

**10.6. DA 2023/0025 - PROPOSED TOURIST AND VISITOR ACCOMMODATION 404  
GOOBARRAGANDRA ROAD GOOBARRAGANDRA - ATTACHMENTS**

Attachment Titles:

1. Architecturals - 404 Goobarragandra - Tourism and Visitor Accommodation
2. Draft notice of determination - Draft Consent Conditions DA2023/0025 Proposed Tourist and Visitor Accommodation

**Attachment 1 - Architecturals - 404 Goobarragandra Rd Goobarragandra - Tourist & Visitor accommodation\_PAN-301852**

REWARD CHARACTER  
DESIGNS  
BUILDING DESIGN & CREATOR

## PROPOSED HOTEL ACCOMMODATION

404 GOOBARRAGANDRA ROAD, GOOBARRAGANDRA, NSW, 2720

LOT 2 DP 630937  
LOT SIZE - 6.08Ha  
LGA: SNOWY VALLEYS COUNCIL

DESIGNED FOR:  
**SIMP-LEE YOGA**

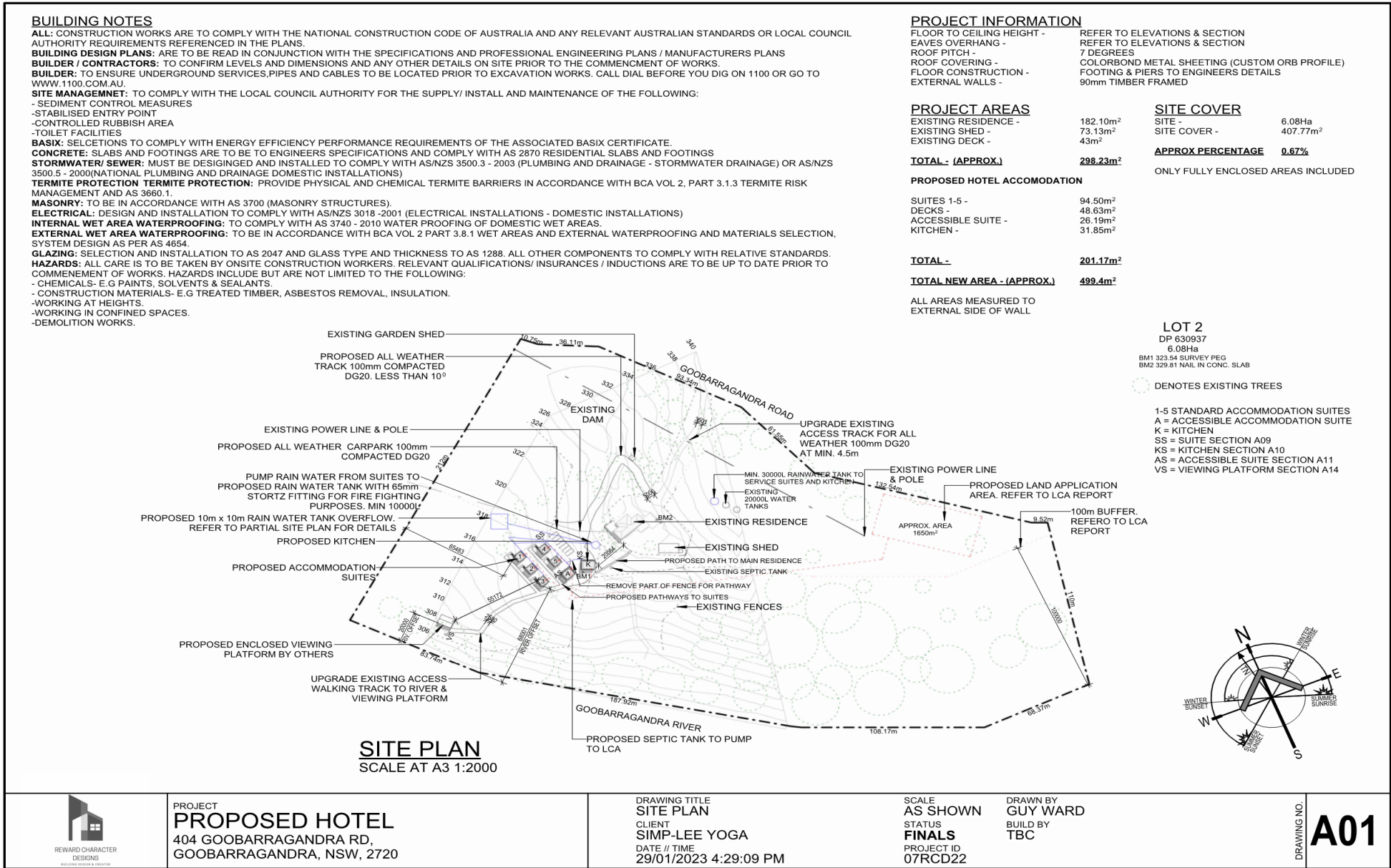
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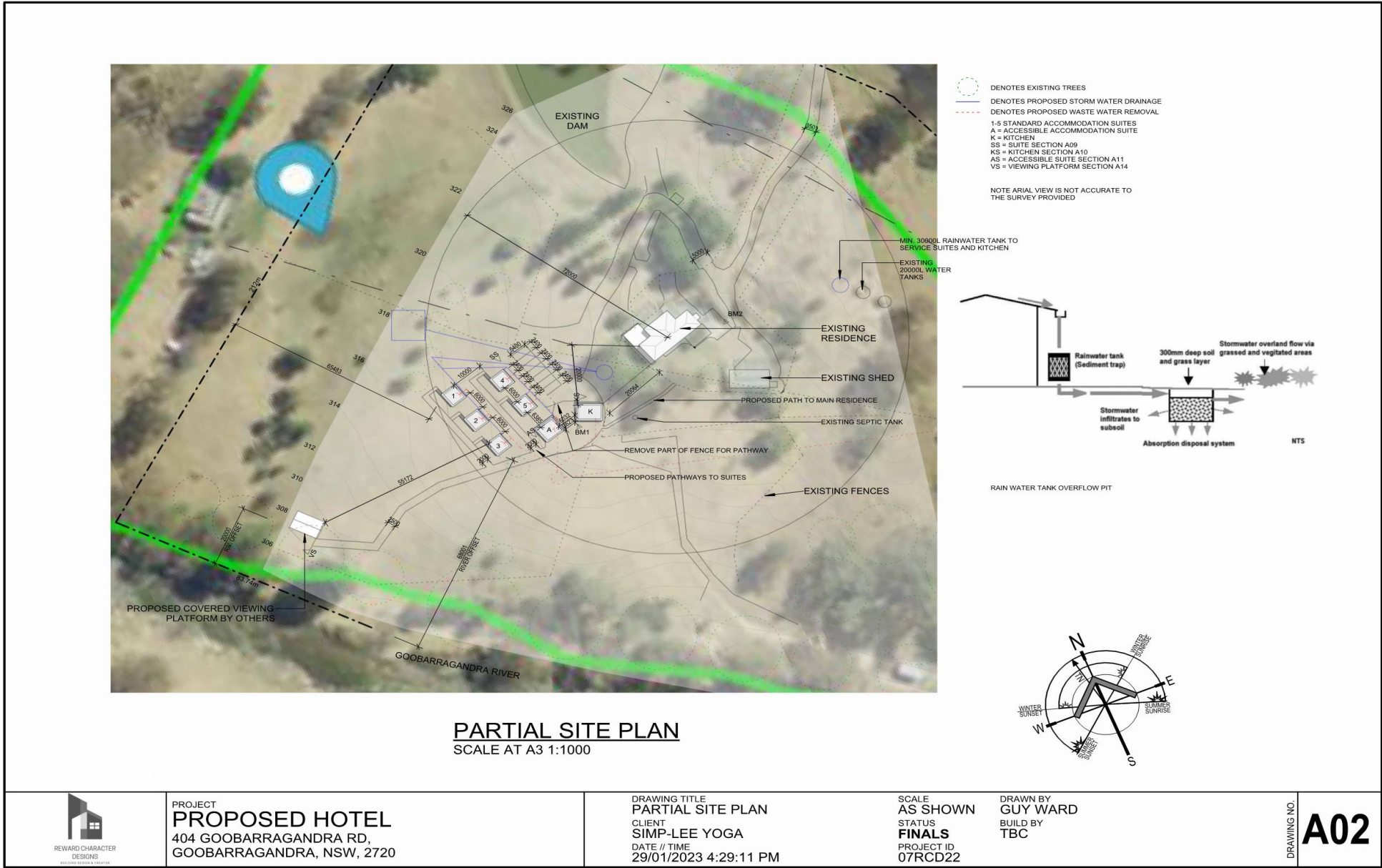
NO.	TITLE
A01	SITE PLAN
A02	PARTIAL SITE PLAN
A03	BUSHFIRE MANAGMENT PLAN
A04	BAL NOTES
A05	SUITES & KITCHEN FLOOR PLANS
A06	SUITE ELEVATIONS
A07	SUITE ELEVATIONS
A08	KITCHEN ELEVATIONS
A09	SUITE SECTION
A10	KITCHEN SECTION
A11	ACCESSIBLE SUITE SECTION
A12	DETAILED ACCESSIBLE BATH SECTIONS
A13	AS 1428
A14	VIEWING PLATFORM
A15	VIEWING PLATFORM SECTION
A16	GLAZING SCHEDULE
A17	3D RENDERERS
A18	3D RENDERERS

REVISION:

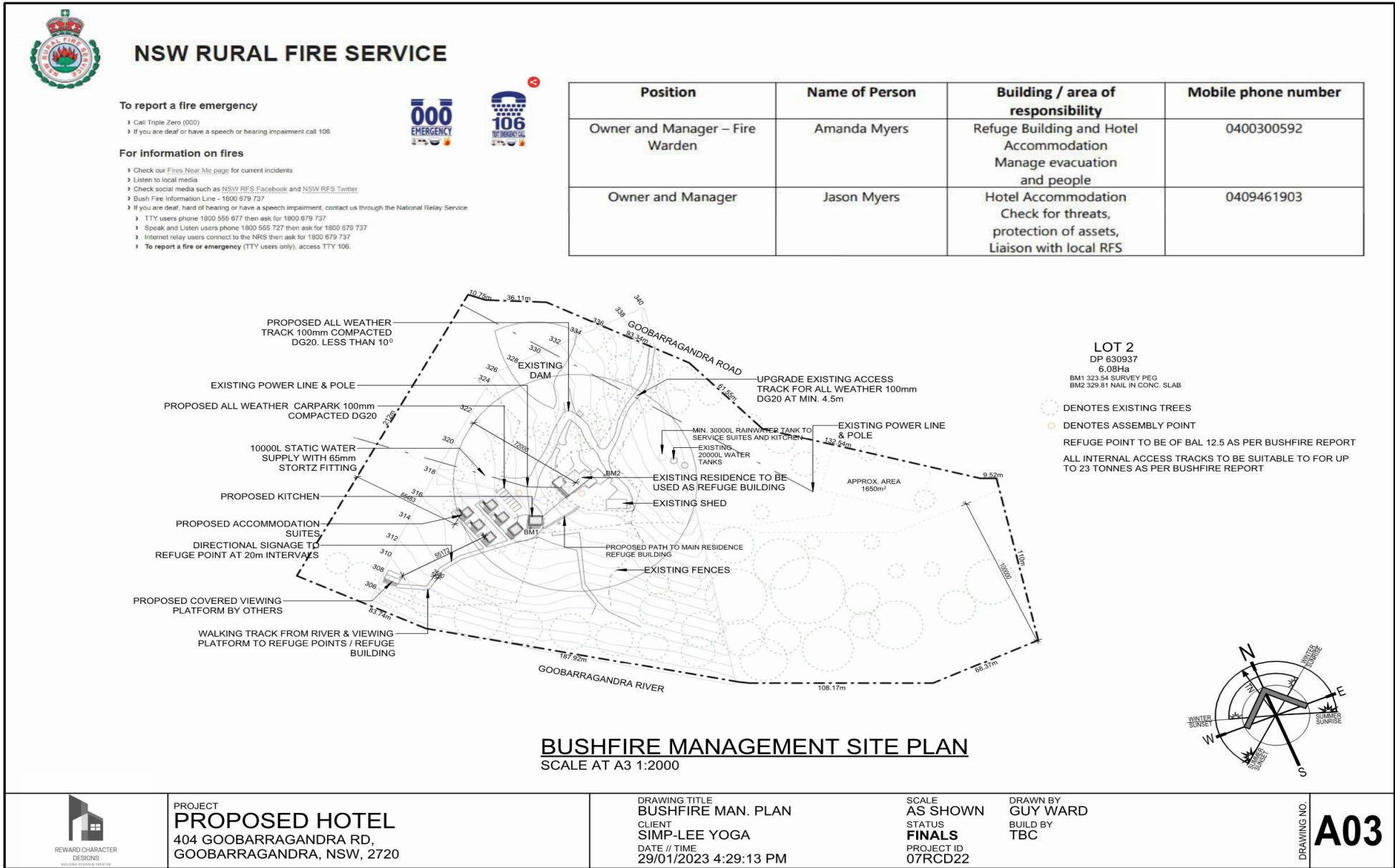
PRELIMINARY: 1	26/01/2023
FINALS:	29/01/2023

DESIGNED: REWARD CHARACTER DESIGNS  
P 0406 140 093  
E REWARDCHARACTERDESIGNS@HOTMAIL.COM









EXISTING REFUGE BUILDING TO BE UPGRADED TO THE FOLLOWING BAL 12.5 AS PER BUSHFIRE ASSESSMENT REPORT.

#### BAL – 12.5

##### SUBFLOOR SUPPORTS

- No special construction requirements

##### FLOORS

- No special construction requirements

##### EXTERNAL WALLS

- Parts less than 400 mm above ground or decks etc. to be of non-combustible material.
- 6mm fibre cement clad or bushfire resistant / naturally resistant timber

##### EXTERNAL WINDOWS

- Frames of metal, metal reinforced PVC-U, Meranti or bushfire resisting timber.
- Openable portion to be screened with steel, bronze or aluminium mesh.
- 4mm Grade A safety glass min or glass blocks within 400mm of ground, deck etc.

##### EXTERNAL SLIDING DOORS

- Frames of metal, metal reinforced PVC-U, Meranti or bushfire resisting timber,
- No special construction requirements for openable portion .
- Grade A safety glass min within 400mm of ground, deck etc.

##### EXTERNAL HINGED DOORS

- Frames of metal, metal reinforced PVC-U, Meranti or bushfire resisting timber.
- Unglazed doors 35mm solid non-combustible timber for parts less than 400 mm above ground, decking etc.
- Glazed doors solid non-combustible timber with Grade A safety glass min for parts less than 400 mm above ground, decking etc.
- Tight-fitting with weather strips at base.

##### ROOFS

- Non-combustible covering.
- Roof/wall junction sealed.
- Openings fitted with non-combustible ember guards.
- Roof to be fully sarked.

##### VERANDAHS, DECKS ETC

- Unenclosed sub-floor space – no special requirement for materials.
- No special requirements for supports or framing.
- Decking to be non-combustible or bushfire resistant within 300 mm horizontally and 400 mm vertically from a glazed element.



PROJECT  
**PROPOSED HOTEL**  
404 GOOBARRAGANDRA RD,  
GOOBARRAGANDRA, NSW, 2720

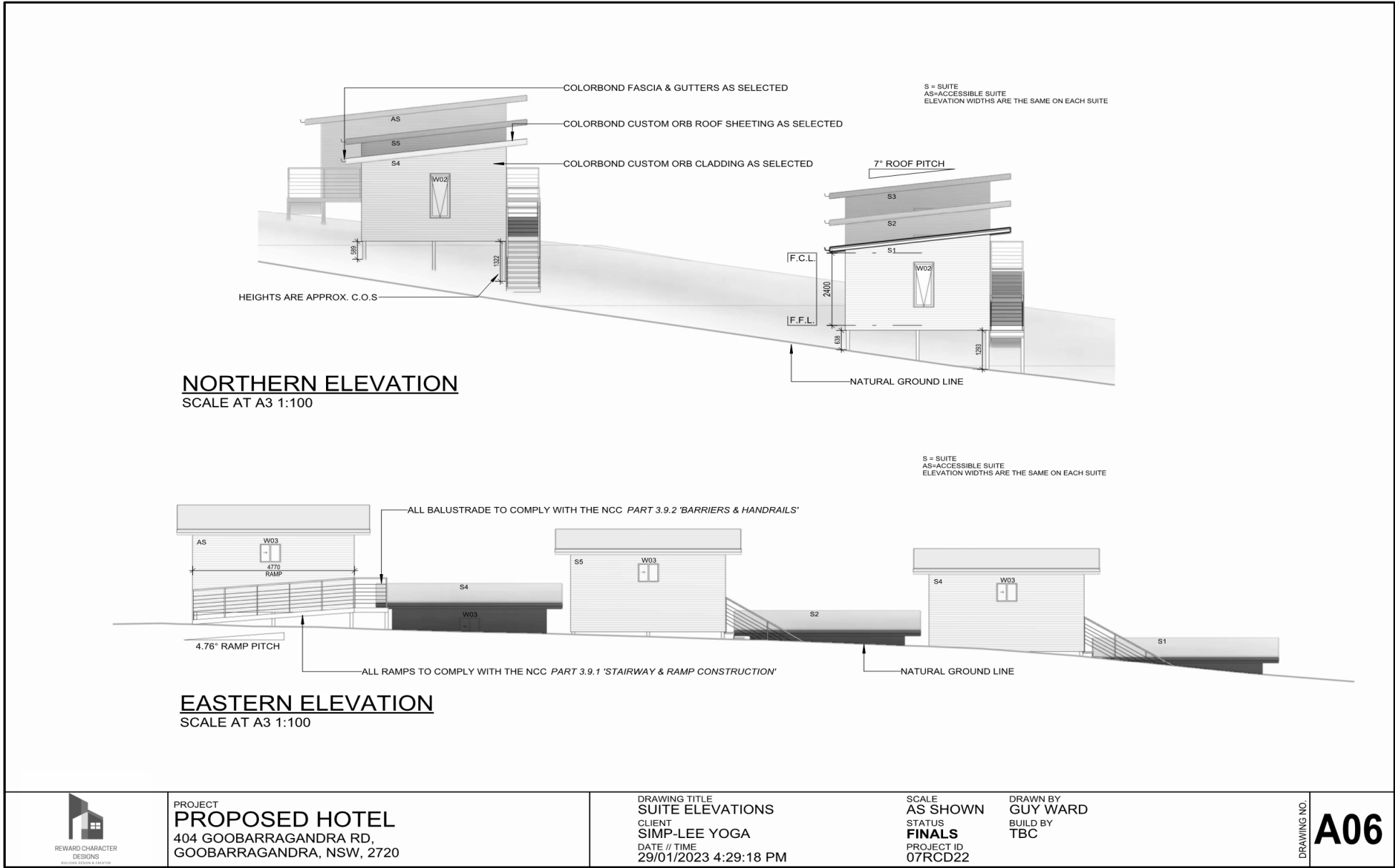
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CLIENT  
SIMP-LEE YOGA  
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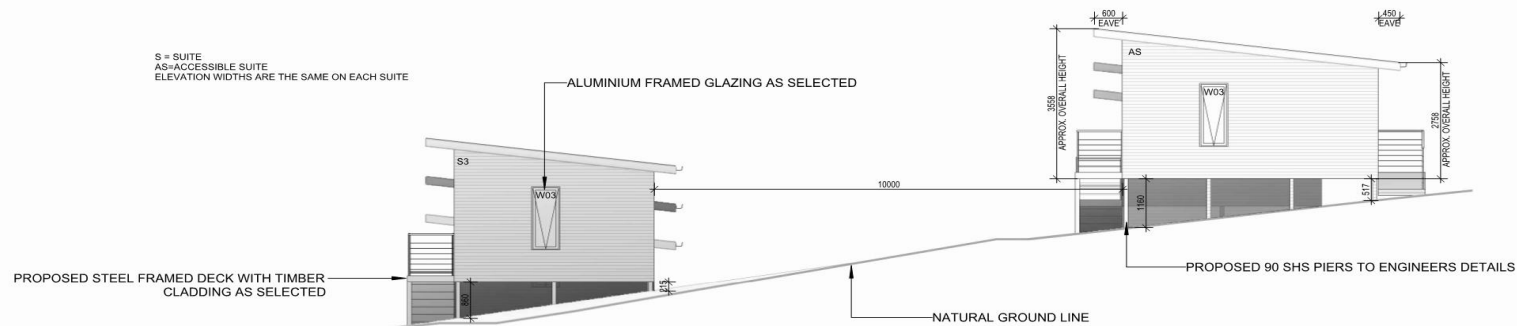
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**FINALS**  
PROJECT ID  
07RCD22

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GUY WARD  
BUILT BY  
TBC

DRAWING NO.

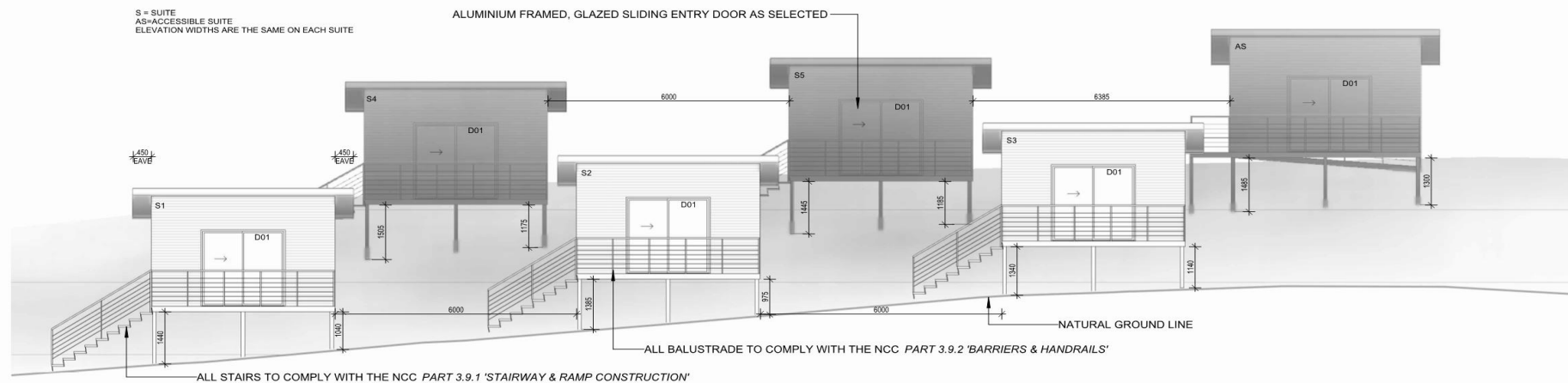
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### SOUTHERN ELEVATION

SCALE AT A3 1:100



### WESTERN ELEVATION

SCALE AT A3 1:100



PROJECT  
**PROPOSED HOTEL**  
404 GOOBARRAGANDRA RD,  
GOOBARRAGANDRA, NSW, 2720

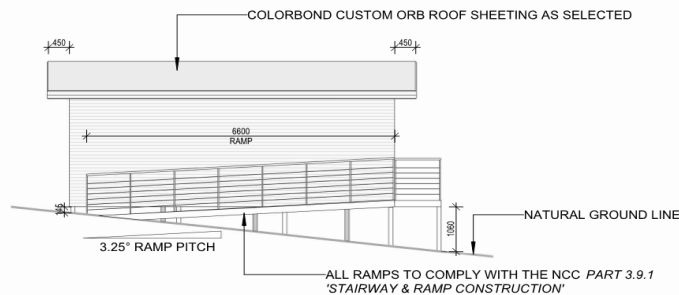
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SUITE ELEVATIONS  
CLIENT  
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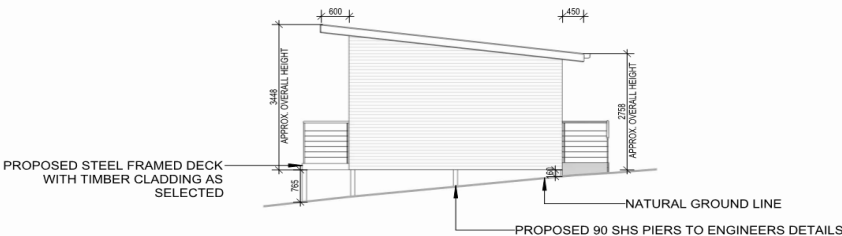
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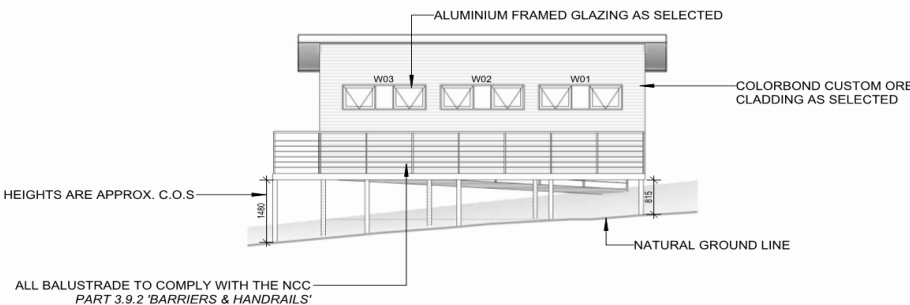
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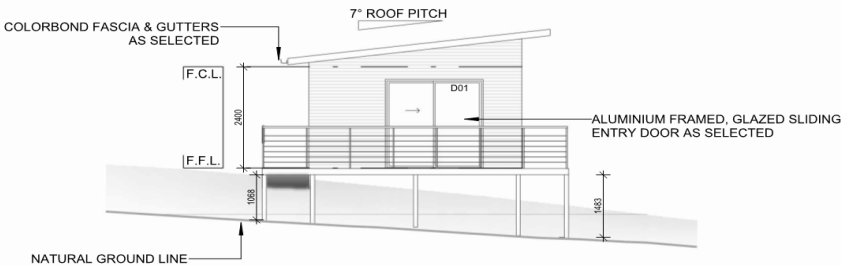
**NORTHERN ELEVATION**  
SCALE AT A3 1:100



**EASTERN ELEVATION**  
SCALE AT A3 1:100



**SOUTHERN ELEVATION**  
SCALE AT A3 1:100



**WESTERN ELEVATION**  
SCALE AT A3 1:100



PROJECT  
**PROPOSED HOTEL**  
404 GOOBARRAGANDRA RD,  
GOOBARRAGANDRA, NSW, 2720

DRAWING TITLE  
**KITCHEN ELEVATIONS**  
CLIENT  
**SIMP-LEE YOGA**  
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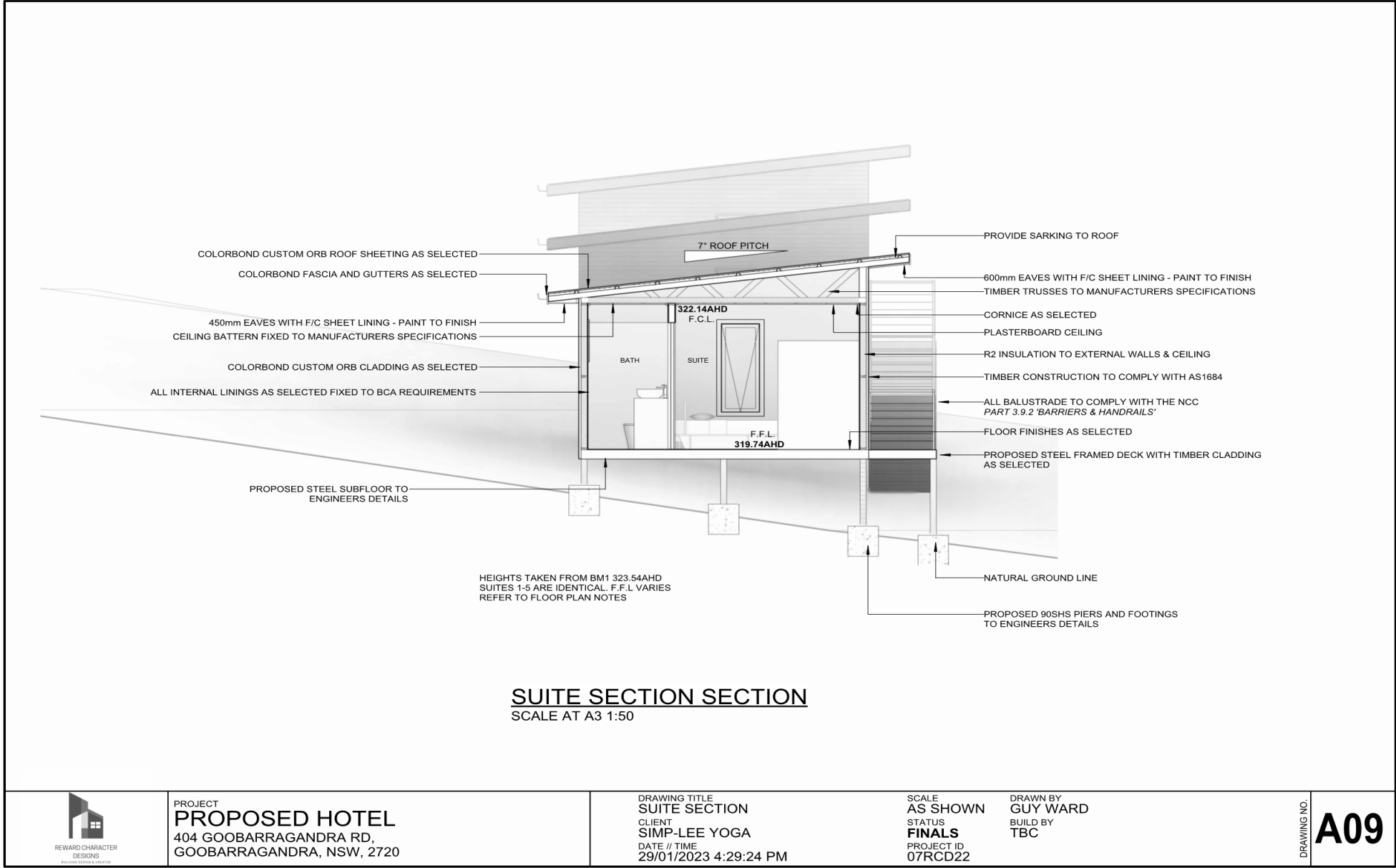
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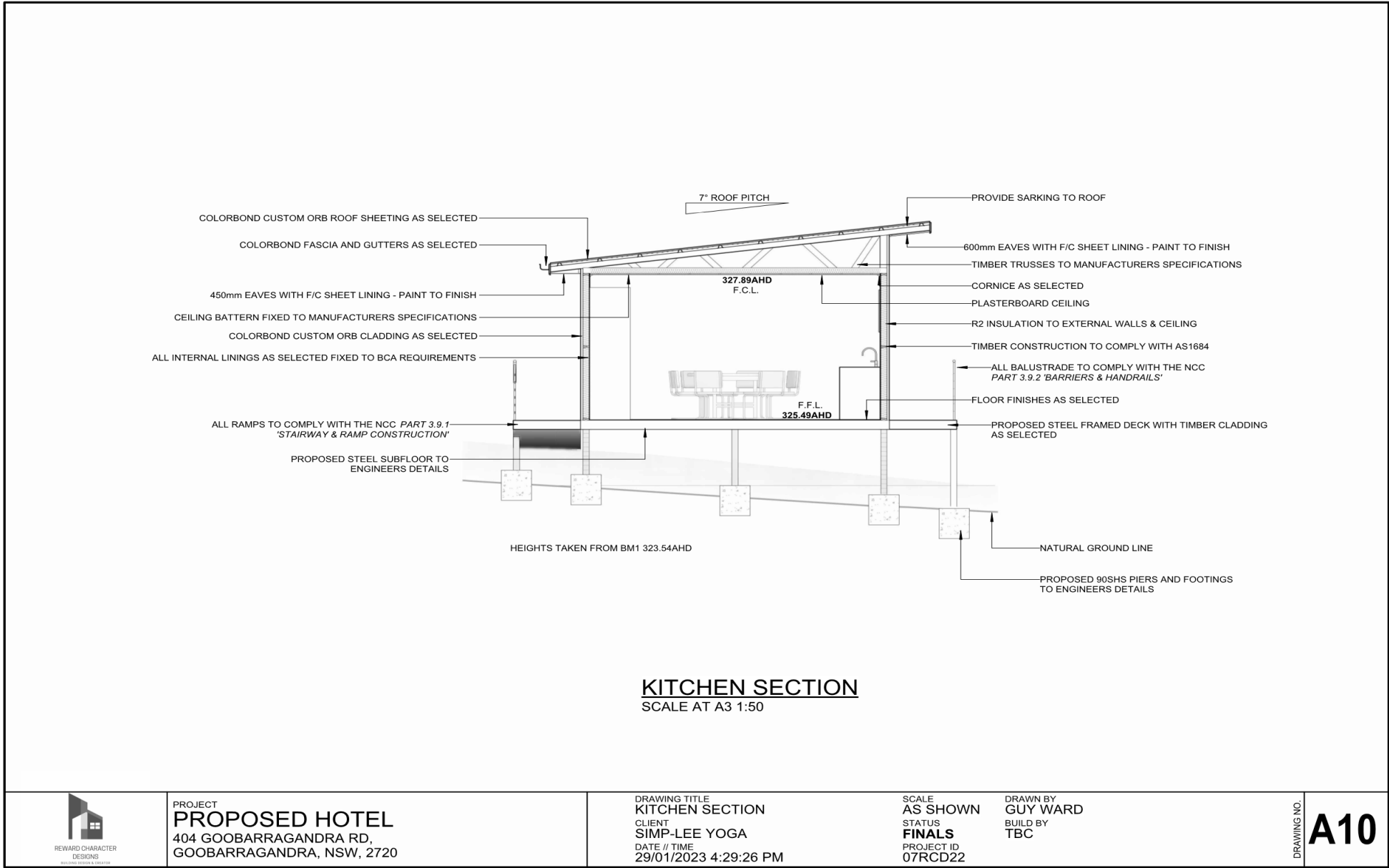
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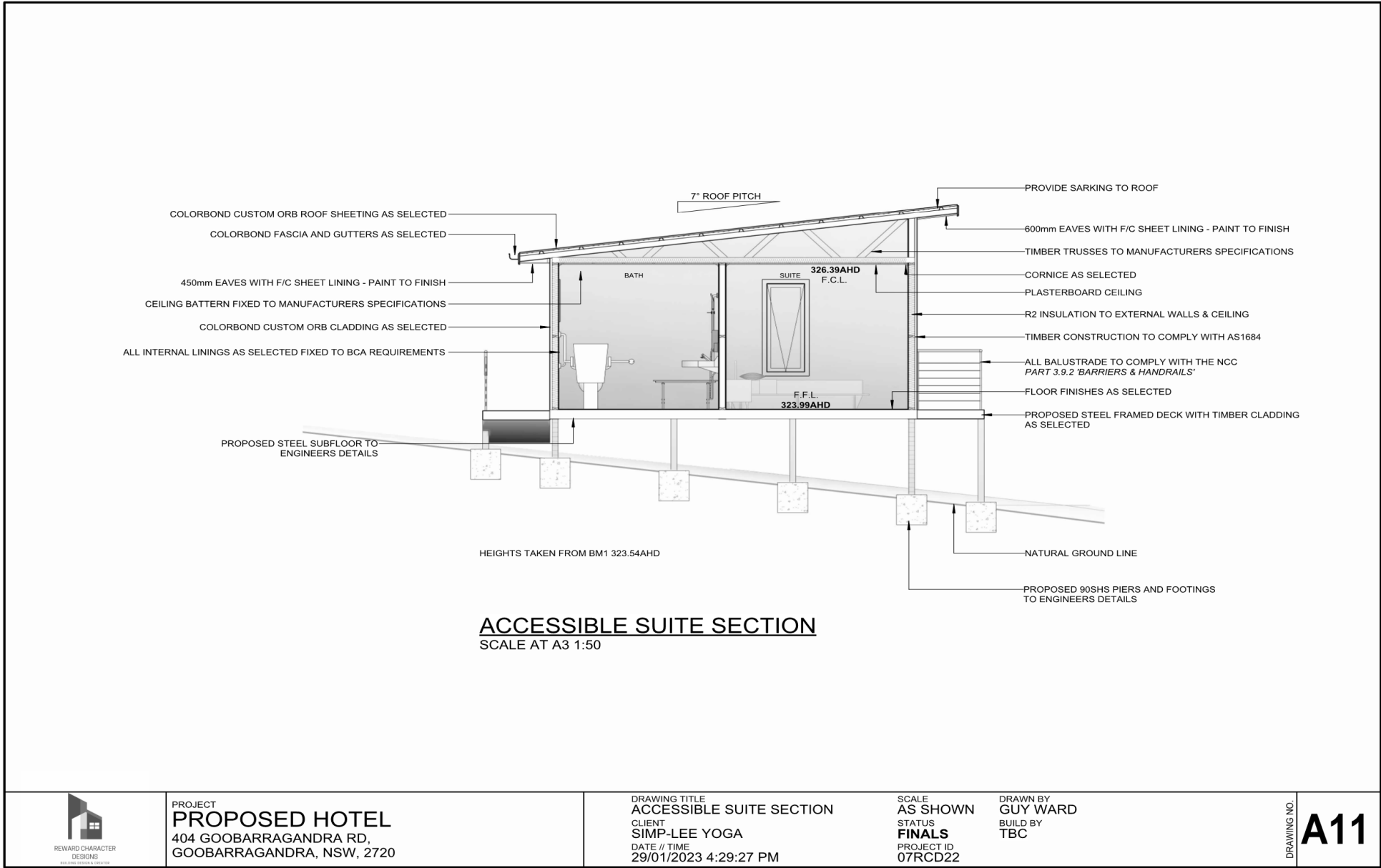
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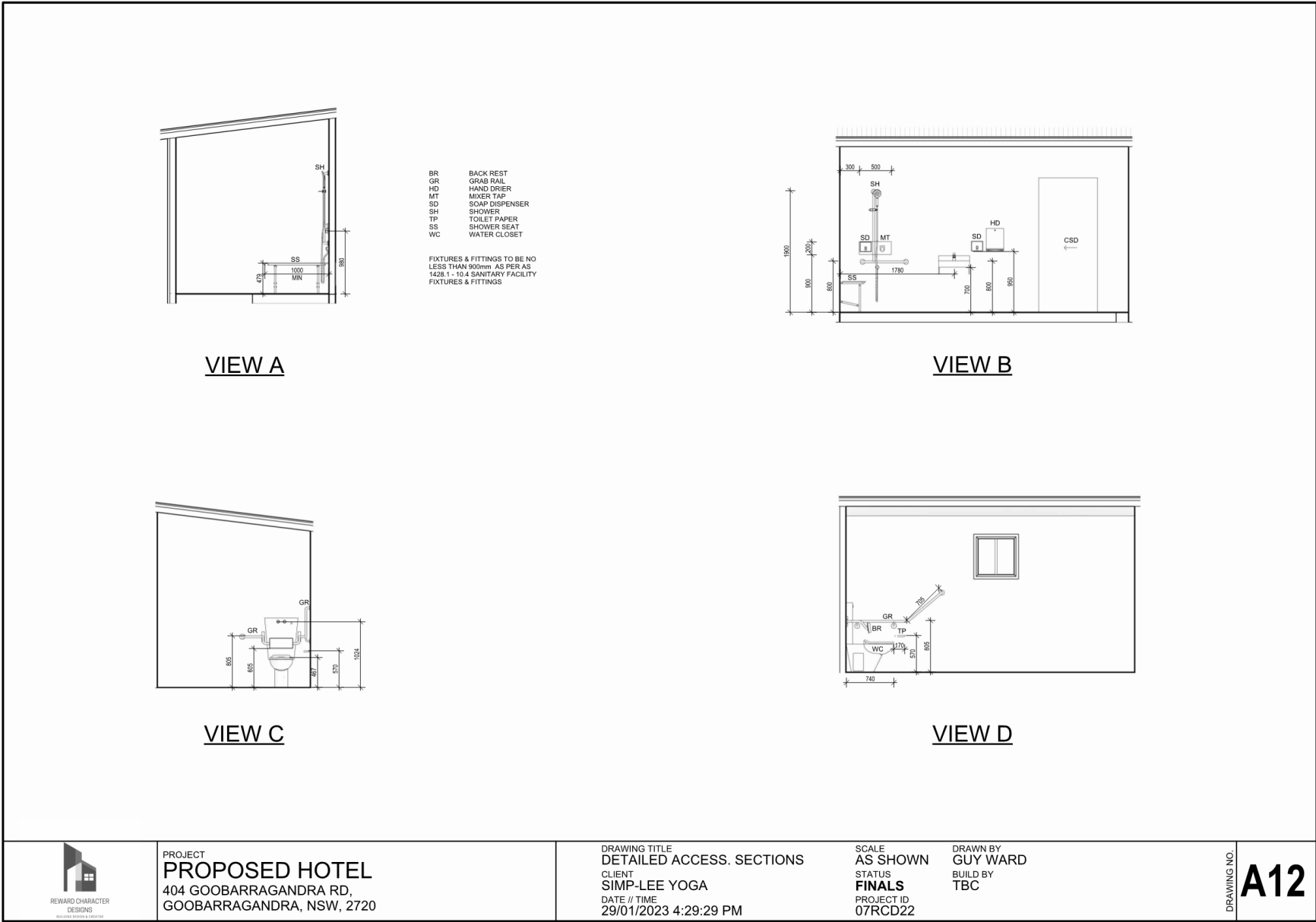
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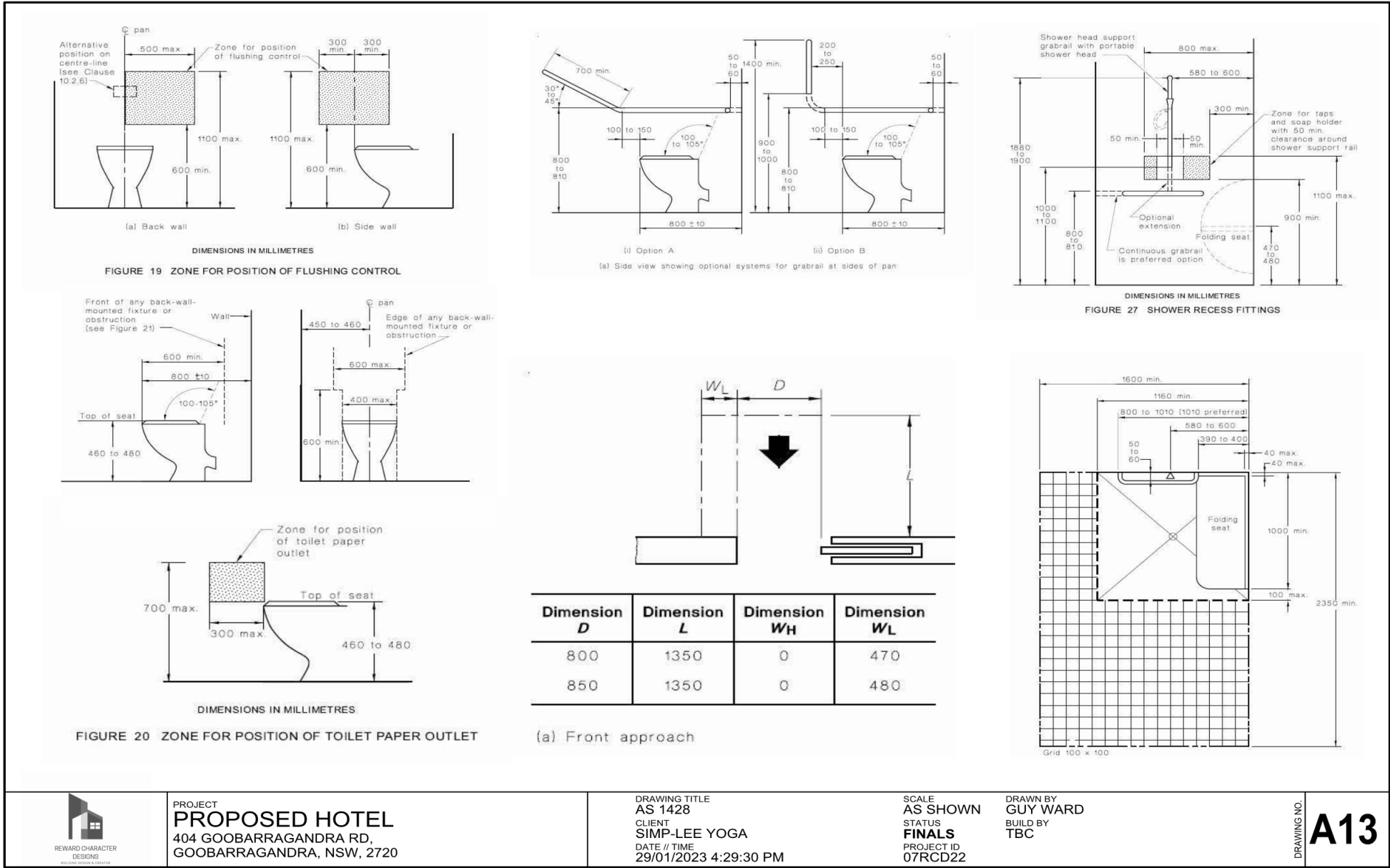




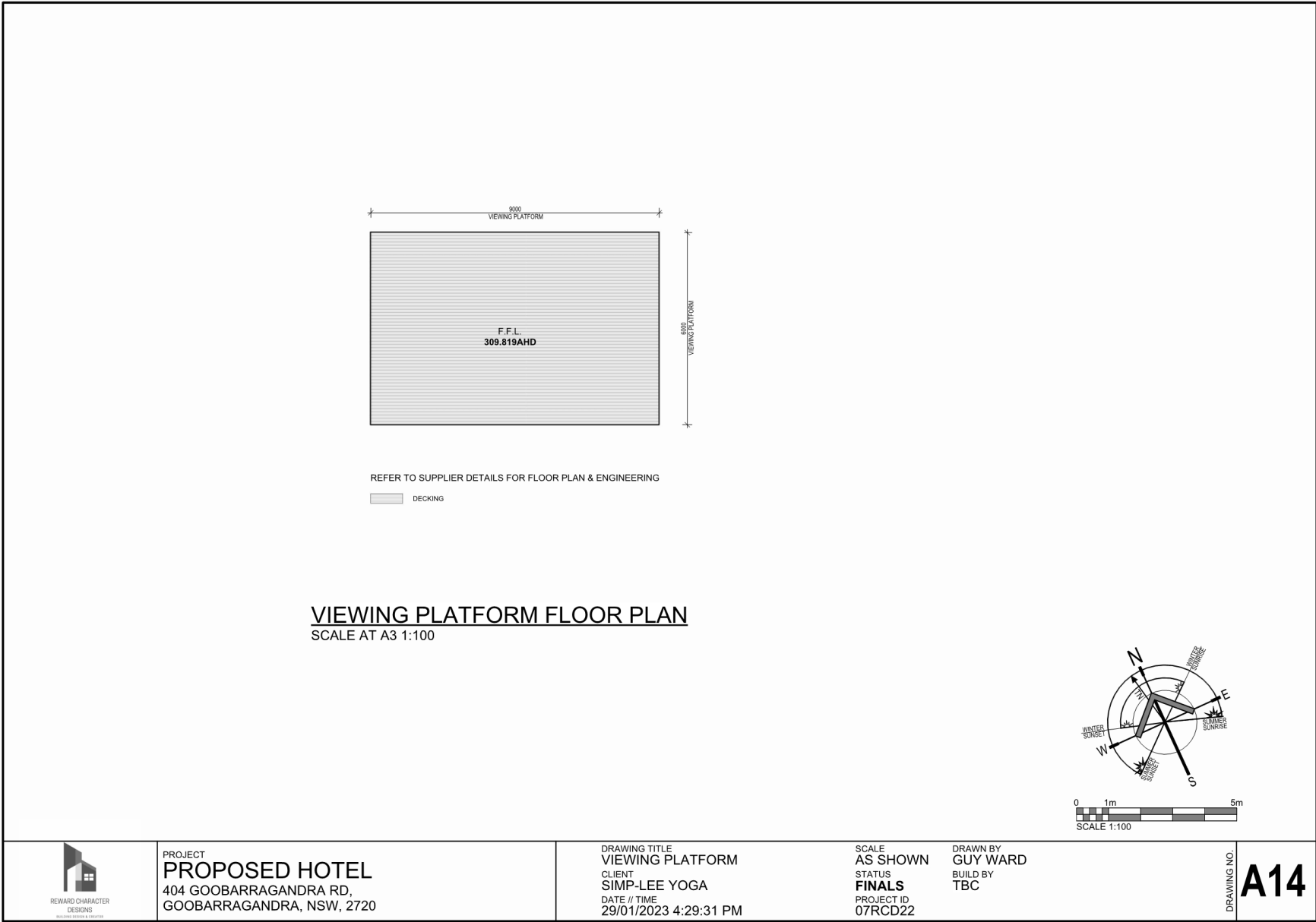


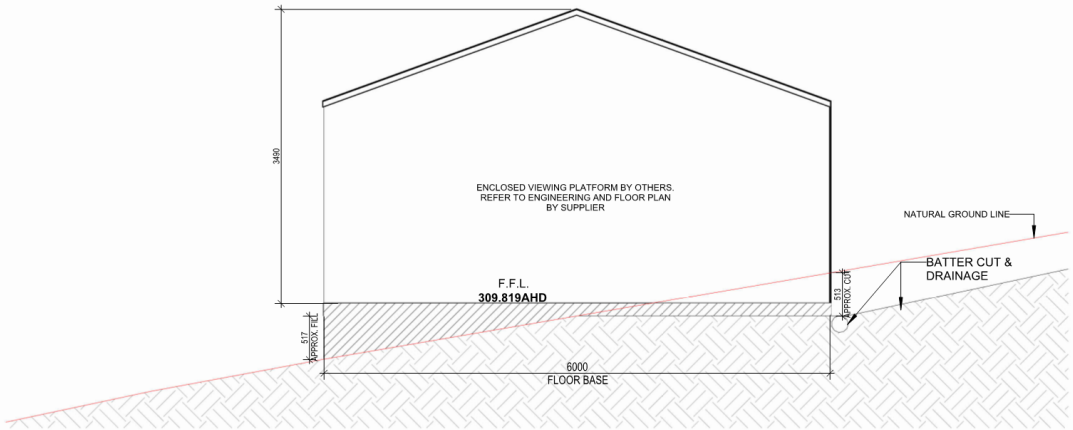







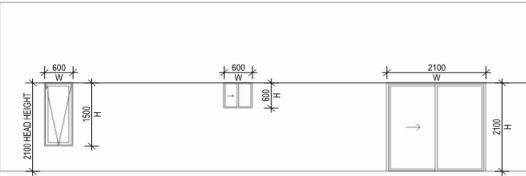
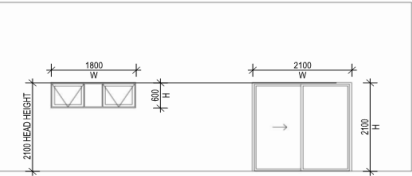






**VIEWING PLATFORM SECTION**  
SCALE AT A3 1:50

 REWARD CHARACTER DESIGNS <small>ARCHITECTS &amp; DESIGNERS</small>	PROJECT <b>PROPOSED HOTEL</b> 404 GOOBARRAGANDRA RD, GOOBARRAGANDRA, NSW, 2720	DRAWING TITLE VIEWING PLATFORM SECTION CLIENT SIMP-LEE YOGA DATE // TIME 29/01/2023 4:29:32 PM	SCALE AS SHOWN STATUS <b>FINALS</b> PROJECT ID 07RCD22	DRAWN BY GUY WARD BUILD BY TBC <div>DRAWING NO. <b>A15</b></div>
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ACCOMMODATION SUITES GLAZING SCHEDULE PER SUITE			KITCHEN GLAZING SCHEDULE	
				
WINDOW NUMBERS- W01, W02 QUANTITY- 2 GLAZING - SINGLE CLEAR OPENING - AWNING FRAME - ALUMINIUM TOTAL FOR PROJECT- 12	WINDOW NUMBERS- W03 QUANTITY- 1 GLAZING - SINGLE CLEAR OPENING - SLIDING FRAME - ALUMINIUM TOTAL FOR PROJECT- 6	DOOR NUMBERS- D01 QUANTITY- 1 GLAZING - SINGLE CLEAR OPENING - SLIDING DOOR UNIT FRAME - ALUMINIUM TOTAL FOR PROJECT 6	WINDOW NUMBERS- W01, W02, W03 QUANTITY- 3 GLAZING - SINGLE CLEAR OPENING - AWNING FRAME - ALUMINIUM TOTAL FOR PROJECT- 3	DOOR NUMBERS- D01 QUANTITY- 1 GLAZING - SINGLE CLEAR OPENING - SLIDING DOOR UNIT FRAME - ALUMINIUM TOTAL FOR PROJECT 1

**DOOR & WINDOW NOTES**

- ALL WINDOWS & GLAZED DOOR INSTALLATION TO COMPLY WITH AS 2047 AND AS 1288. BUSHFIRE PRONE AREAS TO COMPLY WITH AS 3959 - REFER TO BUSHFIRE NOTES FOR BUSHFIRE ATTACK LEVEL (BAL) (IF APPLICABLE TO PROJECT).
- WINDOW FRAME AND GLAZING PERFORMANCE LEVELS TO MEET OR EXCEED BASIX CERTIFICATE REQUIREMENTS.
- BUILDER TO ADVISE FRAMING MANUFACTURER OF SELECTED WINDOW MANUFACTURERS AS STANDARD WINDOW SIZES VARY SLIGHTLY BETWEEN MANUFACTURERS.
- ALL WINDOW AND DOOR DIMENSIONS TO BE CHECKED ON SITE PRIOR TO FABRICATION.
- ALL OPERABLE WINDOWS TO BE FITTED WITH SEALS AND TIGHT FITTING FLY SCREENS.
- EXTERNAL DOORS TO BE FITTED WITH WEATHER SEALS ALL ROUND.



PROJECT  
**PROPOSED HOTEL**  
404 GOOBARRAGANDRA RD,  
GOOBARRAGANDRA, NSW, 2720

DRAWING TITLE  
**WINDOW & DOOR SCHEDULE**  
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SIMP-LEE YOGA  
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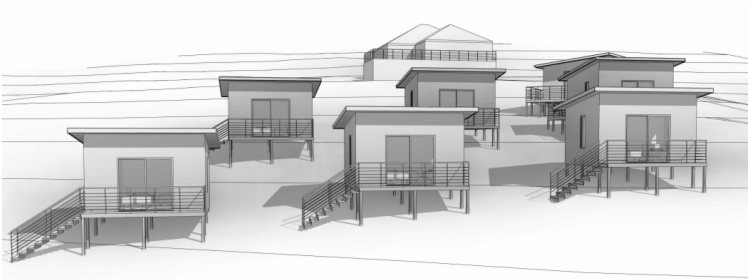
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GUY WARD  
BUILD BY  
TBC

DRAWING NO.

**A16**



PROPOSED SUITES WITH EXISTING  
HOUSE IN THE DISTANCE



PROPOSED SUITES WITH EXISTING  
HOUSE IN THE DISTANCE



PROJECT  
**PROPOSED HOTEL**  
404 GOOBARRAGANDRA RD,  
GOOBARRAGANDRA, NSW, 2720

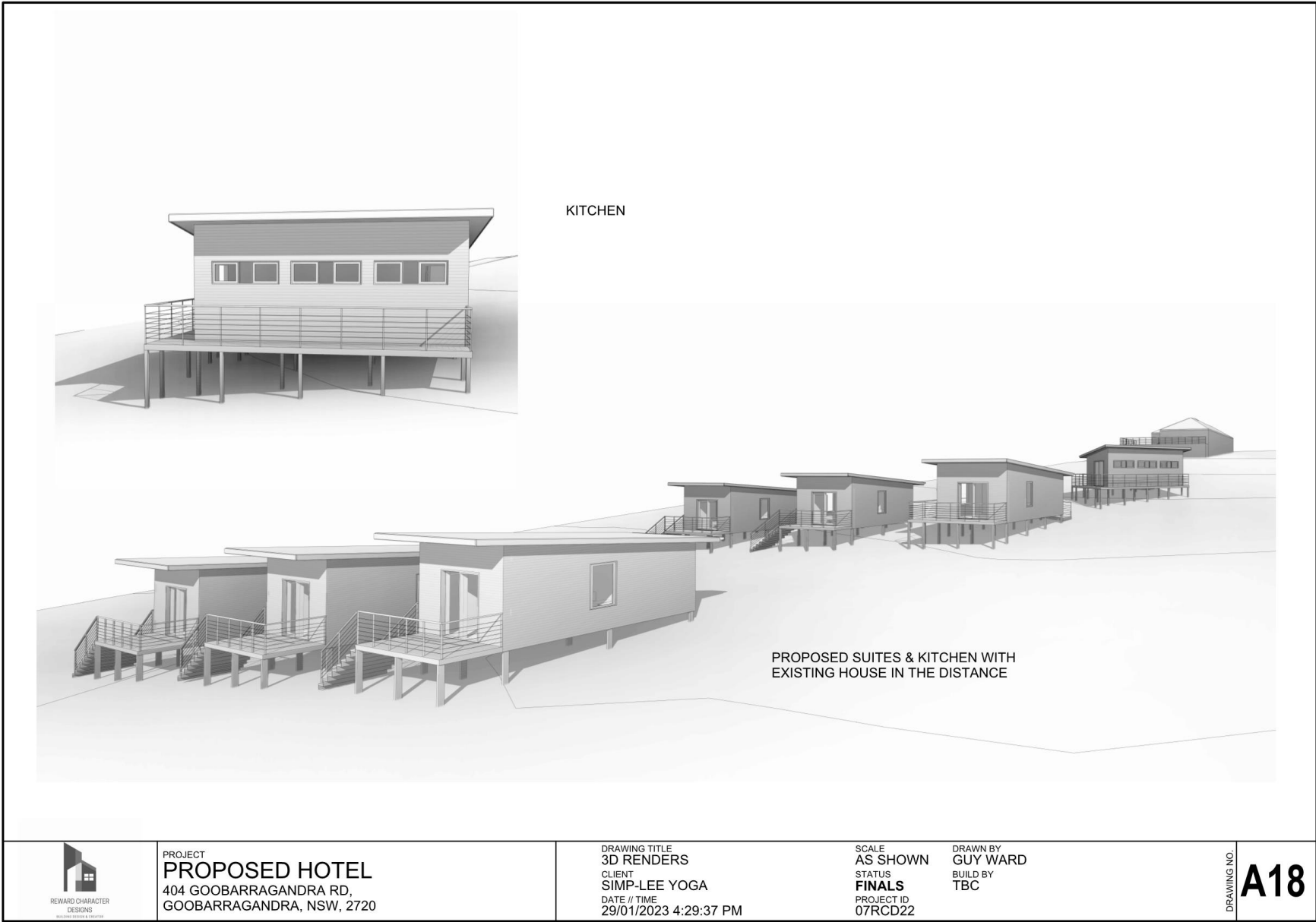
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**3D RENDERS**  
CLIENT  
SIMP-LEE YOGA  
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STATUS  
**FINALS**  
PROJECT ID  
07RCD22

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GUY WARD  
BUILD BY  
TBC

DRAWING NO.

**A17**





**Attachment 2 - 2023.07.05 DRAFT Notice of Determination - Draft Consent Conditions DA 2023.0025 Proposed Tourist and Visitor Accommodation**

Application No: 2023/0025  
PAN: 301852  
Contact: Nick Wilton



5 July 2023

Amanda Myers  
404 Goobarragandra Road  
Goobarragandra New South Wales 2023

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

<b>APPLICATION NO:</b>	2023/0025
<b>APPLICANT:</b>	Amanda Myers
<b>OWNER:</b>	Amanda and Jason Myers
<b>PROPERTY DESCRIPTION:</b>	Lot 2 in Deposited Plan 630937
<b>PROPERTY ADDRESS:</b>	404 Goobarragandra Road, Goobarragandra
<b>PROPOSED DEVELOPMENT:</b>	Tourist and Visitor Accommodation (Hotel / Motel Accommodation)
<b>DETERMINATION:</b>	Approval subject to condition Council resolution
<b>CONSENT TO OPERATE FROM:</b>	TBA
<b>CONSENT TO LAPSE ON:</b>	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 12 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

P: 1300 ASK SVC (1300 275 782)

<b>Tumut Office</b>	<b>Tumbarumba Office</b>
76 Capper Street	Bridge Street
Tumut NSW 2720	Tumbarumba NSW 2653
E: <a href="mailto:info@svc.nsw.gov.au">info@svc.nsw.gov.au</a>	<a href="http://www.svc.nsw.gov.au">www.svc.nsw.gov.au</a>



Leading, Engaging and  
Supporting Strong and  
Vibrant Communities

DA APPLICATION 2023/0025 Lot 2 in Deposited Plan 630937

**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 Tourist and Visitor Accommodation (Hotel Accommodation).

**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	07RCD22 AO1-AO3	Reward Character Designs	January 2023
Elevations Drawings / Architectural Plans	07RCD22 AO4-A18	Reward Character Designs	January 2023
Statement Of Environmental Effects	404 Goobarragandra Rd, Goobarragandra	CAF Building and Town Planning Consultancy	February 2023
Site classification and land capability assessment	7768	McMahon Earth Science	19 October 2023

**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**

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

DA APPLICATION 2023/0025 Lot 2 in Deposited Plan 630937

- (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 Private 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.

Note: Land conditions adjacent to the site have been identified as potential landslip and accordingly a geotechnical report has been prepared on the site conditions that has made recommendations / conclusions on how the site is to be managed.

- (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).

DA APPLICATION 2023/0025 Lot 2 in Deposited Plan 630937

- (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
  - (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 benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection

DA APPLICATION 2023/0025 Lot 2 in Deposited Plan 630937

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of the building.

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

#### 9. 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.

The development should incorporate recessive and non-reflective colours for any proposed cladding or roofing materials.

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

#### 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.*

#### 10. 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.*

#### 11. 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.*

#### 12. Landscaping Plan

A landscaping plan shall be prepared and submitted to Council for approval, prior to the issue of any construction certificate for the development.

DA APPLICATION 2023/0025 Lot 2 in Deposited Plan 630937

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The landscaping plan shall include a mix of local indigenous species including but not limited to River Red Gums and also Tumut Grevilleas native to the local area.

The landscaping plan shall also provide for a contiguous landscaping screen to the North Western Boundary of the property with a minimum of 5 metres in depth and to the full length of the boundary. The setback of the screen shall be such so as to not increase the BAL rating on the adjoining property at 382 Goobarragandra Road Goobarragandra.

The approved landscaping plan requirements shall be completed prior to the issue of any occupation certificate.

Reason: To comply with the requirements of the Development Control Plan and to ensure privacy of adjoining residents.

**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. Section 138 Roads Act 1993 Approval**

The existing access to the development shall be required to be upgraded in accordance with Council's standard drawings for a rural road access. This shall include bitumen sealing from the edge of the road pavement to the property boundary.

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*) prior to the issue of any construction certificate.

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 (now TfNSW) 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.

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- 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 Maritime Services for engineering design plans, Traffic Control Plans and approvals under Section 138 of the Roads Act 1993.*

**Reason:** *Statutory requirement.*

#### 15. Section 7.11 Contributions

Under Section 7.11 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 Snowy Valleys Local Government Area.

\$10,431.06 prior to 30 June 2024 (being 1738.51 per unit in Tumut Rural Areas). If paid after this date the amount will be indexed in accordance with Council's contributions plan and in accordance with the fees and charges applicable at the time of payment.

Note: In the case of a new or revised contributions plan being adopted, the rate will be in accordance with that plan if not paid prior to its adoption.

All contributions are indexed annually 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)); Section 25I of the *Environmental Planning and Assessment Regulation 2000*; and Council's Developer Contributions Plans.

**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.*

#### 16. Erosion and Sediment Control Plan

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

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

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- (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.*

#### 17. Light Spillage

Measures to ensure that no light spillage is created from the approved development into existing nearby residences, shall be provided to the satisfaction of Council prior to issue of Construction Certificate. All lighting shall be directed downwards and no security lights or flood lights shall be utilised on the development which may cause light spillage onto adjoining properties.

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

### CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

#### 18. 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
- (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.*



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**19. 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.*

**20. 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**

**21. 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.*

**22. 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 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*.

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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.*

**23. Structure not to be built over easements/infrastructure**

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

**Reason:** *To protect infrastructure.*

**24. 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.*

**25. 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.*

**26. 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.*

**27. 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.*

## 28. 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.*

## 29. 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.*

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

## 31. 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.

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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.*

**32. 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**

**33. 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.*

**34. 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.

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

**35. Section 138 Roads Act 1993 Final**

The applicant is to ensure that the works associated with the Section 138 approval for this

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development be completed and inspected by Council prior to the issue of any Occupation Certificate.

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

**36. 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.*

**37. 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.*

**38. 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**

**39. 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

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schedule) to be permanently displayed in the building.

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

**40. Capacity Limits of development**

The development shall be restricted to a maximum of 12 patrons at any one time.

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

**41. Hours of Operation**

The hours of operation once an occupation certificate has been issued for the development shall be 24 hours per day 7 days per week with patrons to check into the development after 2pm and check out after 10am.

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

**42. Operational Noise**

The proponent shall ensure that all operational noise shall not exceed 5 dBA above background noise levels when measured at any habitable room of any adjoining residential property.

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

**43. Operational Management Plan**

The proponent shall prepare and implement an operational management plan for the development outlining proposed management and supervision protocols to manage the use of the site including but not limited to management of complaints, noise, gatherings, litter and waste management.

**CONCURRENCE CONDITIONS**

**Rural Fire Service**

1. The proponent shall comply with the requirements of the Rural Fire Service Bushfire Safety Authority dated 2 June 2023.

**Department of Planning and Water (Environment)**

1. The proponent shall comply with the requirements of the General Terms of Approval correspondence dated 13 April 2023.

**END OF CONDITIONS**