

## CONDITIONS

- (1) The development shall be undertaken in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

- BASIX Certificate No: 1291141M, dated 13 April 2022.

Plan/Report Title	Reference No	Revision	Date
Site Plan - Overall	Sheet 2/86	A	12.04.22
Site Plan	Sheet 3/86 to Sheet 24/86	A	12.04.22
Floor Plan and Elevations	Sheet 29/86 to Sheet 83/86	A	12.04.22
Floor Plan – Lot 1 (Toilet Block)	Sheet 25/86	A	12.04.22
Elevation – Lot 1 (Toilet Block)	Sheet 26/86	A	12.04.22
Floor Plan – Lot 1 (BBQ)	Sheet 27/86	A	12.04.22
Elevation – Lot 1 (BBQ)	Sheet 28/86	A	12.04.22
BASIX Commitments – All Dwelling	Sheet 84/86 to Sheet 86/86	A	12.04.22
Lot Layout Plan	TP01	E	04/03/2022
Proposed Carparking Layout Plan	C005	G	22/07/2022

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- (2) Prior to the issue of the relevant Occupation Certificate or Subdivision Certificate, whichever occurs first, the contribution of **\$227,588.45** - (36.5ET) for water supply headworks contributions, calculated on a per ET basis, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's annual Revenue Policy.

Note 1: Council's adopted 2022/2023 financial year rate is \$6.235.30 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

Note 3: Council will permit the payment of contributions in stages based on the number of Occupation/Subdivision Certificates sought for each stage release. The contribution is

determined with each proposed unit/community title lot incurring contributions at a rate of 0.5ET (total 73 units/lots). The common property (Lot 1) does not incur a contribution.

Note 4: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties No.2 with respect to the provision of water supply infrastructure. Any payment sought under this WIK Agreement should be confirmed by Council prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (3) Prior to the issue of the relevant Occupation Certificate or Subdivision Certificate, whichever occurs first, the contribution of **\$227,588.45** (36.5ET) for sewerage supply headworks contributions, calculated on a per ET basis, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's annual Revenue Policy.

Note 1: Council's adopted 2022/2023 financial year rate is \$6.235.30 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

Note 3: Council will permit the payment of contributions in stages based on the number of Occupation/Subdivision Certificates sought for each stage release. The contribution is determined with each proposed unit/community title lot incurring contributions at a rate of 0.5ET (total 73 units/lots). The common property (Lot 1) does not incur a contribution.

Note 4: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties No.2 with respect to the provision of sewerage supply infrastructure. Any payment sought under this WIK Agreement should be confirmed by Council prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (4) Prior to the issue of the relevant Occupation Certificate or Subdivision Certificate, whichever occurs first, the contribution by the developer of **\$280,591.40** (142.3 persons) for open space and recreation facilities contributions, calculated on a per person basis, in accordance with Council's Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities – 2016-2026.

Note 1: The contribution rate at the time was an equivalent of \$1,971.83 (including administration fee) per person (East (South) Planning Unit).

Note 2: As the above contribution rate is reviewed annually, the 'current contribution rate' is to be confirmed prior to payment.

Note 3: Council will permit the payment of contributions in stages based on the number of Occupation/Subdivision Certificates sought for each stage release. The contribution is determined with each one (1) bedroom unit incurring contributions at a rate of 1.1 residential trips (1 unit); two (2) bedroom unit incurring contributions at a rate of 1.6 persons (46 unit) and each three (3) or more bedroom unit incurring contributions at a rate of 2.6 persons (total 26 units). The common property (Lot 1) does not incur a contribution.

Note 4: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties No.2 with respect to the provision of open space facilities. Any payment sought under this WIK Agreement should be confirmed by Council prior to payment.

{Reason: Implementation of Council's Section 94 Contributions Plan - Open Space and Recreation Facilities}

- (5) Prior to the issue of the relevant Occupation Certificate or Subdivision Certificate, whichever occurs first, the Stormwater Drainage contribution of **\$315,146.84** (73 lots), calculated on per lot basis, in accordance with Council's adopted Section 7.11 Developer Contributions Plan - Dubbo South-East Stormwater Drainage Headworks 2019.

Such contribution is adjusted annually in accordance with Section 2.17 of the Section 7.11 Contributions Plan becoming effective from the 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2022/2023 financial year rate is \$4,317.08 (including administration fee) per lot.

Note 2: As the above contribution rate is reviewed annually, the 'current contribution rate is to be confirmed prior to payment.

Note 3: Council will permit the payment of contributions in stages based on the number of Subdivision Certificates sought for each stage release. The contribution is determined with each proposed unit/community title lot incurring contributions at a rate of 1.0ET (total 73 units/lots). The common property (Lot 1) does not incur a contribution.

Note 4: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties Southlakes Pty Ltd with respect to the provision of stormwater infrastructure. Any payment sought under this WIK Agreement should be confirmed with Council prior to payment.

{Reason: Implementation of Council's Section 94 Urban Stormwater Drainage Headworks Contributions Plan, as amended October 1995}

- (6) Prior to the issue of the relevant Occupation Certificate or Subdivision Certificate, whichever occurs first, the contribution of **\$249,249.00** (390 trips) for urban roads headworks contribution, calculated on a per trip basis, in accordance with Council's

adopted Amended Section 94 Contributions Plan - Roads, Traffic Management and car parking, operational 3 March 2016.

Such contribution rate, per trip, is adjusted annually in accordance with Section 6.0 of the Section 94 Contributions Plan becoming effective from the 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2022/2023 financial year rate is \$639.10 (including administration) per residential trip.

Note 2: As the above contribution rate is reviewed annually, the current contribution rate is to be confirmed prior to payment.

Note 3: Council will permit the payment of contributions in stages based on the number of Occupation/Subdivision Certificates sought for each stage release. The contribution is determined with each one (1) bedroom unit incurring contributions at a rate of 4 residential trips (1 unit); each two (2) bedroom unit incurring contributions at a rate of 5 residential trips (46 unit) and each three (3) or more bedroom unit incurring contributions at a rate of 6 residential trips (26 units). The common property (Lot 1) does not incur a contribution.

{Reason: Implementation of Council's Section 94 Contributions Plan - Roads, Traffic Management and Carparking dated 2016}

- (7) Prior to issue of a Construction Certificate, a report prepared by a suitably qualified and experienced heritage consultant, shall be submitted to and approved by Council's Manager of Development and Building Services detailing the following aspects associated with the historically significant communications bunker located onsite:

- information on the proposed use and access, if any;
- a schedule of conservation works;
- an interpretation strategy; and
- a maintenance schedule.

The Maintenance Schedule shall also detail graffiti removal; the bitumen roof treatment (including research into the holes); and the landscaping (planning and maintenance).

{Reason: Heritage conservation}

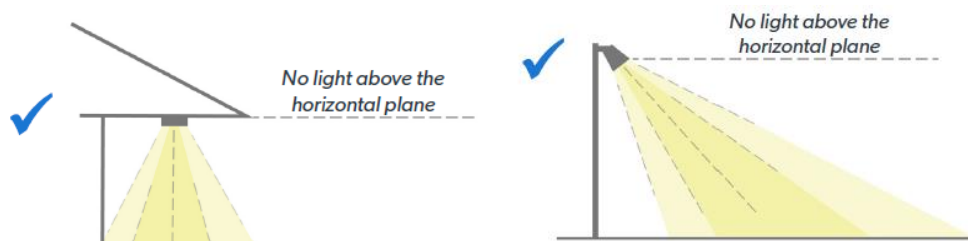
- (8) Entry and exit points to and from the proposed development and off-street visitor parking spaces shall be delineated and signposted to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013.

{Reason: Implementation of Dubbo DCP 2013}

- (9) All hard stand areas, driveways, car parking and loading areas shall be fully paved in accordance with Chapter 3.5 Parking (3.5.7 - Construction Requirements) of the Dubbo Development Control Plan 2013, of a standard suitable to withstand the proposed traffic loadings. The proposed surface design details are to be submitted in conjunction with the application for the Construction Certificate and approved prior to any work commencing.

{Reason: Implementation of Dubbo DCP 2013}

- (10) The proposed landscaping shown on the approved landscape plan (Titled: Keswick Bunker Gated Estate MasterPlan – dated 5/08/22) shall be established and maintained to at least the standard specified on the approved development plans. Such landscaping shall be established prior to the issue of the relevant Occupation Certificate.  
{Reason: To maintain and improve the aesthetic quality of the development}
- (11) Any new electrical metering/meter box to the property shall be provided within the common property (Lot 1) in a location that is legally accessible to all residents.  
{Reason: To ensure the orderly provision of infrastructure and that the meter box is provided in a suitable location}
- (12) The proposed dwellings (individually) must not be provided with more than seven (7) outside light fittings, all of which must be shielded. If more than five (5) shielded outside light fittings are provided those additional fittings must also be automatic light fittings.



**automatic light fitting** means a light fitting that is activated by a sensor and switches off automatically after a period of time.

**horizontal plane**, in relation to a light fitting, means the horizontal plane passing through the centre of the light source (for example, the bulb) of the light fitting.

**outside light fitting** means a light fitting that is attached or fixed outside, including on the exterior of a building.

**shielded light fitting** means a light fitting that does not permit light to shine above the horizontal plane.

{Reason: Requirement of cl 5.14 Dubbo LEP 2022 to limit light pollution and sky glow; and to protect observation conditions at the Siding Spring Observatory}

- (13) Construction work shall only be carried out within the following time:

Monday to Friday:	7 am to 6 pm
Saturday:	8 am to 1 pm
Sunday and public holidays:	No construction work permitted

{Reason: Council requirement to reduce the likelihood of noise nuisance}

- (14) A single stabilised vehicular access shall be provided to the construction site in accordance with the design described in the attachment titled 'Stabilised Site Access' to Council's advisory document Fact Sheet No. 6 - Erosion and Sediment Control.

{Reason: Implementation of Council policy to reduce sediment pollution}

- (15) The on-site fire hydrant system proposed to be installed for the Community Subdivision shall comply with the relevant provisions of the NSW Fire and Rescue “Fire Safety Guideline – Fire Hydrants for Minor Residential Development” version 02 issued 1 September 2016. Such hydrants must achieve the pressure and flow rate requirements of AS 2419.1-2005 as adopted under such Guideline.

Certification of the installation shall be provided by the contractor its completion, prior to issue of any Subdivision Works Certificate, verifying compliance with these requirements.  
{Reason: Provide firefighting facilities for use by the Fire Brigade for the protection of occupants and their property, in consideration of Section 4.15 EP&A Act 1979}

- (16) The following works applicable to the proposed buildings shall be inspected and passed by a Building Development officer of Council. In this regard, at least 24 hours notice shall be given to Council for inspection of such works. When requesting an inspection please quote Council's reference number D22-217.

Advanced notification for an inspection should be made by emailing [de.admin@dubbo.nsw.gov.au](mailto:de.admin@dubbo.nsw.gov.au) or by telephoning Council's Development and Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test.
- Water plumbing under hydraulic test.
- Final inspection of the installed sanitary and water plumbing fixtures upon each building's completion prior to its occupation/use.

{Reason: Statutory provision and Council requirement being the delegated regulator}

- (17) The top of each dwelling's overflow (relief) gully shall be a minimum 150 mm below the lowest sanitary fixture in that dwelling, and
- (a) Be a minimum 75 mm above the finished surrounding ground level; or
  - (b) Where the overflow (relief) gully is located in a path or paved area which is finished such that surface water cannot enter it and is graded away from the building, it may be finished level with such path or paved area.

Any excavated areas around the perimeter of the buildings shall be graded away from the building to ensure adequate surface drainage and prevent pondage.

{Reason: Council requirement to provide adequate stormwater free board and drainage and ensure free board provisions of sanitary drainage regulations can be achieved}

- (18) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2005 and the requirements of Council as the water and sewerage authority.

{Reason: Statutory and Council requirement}

- (19) Temporary closet accommodation shall be provided onsite before work on the proposed buildings is commenced.

{Reason: Council requirement to preserve public hygiene}

(20) The sanitary, water plumbing and drainage associated with the proposed buildings, requires the issue of a separate approval from Council prior to being installed. In this regard a Drainage and Plumbing Approval Application form is available from Council, and must be completed by the licensed plumbing and drainage contractor and returned to Council with the appropriate fees.

{Reason: Statutory requirement of Local Government Act 1993}

(21) All sanitary plumbing and drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: Statutory requirement of Section 634 Local Government Act 1993}

(22) Prior to an Occupation Certificate being issued for each of the proposed dwellings and Community buildings, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed sanitary drainage and water plumbing installation associated with that building.

{Reason: To enable an inspection of the building's plumbing and drainage to determine they have been satisfactorily completed}

(23) The smoke alarms constituting each dwelling's automatic smoke detection and alarm system, if consisting of more than one smoke alarm conforming to AS 3786, shall be interconnected within each such dwelling.

If Council is appointed the Principal Certifier, a Certificate of Installation, completed by a licensed electrician, shall be submitted prior to the Occupation Certificate being issued.

{Reason: Council requirement to ensure an appropriate level of fire safety as a consequence of audibility limitations associated with smoke alarms alerting young children}

(24) Roof water not conveyed to the rainwater tanks pursuant to the approved BASIX Certificate and the overflow from the required rainwater tanks shall be conducted to the development's internal stormwater drainage system.

{Reason: To ensure satisfactory disposal of roof water}

(25) The hot water delivered to the outlets of the hand-basins, showers and baths shall not exceed 50°C, whilst disabled fixtures shall not exceed 45°C.

{Reason: Statutory requirement of the Plumbing Code of Australia}

(26) Surface water shall be directed away from each dwelling to prevent ponding near the foundations of the building whilst ensuring surface water is not diverted to the detriment of adjoining properties.

{Reason: To ensure satisfactory drainage}

(27) If Council is engaged to act as the Principal Certifier for the proposed building works, the applicant shall ensure that the responsible builder or contractor submits to Council, a Certificate of Installation certifying that the wet areas of each building have been protected by the installation of a water-proofing system conforming to AS 3740 'Waterproofing of domestic wet area'. Such Certificate must be provided prior to occupation or use of each applicable building.

{Reason: To demonstrate the provision of an adequate moisture proofing system}

- (28) Each proposed building shall not be occupied or used until the Principal Certifier has first issued an Occupation Certificate.  
{Reason: Statutory requirement to ensure the building is fit for occupation}
- (29) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.  
{Reason: Council requirement to prevent pollution of the environment by wind-blown litter}
- (30) All excavations associated with the erection of the proposed buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.  
{Reason: Council requirement for protection of public}
- (31) All building work must be carried out in accordance with the provisions of the Building Code of Australia.  
{Reason: Prescribed statutory condition under EP&A Act}
- (32) If an excavation associated with the proposed building work extends below the surface level of an adjoining allotment of land and/or the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation; and
  - (b) Where necessary underpin the adjoining premises to prevent any such damage.

For the purposes of this condition, *allotment of land* includes a public road and any other public place. This condition does not apply if the person having the benefit of the development consent owns the adjoining land, or the owner of the adjoining land has given consent in writing to this condition not applying.

{Reason: Prescribed condition pursuant to Section 74 of the EP&A Regulation 2021 and Council requirement to preserve the stability of adjoining roads/public places}

- (33) Prior to works commencing the Applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:
- (a) The name, address and telephone number of the Principal Certifier (PC) for the work;
  - (b) The name of the principal contractor for the building/demolition work and a telephone number on which that person may be contacted outside of working hours; and
  - (c) Stating that unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building/demolition work and not be removed until the work has been completed.



Note: In respect of (a) above, where Council is engaged as the PC, the Applicant can either prepare their own sign, or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.

{Reason: Statutory condition imposed by Section 74 of the EP&A Regulation 2021}

- (34) The person having the benefit of this Development Consent, if not carrying out the work as an owner-builder, must unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.

{Reason: Statutory requirement imposed by the EP&A Act 1979}

- (35) Noise from the rainwater tank pumps shall be controlled such that offensive noise is not emitted. In this regard, the pumps shall be located in a position where it least affects neighbouring properties, and not exceed the background noise level ( $L_{A90}$ ) by 5dB(A) measured at the worst effected residence.

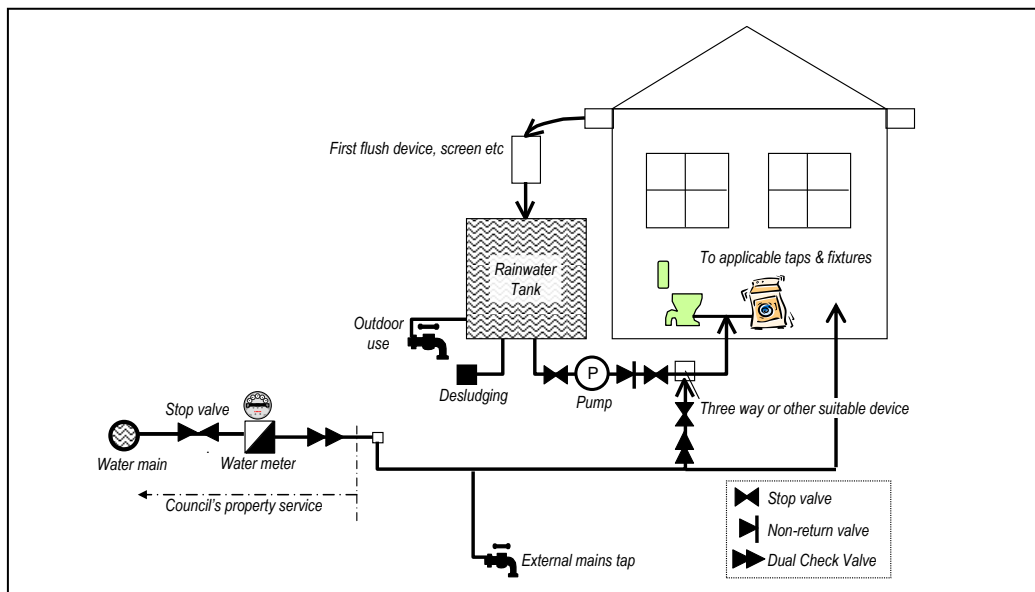
Note: To minimise noise nuisance the pumps should not be located adjacent to neighbouring bedrooms or between adjoining dwellings. If a complaint arises after installation consideration may need to be given to relocating the pump or providing an acoustic cover.

{Reason: To minimise the creation of offensive noise}

- (36) Where the BASIX commitments requires the pipework from the proposed rainwater tanks to be inter-connected with pipework connected to Council's town reticulated water supply the following installation criteria shall apply:

- (a) A stop valve shall be provided on the rainwater delivery side of the pump. A second stop valve and a non-return valve shall be provided on the outlet side of the pump;
- (b) A stop valve and a dual check valve shall be provided on the delivery side of the town water supply pipework immediately upstream of the point of inter-connection with the rainwater pipework supply; and
- (c) The inter-connection point of the pipework from the two different water sources is to be provided with a three-way flow switching device.

(Refer to the following diagram for an indicative installation arrangement)



Any proposed plumbing configuration different from the above arrangements shall be discussed with Councils' officers for conformity with the Plumbing Code of Australia and approved prior to installation.

{Reason: Water supply authority and statutory requirement to prevent water cross-contamination}

- (37) The water supply pipework from each rainwater tank shall be clearly marked at intervals not exceeding 500 mm where concealed in walls, or 1 m where exposed or buried, with the word '**RAINWATER**'. Water outlets shall be identified as '**RAINWATER**' with a label or a rainwater tap identified by a green coloured indicator with the letters '**RW**'.

Note:

- ① All '**RAINWATER**' labels or signs are to have black lettering and pictogram on either a yellow or green background.



- ① Marking shall be in accordance with AS 1345.

{Reason: Statutory requirements of Plumbing Code of Australia}

- (38) Where a pump is required to distribute and pressurise water from the proposed rainwater tanks they shall be electrically powered.

{Reason: Council requirement to minimise the creation of offensive noise}

- (39) The proposed rainwater tanks shall be provided with:

- A top or lid to shield the interior from light penetration; and
- A screen to all inlets and openings into the tank to prevent debris and mosquito entry.

{Reason: Council requirement to reduce contamination of the supply and breeding of mosquitoes}

- (40) All roof and stormwater work, associated with the buildings, shall be carried out in accordance with the requirements of the Local Government (General) Regulation and the Plumbing Code of Australia. In this regard, prior to the issue of the Occupation Certificate for each building, the licensee is required to submit to the Principal Certifier a Certificate of Compliance for that building's stormwater work within two days of completion.

{Reason: Statutory and Council requirement}

- (41) An appropriate Erosion and Sedimentation Control Plan (ESC Plan) shall be prepared and submitted with each building's construction certificate application. Such ESC Plan must be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all dwelling site works are completed.

{Reason: Implementation of Council policy to reduce sediment pollution}

- (42) Suppression and Mitigation of dust must to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site.

{Reason: Council requirement to reduce the likelihood of dust nuisance.}

- (43) If Council is appointed as the Principal Certifier documentary evidence is to be supplied to Council identifying that the commitments set out in the approved BASIX Certificate have been satisfied. Such evidence shall be supplied prior to the issue of an Occupation Certificate.

{Reason: To fulfil the statutory requirement of Environmental Planning and Assessment Regulation 2021}

- (44) The developer shall design each building's roof and stormwater drainage system such that the roof water from each of the proposed buildings and surface water from their respective community title allotment does not discharged onto another building's allotment and the associated pipework does not encroach onto the other building's allotment.

{Reason: Council requirement to ensure each dwelling's stormwater discharge does not result encroach onto adjoining allotments}

- (45) The finished ground levels of each of the proposed Community Title allotments shall be undertaken to ensure surface water from each allotment is not directed onto an adjoining allotment, by being graded to either:

- (a) The kerb and gutter of the internal access road; or
- (b) Where provided, an interallotment stormwater drainage pit that services that allotment.

{Reason: Council requirement to ensure adequate drainage of the community allotments}

- (46) The retaining wall(s) to be erected upon the development's proposed allotment boundaries shall be constructed from either concrete and/or masonry (or as otherwise

permitted by this condition), and be structurally independent of any 'colorbond' fencing. An appropriate subsoil drainage system shall be provided behind such retaining wall.

Any metal/timber construction proposed to be utilised to retain fill along the allotment boundary is to be accompanied with an appropriate structural certification that it can be utilised as a retaining wall; and that such material will be able to achieve a design life of sixty (60) years as stipulated by AS 4678-2002 *Earth-retaining structures*. Details of such certification must be submitted to the Certifying Authority with the construction certificate application.

{Reason: Council requirement to ensure the adequacy of the proposed retaining wall design}

- (47) Certification is to be provided by the Principal Contractor and/or a Civil Hydraulic Engineer to the Principal Certifier confirming that the installation, construction and completion of the following civil works have been undertaken to the approved construction certificate designs, prior to issue of the Subdivision Certificate-
- (a) Internal access road and associated pavements.
  - (b) Fire main and hydrant service.
  - (c) Internal stormwater drainage system.
  - (d) Internal sanitary drainage pipework and manholes.
  - (e) Internal domestic water mains downstream of the property service.

Alternatively, a compliance certificate issued by a Registered Certifier(s) having the appropriate registration level under the NSW Building and Development Certifiers Regulation 2020 may be provided for the completion of the above works.

{Reason: Requirement of Council to demonstrate subdivision works have been completed in conformity with its Construction Certificate}

- (48) The Applicant must have submitted with the section 68 application under the Local Government Act for the subdivision's sanitary drainage and water plumbing works, a copy of the certification provided by the applicable design engineer for such works under the Subdivision's Works Certificate application. Such certification is to stipulate the standard to which the design has been undertaken to, and is in conformity with.

{Reason: Council requirement to ensure the design of such works under the Construction Certificate is consistent with the requirements specified under the LG Act}

- (49) Detailed stormwater design plans are to be submitted to the Principal Certifier for the Subdivision Work Certificate application. Such plans are to be prepared in accordance with AS/NZS 3500.3:2018. The plans must be prepared by a practicing Civil Hydraulic Engineer and include levels reduced to Australian Height Datum (AHD). The submitted plans are to include details of hydraulic design calculations, sediment/silt arrestor pits/devices, surface inlet pits, drains, pipe lengths, grades and diameters, the extent of any proposed filling, retaining walls and surface and invert levels of all relevant elements of the system.

If Council is appointed the Principal Certifier for such Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of accreditation under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's stormwater drainage design and management facilities are compliant with this condition.

{Reason: To achieve a satisfactory standard of stormwater disposal from the proposed development}

- (50) Detailed sanitary drainage design plans are to be submitted to the Principal Certifier for the Subdivision Works Certificate application. The plans are to be prepared in accordance with Australian Standard AS/NZS 3500.2:2018 *Plumbing and drainage Part 2: Sanitary Plumbing and drainage* and Section 3.2(vi) of Council Policy Code *Engineering Standards & Requirements Relating to the Subdivision of Land*. The submitted plans are to include relevant details of drains, Unit Fixture loadings, overflow relief gullies, venting, pipe lengths, grades and diameters, inspection openings/manholes and surface and invert levels of all relevant elements of the system. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD).

The design information relating to the sanitary drainage system to be incorporated in such plans must include relevant details demonstrating that the invert of Council's sewer main at the point of connection of the development's sanitary drainage pipework, will be at least a minimum 1 m below the lowest overflow (relief) gully to be installed within the development.

If Council is appointed the Principal Certifier for such Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of accreditation under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's sanitary drainage design is compliant with this condition.

{Reason: To achieve a satisfactory standard of sewerage services for the proposed development}

- (51) If Council is appointed the Principal Certifier for such Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of accreditation under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's stormwater drainage works have been carried out and completed in accordance with the approved plans and conditions of consent in relation to that work.

{Reason: To ensure the subject work has been carried out in compliance with the CC and Consent}

- (52) If Council is appointed the Principal Certifier for such Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of accreditation under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's sanitary drainage pipework construction has been carried out and completed in accordance with the approved plans and conditions of consent in relation to that work.

{Reason: To ensure the subject work has been carried out in compliance with the CC and Consent}

- (53) The Community Properties Management Statement shall incorporate an appropriate By-Law that stipulates that the subdivision's common stormwater and sanitary drainage pipework constitutes common property under the Community Title Scheme. Alternatively, appropriate easements under section 88B of the Conveyancing Act are created over such services.

A copy of the Community Scheme's Management Statement and/or subdivision plan is to be submitted with the Subdivision Certificate application prior to the release of the Subdivision Certificate, demonstrating the incorporation of such By-law and/or easements in conformity with this condition.

{Reason: To ensure that such common services can be maintained by the Corporate Body}

- (54) The Community Properties Management Statement shall incorporate an appropriate By-Law that requires the Body Corporate to have the internal fire hydrant system serving the Community Title development, inspected, tested and maintained on at least an annual basis. Such testing is to demonstrate that the system is capable of performing to the standard to which it was designed and installed.

A copy of the Community Properties Management Statement is to be submitted with the Subdivision Certificate application prior to the release of the Subdivision Certificate, demonstrating the incorporation of such By-law in conformity with this condition.

{Reason: Council requirement to ensure that the private hydrant system is regularly maintained for use by Fire & Rescue NSW in the advent of fire within the Community Title development}

- (55) Detailed design plans are to be submitted to the Principal Certifier for the Subdivision Works application, for the proposed 'Community Road'. The plans are to be prepared in accordance with AUS-SPEC #1 Development Specification Series - Construction Standards. The submitted plans are to include relevant details of pavement construction, footpaths, kerb and guttering, dish drains, sub-soil drains, road furniture/facilities, lighting fixtures and surface levels of all relevant elements of the system. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD).

Any proposed lighting to the internal road must be designed such that it is sufficiently hooded to direct all illumination below the horizontal plane.

If Council is appointed the Principal Certifier for such Subdivision Works Certificate application, the Applicant must submit with the application, certification provided by a Registered Certifier having the level of accreditation under the NSW Building and Development Certifiers Regulation 2020, that the subdivision's road construction design is compliant with this condition.

{Reason: To ensure a satisfactory standard of design for the internal road serving the proposed development}

- (56) The existing sewer mains and stormwater mains located in the zone of influence of the proposed buildings shall be accurately located and the following criteria shall be achieved and adequately demonstrated in the subject building's engineered footing design submitted with the construction certificate application:

The building's footings where encroaching into the zone of influence of the subject sewer main/trench and stormwater main/trench, shall be provided with piers that are to extend at least 200 mm below the zone of influence of Council's sewer main and its trench and stormwater main and its trench. The depth of the piers are to be determined by taking a line at an angle of 45<sup>0</sup> measured upwards from the lower corner of the sewer/stormwater main trench as shown on Council's drawing STD 5846.

{Reason: Council requirement as the sewerage and stormwater authority to prevent undermining of the structure}

- (57) In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Department of Planning, Industry and Environment notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the DPIE.

{Reason: Council and statutory requirement to protect Aboriginal heritage}

- (58) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (eg Department of Planning, Industry and Environment (DPIE), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the Environment Protection Authority (EPA) to receive that type of waste.

{Reason: Council requirement to prevent the contamination of the environment}

- (59) All solid waste from construction of the proposed development shall be assessed, classified and disposed of in accordance with the NSW Environment Protection Authority's Waste Classification Guidelines. Whilst recycling and reuse are preferable to landfill disposal, all disposal options (including recycling and reuse) must be undertaken with lawful authority as required under the Protection of the Environment Operations Act, 1997.

{Reason: Council requirement to require compliance with the POEO Act, 1997}

- (60) Prior to any construction works commencing on the site, and in conjunction with lodgement of the relevant Construction Certificate(s) (Subdivision), a Soil and Water Management Plan (SWMP), prepared by a suitably accredited person, shall be submitted for approval in accordance with Landcom, Managing Urban Stormwater, Soils and Construction, Volume 1, dated March 2004 ("The Blue Book"). Such plan shall then be implemented pre, during and after construction of the proposed subdivision works. The approved erosion and sediment control measures are to remain (and be maintained) in place until such time as all ground disturbed by the subdivision construction works have been stabilised, revegetated and rehabilitated so that they no longer act as a source of sediment.

{Reason: Implementation of Council's erosion and sedimentation guidelines}

- (61) Prior to the release of the relevant Subdivision Certificate works shall be carried out to prevent access into the existing historical WWII Telecommunications bunker. Such works shall be completed to the satisfaction of Council so as to prevent members of the public being exposed to the elevated levels of lead identified in the concrete within the bunker.

{Reason: Council requirement to ensure the development is suitable for residential use}

- (62) The applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council for assessment and approval prior to issue of any Construction Certificate for each Stage.

The CEMP shall detail acceptable methods for the adequate control and management of the following:

- Construction noise and vibration – Detail the implementation of noise and vibration mitigation measures to minimise construction noise and to limit the extent of the use of vibration compaction rollers and their impact on adjoining development.
- Dust suppression and mitigation – Detail dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including construction activity and when no activities are taking place on the site.
- Waste management – Detail the quantities and disposal procedures for any vegetation removal, excess soil and solid wastes from construction activity.

{Reason: To ensure the amenity of the locality is protected during construction of the development}

- (63) A separate application is to be made to Council, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.

Note: As Council is the local water authority, separate metered connections will be required in respect to the provision of a suitably sized domestic water meter and separate fire service meter to the development site.

{Reason: Council policy in respect of commercial developments}

- (64) A commercial standard concrete vehicular cross-overs, and kerb and gutter vehicle entrance, constructed in accordance with Council's standards STD 5211 and STD 5235 being provided by and at full cost to the Developer at the proposed entry/exit driveway location to service proposed "Community Development.

In addition, two 1.2m x 6m long concrete median separation islands east and west of the access with barrier line marking, raised pavement markings for 15m on approach to each island and keep left signs. Islands are to be painted white with reflectivity (glass beading)

Note: The proposed internal separate median island is not to encroach onto the footpath reserve area.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series – Design and Construction, with detailed engineering plans being submitted to, and approved by Council prior to issue of the Subdivision Works



Certificate.

Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standards, then a Compliance Certificate issued by an accredited private certifier will be required to be lodged with Council prior to release of the community titles subdivision plan and/or occupation of the first constructed proposed dwelling.

{Reason: To provide a safe means of access to/from the proposed development site and to protect the amenity of the travelling public utilising the surrounding road network}

(65) The design and construction by the Developer at their own expense and to the satisfaction of Council for the stormwater drainage system for the proposed development as per followings:

- Stormwater design to be in accordance with *ARR 2019 - Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors) Australian Rainfall and Runoff: A Guide to Flood Estimation, © Commonwealth of Australia (Geoscience Australia), 2019.*
- Stormwater discharge from the site shall be limited to the predevelopment peak flow for all storm events up to and including the 1% AEP.
- Stormwater discharge from the development site South Eastern Catchment connecting to Council's stormwater system to be designed and constructed to the satisfaction of Council's Infrastructure Strategy and Design Branch.

Prior to the discharge into Council's system, the Developer will be required to install at their own expense a "pollution control device(s)" which will collect oil, sediment and litter from the development proposal.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series – Design and Construction, with detailed plans, including design calculations and drawings of the proposed development's stormwater drainage system, submitted to and approved by Council prior to issue of the Subdivision Works Certificate.

{Reason: To achieve a satisfactory means and method of stormwater drainage disposal from the proposed subdivision area}

(66) Any alteration/damage to the footpath, kerbing and guttering, vehicular entrance/s, road or road shoulder including utility services, shall be repaired/restored at full cost to the developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction Standards.

{Reason: Implementation of Council Policy}

(67) Prior to issue of the Subdivision Works Certificate, a separate 'Road Opening Application' (Section 138 Application under the Roads Act 1993) will be required to be made to Council's Infrastructure Division, plus payment of appropriate fee/s.

{Reason: Implementation of Council's Policy and Section 138 of the Roads Act}

- (68) No vehicles larger than a 'Service Vehicle' generally 8.8m in length (utilising the Austroads design templates) are permitted to access the subject land and development proposal.  
{Reason: The internal manoeuvrability and access to the subject land and proposed development will only facilitate 'Service Vehicles' generally 8.8m in length or vehicles of lesser dimensions at this location}
- (69) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.  
{Reason: To provide safety for the travelling public utilising the public roadways}
- (70) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading, or unloading, of goods on the public roadway system be permitted.  
{Reason: Requirement of Council so as not to create adverse traffic conditions}
- (71) An Indemnity Agreement against damage to the private infrastructure including, but not limited, to road surfaces, kerb and gutter, caused by solid waste collection vehicles shall be submitted to and approved by Council's Manager Resource Recovery and Efficiency prior to the issuing of the relevant Occupation Certificate.  
{Reason: To ensure that an adequate level of services and infrastructure are provided for this development}
- (72) No advertising, advertising sign/s or structure/s of any standard will be permitted to be displayed within (or overhang onto) the road reserve area/s.

Note: This area also includes the footpath reserve area.

{Reason: To protect the amenity of the travelling public utilising the surrounding roadways}

- (73) The proposed security access gateway(s), plus any associated security fencing and/or electronic control panel(s), are to be 'set-back' at the proposed entry/exit driveway location, such that at a bare minimum a Service Vehicle generally 8.8m in length is able to 'stand clear' and be totally contained within the subject lands allotment boundaries and not at any stage overhang onto the road reserve area (which includes the footpath reserve area) whilst the operator of such a vehicle may be required to pause whilst the access gates electronically open and/or are required to lock.

Additionally, the proposed security access gate(s) are to be constructed and erected to open 'inwards' only to the proposed development site (not 'outwards' which would have the potential to reduce the 'clear zone' specified in the above paragraph).

{Reason: To provide safety for the travelling public utilising the public road system}

- (74) No buildings or structures (including advertising structures) shall be erected over, or within, the existing "easement(s) to drain sewage" or "easement to drain water" created over the subject parcel of land.  
{Reason: Implementation of Council policy}

- (75) At the time of lodgment with Council of the relevant Subdivision Works Certificate, payment by the Developer of an engineering fee (Construction Certificate Application Fee - Subdivision) based on a per lot calculation, in accordance with Council's adopted Annual Revenue Policy. This engineering fee, per lot, is adjusted annually becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2022/2023 financial year rate is **\$454.00** per lot.

Note 2: As the above fee is reviewed annually the 'current rate' is to be confirmed prior to payment.

{Reason: Implementation of Council policy}

## NOTES

- (1) A separate application is required to be submitted to either Council or a registered certifier to obtain a Construction Certificate to permit the erection of the proposed buildings.
- (2) Following compliance with all conditions of this Development Consent, the applicant should apply to Council, with lodgment of the Subdivision Works Certificate application and payment of the prescribed fee, for release of the Plan of Subdivision (and associated documentation) which will be duly released.
- (3) Fees and contributions in respect to this application will be those applicable at the date of release of the Subdivision Certificate.
- (4) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)
- (5) The development shall be carried out in accordance with Essential Energy's correspondence dated 21 September 2021 (copy attached).
- (6) The provisions of the NSW Fire and Rescue "Fire Safety Guideline – Fire Hydrants for Minor Residential Development version 02 issued 1 September 2016" requirements include the following:
  - (a) Brigade Appliance Access:
    - Ring road capable of supporting a 15 ton appliance;
    - 4m unobstructed width;
    - 10m turning radius;
  - (b) Hydrants:
    - Inground @ max 120m spacing & unobstructed access;
    - Most disadvantaged having a minimum flow rate of 10 litres/sec @ 150kPa;
    - Dwellings within 90m;
  - (c) Road markers and identification plates;

(d) Scheduled annual maintenance.

Note: Whilst the Guideline refers to the internal hydrants being placed on the domestic water supply line, Council's policy requires fire services to have their separate property water service connection with no inter-connection with the domestic supply.

- (7) Should the Geotechnical Site Investigation show a highly or extremely reactive site then, where the sanitary drainage pipework passes through the underside of the building flexible pipework, fittings must be fitted to permit articulation of the pipework equivalent with the expected soil movement. In this regard, reference should be made to AS 2870-2011.
- (8) Offensive noise as defined under the Protection of the Environment Operations Act, 1997 shall not be emitted from the proposed development.
- (9) Air impurities as defined under the Protection of the Environment Operations Act, 1997 shall not be released or emitted into the atmosphere in a manner which is prejudicial to the health and safety of occupants, the surrounding inhabitants or the environment.
- (10) Before occupation of the first dwelling, the street number of the community title estate should be displayed in a prominent position at the entrance to the secured estate.
- (11) The house numbers for the subdivision will be as follows:

Lot	House No.	Lot	House No.	Lot	House No.
1	36 Keswick Parkway 1 Road 1, Dubbo	26	37 Road 2, Dubbo	51	4 Road 2, Dubbo
2	90 Road 2, Dubbo	27	68 Road 2, Dubbo	52	6 Road 2, Dubbo
3	88 Road 2, Dubbo	28	66 Road 2, Dubbo	53	8 Road 2, Dubbo
4	86 Road 2, Dubbo	29	64 Road 2, Dubbo	54	10 Road 2, Dubbo
5	84 Road 2, Dubbo	30	62 Road 2, Dubbo	55	12 Road 2, Dubbo
6	82 Road 2, Dubbo	31	60 Road 2, Dubbo	56	14 Road 2, Dubbo
7	80 Road 2, Dubbo	32	58 Road 2, Dubbo	57	16 Road 2, Dubbo
8	78 Road 2, Dubbo	33	56 Road 2, Dubbo	58	18 Road 2, Dubbo
9	76 Road 2, Dubbo	34	54 Road 2, Dubbo	59	20 Road 2, Dubbo
10	74 Road 2, Dubbo	35	52 Road 2, Dubbo	60	22 Road 2, Dubbo
11	72 Road 2, Dubbo	36	50 Road 2, Dubbo	61	24 Road 2, Dubbo
12	70 Road 2, Dubbo	37	48 Road 2, Dubbo	62	11 Road 2, Dubbo
13	39 Road 2, Dubbo	38	46 Road 2, Dubbo	63	9 Road 2, Dubbo
14	41 Road 2, Dubbo	39	44 Road 2, Dubbo	64	7 Road 2, Dubbo
15	43 Road 2, Dubbo	40	42 Road 2, Dubbo	65	5 Road 2, Dubbo
16	45 Road 2, Dubbo	41	40 Road 2, Dubbo	66	3 Road 2, Dubbo
17	47 Road 2, Dubbo	42	38 Road 2, Dubbo	67	1 Road 2, Dubbo 6 Road 1, Dubbo
18	49 Road 2, Dubbo	43	36 Road 2, Dubbo	68	8 Road 1 Dubbo
19	51 Road 2, Dubbo 3 Road 1, Dubbo	44	34 Road 2, Dubbo	69	10 Road 1, Dubbo 23 Road 2, Dubbo

20	5 Road 1, Dubbo 25 Road 2, Dubbo	45	32 Road 2, Dubbo	70	21 Road 2, Dubbo
21	27 Road 2, Dubbo	46	30 Road 2, Dubbo	71	19 Road 2, Dubbo
22	29 Road 2, Dubbo	47	28 Road 2, Dubbo	72	17 Road 2, Dubbo
23	31 Road 2, Dubbo	48	26 Road 2, Dubbo	73	15 Road 2, Dubbo
24	33 Road 2, Dubbo	49	2 Road 1, Dubbo	74	13 Road 2, Dubbo
25	35 Road 2, Dubbo	50	4 Road 1, Dubbo 2 Road 2, Dubbo		

For further information in this regard, please do not hesitate to contact Council's LIS & E-Services Coordinator on 6801 4000.