*, or be a temporary chemical closet approved under the *Local Government Act 1993*.

21. Uncovering relics

If any archaeological relics are uncovered during the course of the work, then works in that area are to immediately cease and Heritage NSW contacted immediately. The applicant is advised that, depending on the possible significance of the relics, an archaeological assessment and an excavation permit may be required before any further work can be considered in that area of the site.

USE OF SITE**22. Environment and amenity**

The approved development must not adversely affect the amenity and environment of the of the rural area in any way including:

- a) The appearance of any buildings, works or materials used.
- b) The parking or moving of motor vehicles.
- c) The transporting of materials or goods to or from the site.
- d) The hours of operation.
- e) Noise, air and water discharges from the site.
- f) Electrical interference.
- g) The storage and handling of garbage, fuels, chemicals, pesticides, gasses, waste products or other materials.
- h) Emissions or discharges into the surrounding environment including, from wastewater, sediment, dust, vibration, odours or other harmful products.

23. The secondary dwelling including the proposed alterations and additions shall not be used for the purposes of tourist or visitor accommodation.

Prior to Occupation

24. A part final certificate may be issued prior to the completion of the building work on receipt of an application for a part final certificate provided that part 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.
25. A 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 E.
26. The use of the building 'existing cottage' on the approved site plan nominated within the architectural plans suite referred to in condition 2, shall only be used in conjunction with the residence upon Lot 32 in Deposited Plan 1120073 and shall not be used for the purposes of a separate letting.
27. The access to the approved development upon Lot 32 (Residence and Cottage only (Detached Dual Occupancy)) shall be via the existing right of carriageway across Lot 33, accessing Little River Road adjacent to Lot 30 in 1050102. The access to Lot 32 adjacent to Lot 26 in Deposited Plan 1018407 shall be retained as a secondary access and for emergency purposes.

Advice:

28. No approval is granted for business identification signage or way finding signage either on Lot 32 in Deposited Plan 1120073 or upon Kells Lane or Little River Road Little River. The proponent shall make application for a section 138 permit under the Roads Act 1993 to have any proposed signage located on any road or road related area.

REASONS FOR CONDITIONS:

1. To ensure compliance with the Environmental Planning and Assessment Act 1979 and Building Code of Australia.
2. To ensure that the development complies with the provisions of relevant Environmental Planning Instruments and Council's Codes and Policies.
3. To minimise adverse environmental impact.
4. To maintain the amenity and character of the neighbourhood.
5. To ensure that the development does not conflict with the public interest.
6. To ensure that the use complies with the intended use as identified in the application.

END OF CONDITIONS