



**SNOWY MONARO**  
REGIONAL COUNCIL

# **ATTACHMENTS TO REPORTS**

(Under Separate Cover)

**Part 3 of 3**

**Ordinary Council Meeting**

**18 July 2019**

**ATTACHMENTS TO REPORTS  
FOR  
ORDINARY COUNCIL MEETING  
THURSDAY 18 JULY 2019**

**PART 3 OF 3**

**8 PLANNING AND DEVELOPMENT APPLICATION MATTERS**

**8.1 DA10.2018.130.1 - Modification to Extractive Industry (Bombala Boral Quarry) -  
Increase Maximum Production Volume from 100,000 Tonnes Per Annum to  
200,000 Tonnes Per Annum**

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Our ref: STH07/01265/03  
Contact: Melissa Steep 4221 2771  
Your ref: 10.2018.130.1

29 March 2019

Tim Pepperell  
Snowy Monaro Regional Council  
council@snowymonaro.nsw.gov.au

**MODIFICATION TO DEVELOPMENT APPLICATION DA.07.0013 – LOT 229 DP 756819 & LOT 330 DP 756819, HIGH LAKE ROAD, BOMBALA, INCREASE IN PRODUCTION AND OPERATION OF ASPHALT PRE-COAT PLANT**

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Dear Sir,

Roads and Maritime Services (RMS) refers to your correspondence dated 8 March 2019 regarding the subject development application.

RMS has completed an assessment of the development, based on the information provided and focussing on the impact to the State Road Network. For this development, the key state road is the Monaro Highway.

RMS has reviewed the development application and notes the following:

- The development proposes to generate additional traffic;
- The majority of heavy vehicle traffic associated with the development will access the site via the intersection of the Monaro Highway and High Range Road; and
- The existing intersection of the Monaro Highway and High Range Road is a BAR/BAL.

RMS does not believe the development will have a significant impact on the Monaro Highway and on this basis, does not object to the development application.

If you have any questions please contact Melissa Steep on 4221 2771.

Please ensure that any further email correspondence is sent to [development.southern@rms.nsw.gov.au](mailto:development.southern@rms.nsw.gov.au).

Yours faithfully,



Chris Millet  
Manager Land Use  
Southern Region

[rms.nsw.gov.au](http://rms.nsw.gov.au)



**Tim Pepperell**

---

**From:** Lyndal Walters <lyndal.walters@environment.nsw.gov.au> on behalf of ROG South East Region Mailbox <rog.southeast@environment.nsw.gov.au>  
**Sent:** Wednesday, 10 April 2019 4:49 PM  
**To:** Gainsford, Fiona  
**Cc:** Tim Pepperell  
**Subject:** RE: HPE CM: Fwd: Boral Bombala Quarry RTS - attention: Lyndal Walters

Hi Fiona

Thanks for your call earlier today.

I have had a look at the additional information you have provided and it appears to demonstrate that the existing quarry footprint will remain unchanged.

This means that our advice to Snowy Monaro Regional Council will be that no further assessment of the project is required by the *Biodiversity Conservation Act 2016*.

I have ccd Tim Pepperell in to this email so that council have a copy of our response to you.

If you would like to discuss please give me a call  
Regards  
Lyndal

Lyndal Walters  
**Senior Conservation Planning Officer**  
Conservation and Regional Delivery – South East  
Office of Environment and Heritage  
PO Box 733 Queanbeyan NSW 2620  
T: 02 6229 7157  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

**Please note that I am currently working 3 days a week, Monday, Wednesday and Friday.**

*In order to ensure a high level of customer service and monitor work flow, the Office of Environment and Heritage (OEH) South East Planning Team has a single email address: [rog.southeast@environment.nsw.gov.au](mailto:rog.southeast@environment.nsw.gov.au)  
Please address all further email correspondence in relation to Planning and Aboriginal cultural heritage regulation matters to this address. If appropriate, emails can be marked to the attention of your usual contact in the team.*

**From:** Gainsford, Fiona <fiona.gainsford@boral.com.au>  
**Sent:** Wednesday, 10 April 2019 3:03 PM  
**To:** ROG South East Region Mailbox <rog.southeast@environment.nsw.gov.au>  
**Subject:** HPE CM: Fwd: Boral Bombala Quarry RTS - attention: Lyndal Walters

Hi Lyndal,



Reference: DOC19/211876  
Contact officer: Claudine Jeffery (02) 6229 7002

Mr Tim Pepperell  
Town Planner  
Snowy Monaro Regional Council  
PO Box 714  
Cooma NSW 2630

Dear Mr Pepperell,

**Application No. 10.2018.130.1 – Modification to Extractive Industry, High Lake Quarry**

I refer to your letter received by the NSW Environment Protection Authority (EPA) on 13 March 2019 requesting comments on the above-mentioned Development Application for a proposed increase in production at the High Lake Hard Rock quarry and accompanying Statement of Environmental Effects (SEE).

The EPA understands that the modification proposes to increase the annual extraction rate of the quarry from 100,000tpa to 200,000tpa. If approved, the proposed development requires the modification of conditions of the Environment Protection Licence that the quarry currently operates under (EPL 12891). The EPA has reviewed the application and accompanying SEE and determined that it is able to provide its General Terms of Approval (GTA) which are provided in Attachment A for Councils consideration, to be included in addition to the current development consent.

The EPA notes that given the rural nature of the area, some noise is likely to be audible to nearby residences, and therefore noticed as a change in the acoustic environment. To manage excessive noise and reduce impacts on residences, the proponent is encouraged to utilise a site layout that maximises forward movement and minimises reversing; minimise reversing alarm noise; and use alternatives to tonal reversing alarms or a combination of these to minimise potential noise impact associated with reversing beepers.

In addition to its GTA, the EPA also recommends that Boral adopt the noise and air quality mitigation measures that are identified in response to its meeting with the local community (pages 20 and 21 of the SEE).

The proposed development requires the addition and modification of conditions of the environment protection licence that the quarry currently operates under. In this regard, Boral must apply under section 58 of the *Protection of the Environment Operations Act 1997* to vary the licence if the modification to the consent is approved by Council. Until such variation has occurred, Boral can only operate under the existing EPL.

Thank you for discussing the matter with the EPA. If you have any questions or wish to discuss the matter further, please contact Claudine Jeffery or myself on (02) 6229 7002 or at [queanbeyan@epa.nsw.gov.au](mailto:queanbeyan@epa.nsw.gov.au).

Yours sincerely



16.4.2019

**MATTHEW RIZZUTO**  
Unit Head, South East Region  
NSW Environment Protection Authority

ATTACHMENT A

NSW Environment Protection Authority General Terms of Approval

Application No. 10.2018.130.1 – Modification to Extractive Industry, High Lake Quarry

Table L6.1 should be replaced with the table below which shows the revised noise levels predicted based on the additional information provided to the EPA. The EPA has assessed these noise levels and determined that the activity can hold an Environment Protection Licence (EPL) as the revised noise levels are within 5 dB(A) of the Project Specific Noise Level.

**L6. Noise limits**

**L6.1** Noise from the premises must not exceed the noise limits presented in the table below:

Location	Daytime Quarry Operations	
	<i>L<sub>Aeq(15 minute)</sub></i> All equipment excluding 'campaign drilling operations'	<i>L<sub>Aeq(15 minute)</sub></i> During designated 'campaign drilling operations' periods as permitted by condition L7
(R2) 'Oxley' during Operational Stages 1-7	40 dB(A)	42 dB(A)
(R1) 'High Lake' during Operational Stages 1-7	40 dB(A)	40 dB(A)
Any other residence excluding 'Oxley' and 'High Lake' during Operational Stages 1-7	40 dB(A)	40 dB(A)
'Oxley' during Operational Stages 8-10	40 dB(A)	40 dB(A)
Any residence excluding 'Oxley' during Operational Stages 8-10	40 dB(A)	40 dB(A)

**M8.1** Compliance with Condition L6.1 must be assessed by attended noise monitoring in accordance with condition L6.5:

- a) at R2 and R1 in Condition L6.1;
- b) for one whole day of typical operations.

**Reporting Conditions**

**R4 Noise Monitoring Report**

A noise compliance assessment report must be submitted to the EPA within 90 days of the commencement of operation. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with noise limits presented in Condition L6.1; and
- b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L6.1.

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24 April 2019

General Manager  
Snowy Monaro Council  
PO Box 714  
COOMA NSW 2630

Attention: Tim Peperell, Town Planner

Dear Sir,

**Bombala Quarry - Mod DA.07.0013 – response to submissions**

Thank you for notifying Boral that the exhibition period for the Bombala Quarry Modification No 2 (DA 470-11-2003) concluded on 28 February (public exhibition), and 2 April 2019 (statutory agency notification). It is understood that Council received two submissions from the public (one of which was a combined feedback from neighbours), and two submissions from relevant statutory agencies.

This letter provides Council with a response to the matters which agencies and the community have raised during the exhibition period. **Table 1** addresses the matters raised and provides a corresponding comment.

I trust that this response provides enough detail to enable a planning approval decision to be made. If you require further information, please contact Fiona Gainsford at [fiona.gainsford@boral.com.au](mailto:fiona.gainsford@boral.com.au) or 0414400352.

Your faithfully,



Kate Jackson  
Regional Manager, Planning and Development NSW/ACT

**Boral Land & Property Group**  
Level 3, T2 39 Delhi Road  
North Ryde NSW 2113  
  
T: +61 (02) 9033 4000  
  
[www.boral.com.au](http://www.boral.com.au)



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**Table 1 – Response to Submissions**

Submission Author	Matters raised in submission	Boral Comment
Community Submission No 1	<p>Road maintenance – more traffic volume will require more maintenance</p> <p>Quarry Noise – noise carries in the area. Compliance associated with operational hours, squashed ducks and use of crushing and screens is required</p> <p>Blasting – support for smaller, more frequent blasts</p> <p>Dust suppression – water suppression requested</p>	<p>Boral is required to maintain the section of High Lake Road to the quarry entry as per Consent Condition No 4 of DA-07.0013 (Modified).</p> <p>As outlined in the Noise Impact Assessment, Boral would implement the use of squashed ducks in lieu of beepers, and ensure that machinery and hours of operation are undertaken in accordance with the development consent and EPL.</p> <p>As outlined in the Noise Impact Assessment, Boral is proposing smaller, more frequent blasts as part of this Modification. This operational aspect has been developed in response to community feedback.</p> <p>Water carts would be used for dust suppression as outlined in the Air Quality Impact Assessment. Water would continue to be sourced from runoff collected in the void sump and holding tanks.</p>
Community Submission No 2	<p>Excessive noise levels of jaw crusher and screening plant</p> <p>Truck movements 6-7am are problematic as they line up at the quarry gate</p> <p>Deliveries out of hours</p>	<p>The Noise Impact Assessment accompanying the SEE found that, under normal operations (see Table 5.1 in SEE), noise levels are predicted to satisfy the relevant NPFI noise trigger levels. During campaign operations, noise levels are predicted to exceed criterion at assessment location R2 (“Oxley”, High Lake Road) by 2 dB. However, 2 dB is considered a minor exceedance and predictions satisfy the site’s existing consent condition and EPL limit for that residence.</p> <p>The existing consent allows for truck movements from 6am. Quarry operations are limited to start at 7am. Early arrival is required as often the drivers come from long distances to get to the quarry.</p> <p>Deliveries are not permissible out of the consented hours except for exceptional circumstances outlined in the EPL (condition L9.3) ie if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is to be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.</p>

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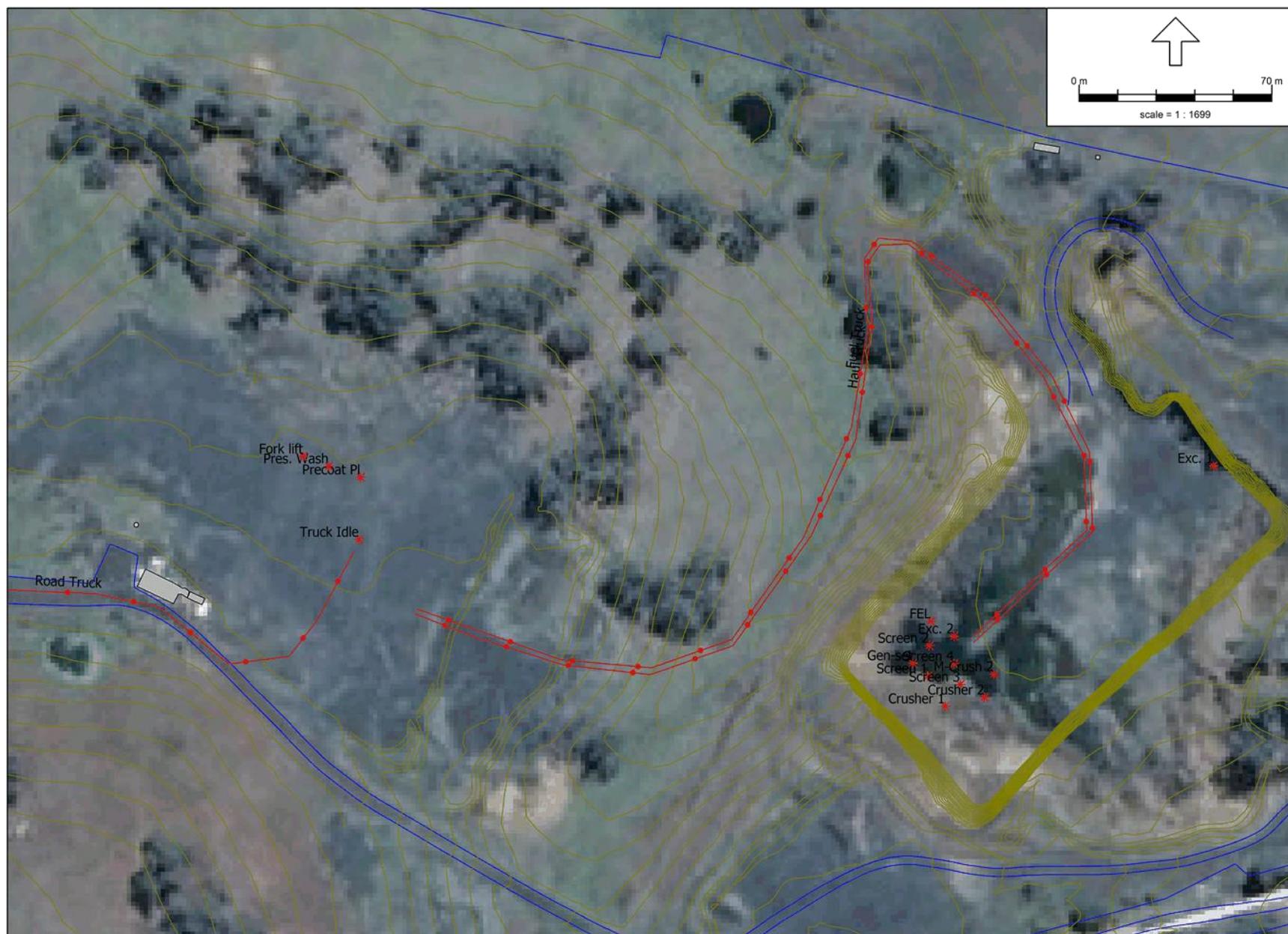


Submission Author	Matters raised in submission	Boral Comment
	Trucks short cut via ancillary roads	<p>The existing development consent requires trucks to be limited to High Lake Road only. No change is proposed. All Boral drivers will continue to be made aware of the access requirements as part of the site-specific drivers' code of conduct. Council may wish to consider installing signage limiting vehicle tonnage along Pipe Clay Springs Road.</p>
	Drilling machines work all hours on weekends	<p>Quarry operations will be limited to consented hours only as outlined in the EPL (L6.4-6.7). Weekends are limited to haulage activities from 7am-12pm. No change to these hours is sought.</p>
	Dust suppression	<p><b>Dust management:</b> The NSW EPA does not have an air quality impact assessment criteria for crystalline silica. This is because silica in the ambient environment is not a cause of health problems, but it is noted that exposure to very high concentrations of crystalline silica can impact on the health of workers using high speed cutting, boring or grinding tools on quartz materials. Such high speed cutting, boring or grinding is not a part of the processing activities on the site.</p> <p>Analyses of the bedrock at Boral's Bombala quarry show that comes the rock comes from magmas low in silica which is demonstrated by the presence of olivine is present (11%). Where olivine is present quartz is low or non-existent. As a result the potential to affect neighbouring residents would be negligible. Further technical data sheets on the quarry's rock composition can be provided if required.</p>

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Submission Author	Matters raised in submission	Boral Comment
Office of Environment and Heritage	Aboriginal Cultural Heritage Assessment - it is in the interest of the proponents to ensure that all reasonable precautions have been taken to prevent the occurrence of harm to Aboriginal objects.	<p>The modification does not seek to increase the footprint of the quarry as approved under the existing consent (DA.07.0013) and Boral is not proposing to operate outside the approved extraction area.</p> <p>An Aboriginal heritage assessment was prepared as part of the original EIS accompanying the Quarry expansion in 2006 (ERM, 2006). Aboriginal consultation was carried out in accordance with the then DEC (2004) Interim Community Consultation Requirements guidelines which was the legal requirement for any assessment of Aboriginal heritage at that time. Investigation of potential Aboriginal heritage values was based on consultation with the Eden Local Aboriginal Land Council and the Ngarigu Native Title group.</p> <p>No Aboriginal or historical heritage sites or values were found to be associated with the property.</p> <p>Mitigation associated with the EIS meet the objective of unexpected fines:</p> <ul style="list-style-type: none"> <li>• <i>site personnel undertaking the proposed construction works be instructed that under the National Parks and Wildlife Act 1974, it is an offence to knowingly deface, destroy or damage, or permit the defacement, destruction or damage of, an Aboriginal place or relic without first having the written consent of the Director-General; and</i></li> <li>• <i>if any Aboriginal heritage material is discovered, works must cease in the area, and DEC and the relevant Aboriginal groups must be informed. Works must not continue without the written consent of the NSW DEC.</i></li> </ul> <p>As a result, Boral believes that all reasonable precautions have been taken to prevent the occurrence of harm to Aboriginal objects and no further assessment is warranted.</p> <p>No comment required.</p>
NSW RMS	RMS does not believe the development will have a significant impact on the Monaro Highway and on this basis, does not object to the development application.	



Bombala Quarry  
Noise modelling locations

EMM Consulting

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**Tim Pepperell**

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**From:** Gainsford, Fiona <fiona.gainsford@boral.com.au>  
**Sent:** Wednesday, 26 June 2019 3:22 PM  
**To:** Sophie Ballinger  
**Cc:** Tim Pepperell; John Gargett; Kate Jackson  
**Subject:** Re: Boral Bombala Quarry Modification

Dear Sophie,

Boral is highly concerned about Snowy Monaro Council's councillors not making a decision at the Ordinary Council meeting on 16 May 2019 in relation to Boral's modification application (DA.07.0013) to increase the production rate at Boral's Bombala Quarry. It is understood that the Councillors voted not to make a decision on the matter at that meeting, leaving the application open, but effectively with no status.

It is also understood that the Councillors' questions about the proposal were not minuted, and the meeting was not videoed as per other Council meetings given the lack of facilities at the Bombala meeting venue. Boral would be able to further assist Council Officers in responding to Councillors' queries if they are known.

I understand that Boral's application to modify the development consent for Bombala Quarry will be resubmitted to the next Ordinary Council Meeting on 18 July 2019. Boral is cognisant of the deemed approval avenue to gain a decision on this application under the EP&A Act. Whilst the company would prefer not to pursue a deemed refusal process, any further indecision at the upcoming July meeting may necessitate deemed refusal action.

As mentioned previously, Boral is keen to maintain investment in the region, and provide local raw material supply in the Bombala area, but this may not be achievable without timely consideration of this application.

Please let me know if I can further assist with documentation to address any Councillor queries that have been raised.

Regards, Fiona Gainsford

**FIONA GAINSFORD**  
**Boral Land & Property Group - Planning and Development Manager NSW/ACT**

Mobile: 0414 400 352 (Mondays, Wednesdays and Thursdays)  
Fax: 02 9033 5305  
Email: [Fiona.Gainsford@boral.com.au](mailto:Fiona.Gainsford@boral.com.au)

----- Forwarded message -----

From: **Howard Reed** <[Howard.Reed@planning.nsw.gov.au](mailto:Howard.Reed@planning.nsw.gov.au)>  
Date: Fri, 15 Feb 2019 at 11:26  
Subject: RE: Question on s4.55 and integrated development  
To: Jackson, Kate <[kate.jackson@boral.com.au](mailto:kate.jackson@boral.com.au)>  
Cc: Lauren Evans <[Lauren.Evans@planning.nsw.gov.au](mailto:Lauren.Evans@planning.nsw.gov.au)>

Hi Kate

I can advise that our legal advice supports your view. That is, a modification of a development consent is not integrated development, regardless of whether it requires a variation to an approval listed in section 4.46(1) of the EP&A Act.

In essence, a modification under section 4.55 of the Act is not "development" – it is a modification of a development consent (ie the instrument of consent). The Act makes a clear distinction between development applications and modification applications. The pathways that apply in respect of different kinds of development (such as integrated development), do not apply to modifications.

As a matter of practice, we would expect the consent authority for a modification application to consult with any approval bodies whose approvals might need to be varied to enable the subject development to be lawfully carried out in accordance with the development consent as modified, but the application itself is not 'integrated development'.

I hope this helps you. We have also been contacted by the EPA's South West Branch regarding this issue. We will provide them with the same advice.

Kind Regards

**Howard Reed**

Director Resource Assessments

Planning Services Division

320 Pitt St | SYDNEY NSW 2000  
T 02 9274 6308

Please consider our application for an exception to the development standards in regard to increasing the floor area of a proposed secondary dwelling . We feel that our application answers Part 4, Clause 4.6 of Bombala Local Environmental Plan 2012 .

The subject property for which this variation is sought is :-

Lot 20 , Monaro Highway , Bombala , NSW

Deposited Plan 75 68 19

The variation sought is to allow the construction of an additional two bedroom dwelling .

This Lot was established nearly 150 years ago , is on the edge of the township of Bombala .

The current zoning ( RU1 ) is intended to preserve economically viable areas for primary production . This small holding of approximately 8 hectares has never been a viable primary production holding .

The land in question is currently used for residential purposes only . During the past 25 years it has also been used for commercial / light industrial purposes , these activities have now ceased .

In our opinion the construction of a second dwelling would not raise matters of significance for State or regional planning and there is no public benefit in maintaining the planning controls in this case . The proposal would cause no public detriment .

The floor area of the dwelling is the subject of this application for a variation and is the only variation required , the total floor area of the new dwelling is 245 square metres . Such an area will allow for the house to be wheelchair or mobility device friendly and eliminate health and safety concerns ( for older occupants ) presented by the current dwelling .

The existing dwelling is 284 square metres and would become available as rental stock .

The area , shape and frontage of the land will all be preserved as is .

The new dwelling will affect a very small part of the total property , approximately 1800 square metres including driveways , carport , verandahs , absorption trenches , etc . . Roughly two per cent of the total property .

The new dwelling will be residential in character , of low profile and visible only to dwellings that are approximately two kilometers away . Closer houses are hidden by the curve in the river , the lay of the land and vegetation .

The density of the use of the land will remain at a very low level . Two dwellings on eight hectares , compared to nearby properties with an average density of one dwelling on 1.074 hectares .

The proposed dwelling would be consistent with the development of the surrounding area .

- On the South Western boundary of the property is a single dwelling on 1.012 hectares .  
( Lot 1 Delegate Road ,)
- To the East is an industrial building on 1.782 hectares .( Lot 305 Monaro Highway )
- East of that along the Monaro highway is Lot 304 a bush block .

- Then a Lot of 1158 square metres , with a dwelling . ( Lot 1 Monaro Highway )
- Next a holding of 3631 square metres , with a dwelling .( Lot 22 Monaro Highway )
- Then a holding of 1.17 hectares with a dwelling . ( Lot 125 Monaro Highway )

Opposite the Southern boundary ( the Monaro Highway) is a dwelling on 2 hectares .

The bulk of the Western boundary adjoins grazing land , the Northern boundary is formed by the Bombala River .

There is no need for provision of public access .

There is an abundance of open space .

Landscaping and tree planting has been carried out for several years and will accelerate with the new house .

There is more than enough space for vehicle movement and standing , most of it within the 1800 square metre footprint and surrounds of the house . Hard standing for driveways and parking will be established .

No additional traffic movement will be generated .

Drainage is not an issue , the building site is essentially on top of a hill .

Earthworks will be minimal , the house site is essentially level .

No other dwelling or building is close enough to be affected by changes to wind pattern , shading or reflected light .

The building will be highly energy efficient and of extremely durable materials and will thus have the net effect of reducing emissions .

The only services that will be required are :-

- (i) A water meter at the boundary , beside the existing water meter , and
- (ii) Provision of rubbish and recycling bins .

Because of the nature of the dwelling ( high energy efficiency , solar feedback to the electricity grid , etc. ) this development will promote the social , economic and environmental well being of the community . The house could serve as a model for future houses and we would be happy to assist Council in encouraging future environmentally appropriate developments .



# BASIX® Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Single Dwelling

Certificate number: 1000011S\_04

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 06/10/2017 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Tuesday, 28 May 2019

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning & Environment

Project summary	
Project name	[Redacted] Monaro Highway Bombala 2632
Street address	[Redacted]
Local Government Area	Snowy Monaro Regional Council
Plan type and plan number	deposited 756819
Lot no.	20
Section no.	-
Project type	separate dwelling house
No. of bedrooms	2
Project score	
Water	✓ 55 Target 40
Thermal Comfort	✓ Pass Target Pass
Energy	✓ 59 Target 40

Certificate Prepared by	
Name / Company Name:	pambula drafting
ABN (if applicable):	59130303558

# Description of project

Project address	
Project name	██████████_04
Street address	██████████ Monaro Highway Bombala 2632
Local Government Area	Snowy Monaro Regional Council
Plan type and plan number	Deposited Plan 756819
Lot no.	20
Section no.	-
Project type	
Project type	separate dwelling house
No. of bedrooms	2
Site details	
Site area (m <sup>2</sup> )	980040
Roof area (m <sup>2</sup> )	326
Conditioned floor area (m <sup>2</sup> )	231.0
Unconditioned floor area (m <sup>2</sup> )	15.0
Total area of garden and lawn (m <sup>2</sup> )	500

Assessor details and thermal loads	
Assessor number	n/a
Certificate number	n/a
Climate zone	n/a
Area adjusted cooling load (MJ/m <sup>2</sup> .year)	n/a
Area adjusted heating load (MJ/m <sup>2</sup> .year)	n/a
Project score	
Water	✓ 55 Target 40
Thermal Comfort	✓ Pass Target Pass
Energy	✓ 59 Target 40

### Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

Water Commitments	Show on DA plans	Show on CC/IDC plans & specs	Certifier check
<b>Landscape</b>			
The applicant must plant indigenous or low water use species of vegetation throughout 400 square metres of the site.	✓	✓	✓
<b>Fixtures</b>			
The applicant must install showerheads with a minimum rating of 4 star (> 4.5 but <= 6 L/min plus spray force and/or coverage tests) in all showers in the development.		✓	✓
The applicant must install a toilet flushing system with a minimum rating of 6 star in each toilet in the development.		✓	✓
The applicant must install taps with a minimum rating of 6 star in the kitchen in the development.			
The applicant must install basin taps with a minimum rating of 6 star in each bathroom in the development.		✓	✓
<b>Alternative water</b>			
<b>Rainwater tank</b>			
The applicant must install a rainwater tank of at least 31500 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rain runoff from at least 326 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✓	✓
The applicant must connect the rainwater tank to:			
<ul style="list-style-type: none"> <li>all toilets in the development</li> <li>at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)</li> </ul>		✓	✓
		✓	✓

Thermal Comfort Commitments		Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>General features</b>				
The dwelling must not have more than 2 storeys.		✓	✓	✓
The conditioned floor area of the dwelling must not exceed 300 square metres.		✓	✓	✓
The dwelling must not contain open mezzanine area exceeding 25 square metres.		✓	✓	✓
The dwelling must not contain third level habitable attic room.		✓	✓	✓
<b>Floor, walls and ceiling/roof</b>				
The applicant must construct the floor(s), walls, and ceiling/roof of the dwelling in accordance with the specifications listed in the table below.		✓	✓	✓
<b>Construction</b>		<b>Additional insulation required (R-Value)</b>		<b>Other specifications</b>
floor - concrete slab on ground	1 (slab edge)			in-slab heating system
external wall - other/undecided	3.80 ( including construction)			
ceiling and roof - flat ceiling / pitched roof	ceiling: 2.95 (up), roof: foil backed blanket (100 mm)			unventilated, medium (solar absorptance 0.475-0.70)
<b>Note</b>	• Insulation specified in this Certificate must be installed in accordance with Part 3.12.1.1 of the Building Code of Australia.			
<b>Note</b>	• In some climate zones, insulation should be installed with due consideration of condensation and associated interaction with adjoining building materials.			

Thermal Comfort Commitments				
Windows, glazed doors and skylights	Show on DA plans	Show on CC/CDC plans & specs	Certifier check	
The applicant must install the windows, glazed doors and shading devices described in the table below, in accordance with the specifications listed in the table. Relevant overshadowing specifications must be satisfied for each window and glazed door.	✓	✓	✓	
The dwelling may have 1 skylight (<0.7 square metres) which is not listed in the table.	✓	✓	✓	
The following requirements must also be satisfied in relation to each window and glazed door:	✓	✓	✓	
<ul style="list-style-type: none"> <li>For the following glass and frame types, the certifier check can be performed by visual inspection.                             <ul style="list-style-type: none"> <li>- Aluminium single clear</li> <li>- Aluminium double (air) clear</li> <li>- Timber/UPVC/fibreglass single clear</li> <li>- Timber/UPVC/fibreglass double (air) clear</li> </ul> </li> </ul>				

Window/glazed door no.	Maximum height (mm)	Maximum width (mm)	Type	Shading Device (Dimension within 10%)	Overshadowing
<b>North facing</b>					
W05	1200	2100	timber/UPVC/fibreglass, double (air), clear	eave 750 mm, 300 mm above head of window or glazed door	not overshadowed
W13	2100	1800	timber/UPVC/fibreglass, double (air), clear	eave 750 mm, 300 mm above head of window or glazed door	not overshadowed
W04	1200	2400	timber/UPVC/fibreglass, double (air), clear	eave 750 mm, 300 mm above head of window or glazed door	not overshadowed
W01	1200	2100	timber/UPVC/fibreglass, double (air), clear	eave 750 mm, 300 mm above head of window or glazed door	not overshadowed
W02	900	2400	timber/UPVC/fibreglass, double (air), clear	eave 750 mm, 300 mm above head of window or glazed door	not overshadowed
W03	1200	2400	timber/UPVC/fibreglass, double (air), clear	eave 750 mm, 300 mm above head of window or glazed door	not overshadowed
<b>East facing</b>					

Window/glazed door no.	Maximum height (mm)	Maximum width (mm)	Type	Shading Device (Dimension within 10%)	Overshadowing
W14	2100	900	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
<b>South facing</b>					
W07	900	900	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
W08	900	900	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
W06	900	900	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
W09	1200	1800	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
W15	2100	900	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
<b>West facing</b>					
W12	2100	900	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed
W11	1200	2100	timber/UPVC/fibreglass, double clear	eave 600 mm, 300 mm above head of window or glazed door	not overshadowed

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Hot water</b> The applicant must install the following hot water system in the development, or a system with a higher energy rating: solar (electric boosted) with a performance of 36 to 40 STCs or better.	✓	✓	✓
<b>Cooling system</b> The living areas must not incorporate any cooling system, or any ducting which is designed to accommodate a cooling system. The bedrooms must not incorporate any cooling system, or any ducting which is designed to accommodate a cooling system.		✓ ✓	✓ ✓
<b>Heating system</b> The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: airconditioning ducting only; Energy rating: n/a The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: airconditioning ducting only; Energy rating: n/a		✓ ✓	✓ ✓
<b>Ventilation</b> The applicant must install the following exhaust systems in the development: At least 1 Bathroom: individual fan, ducted to façade or roof; Operation control: none (ie. continuous) Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off Laundry: natural ventilation only, or no laundry; Operation control: n/a		✓ ✓ ✓	✓ ✓ ✓
<b>Artificial lighting</b> The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps: • at least 2 of the bedrooms / study; • at least 1 of the living / dining rooms; • the kitchen;		✓ ✓ ✓	✓ ✓ ✓

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<ul style="list-style-type: none"> <li>• all bathrooms/toilets;</li> <li>• the laundry;</li> <li>• all hallways;</li> </ul>		<ul style="list-style-type: none"> <li>➤</li> <li>➤</li> <li>➤</li> </ul>	<ul style="list-style-type: none"> <li>➤</li> <li>➤</li> <li>➤</li> </ul>
<p><b>Natural lighting</b></p> <p>The applicant must install a window and/or skylight in 2 bathroom(s)/toilet(s) in the development for natural lighting.</p>	➤		➤
<p><b>Alternative energy</b></p> <p>The applicant must install a photovoltaic system with the capacity to generate at least 2 peak kilowatts of electricity as part of the development. The applicant must connect this system to the development's electrical system.</p>	➤		➤
<p><b>Other</b></p> <p>The applicant must construct each refrigerator space in the development so that it is "well ventilated", as defined in the BASIX definitions.</p>		➤	➤
<p>The applicant must install a fixed outdoor clothes drying line as part of the development.</p>		➤	➤

Legend
In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a ✓ in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a ✓ in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a ✓ in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate (either interim or final) for the development may be issued.

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CONTENTS:	PAGE:
Title	1
Locality map	1
Site plan	2
Roof plan	3
Floor plan	4
Elevations	5
Elevations	6
Section Details	7
BASIX commitments	8
BASIX commitments	9

PROJECT: Architectural plans for proposed dwelling

FOR: [REDACTED]

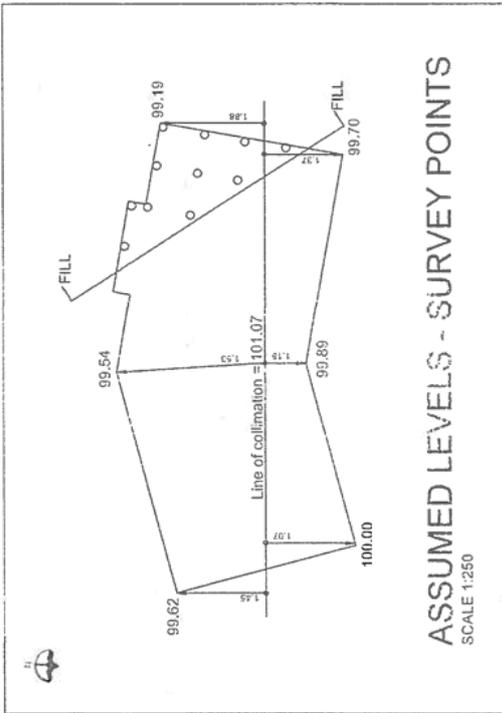
ADDRESS: [REDACTED] Monaro Highway 2632 NSW  
Lot 20 DP 756819



LOCALITY

pambula drafting  
 Liselotte Pors Eriksen  
 11 Ives Street, Pambula 2549, NSW  
 ph: 02 64 956 840  
 e-mail: lottep@pg.com.au  
 ABN: 59 130 303 558

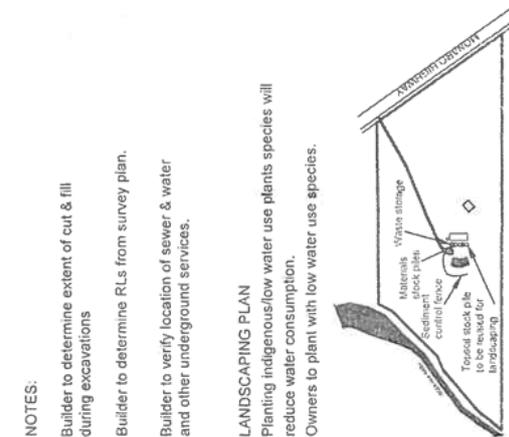
DATE 20-03-10  
 SHEET 1 OF 9



**WASTE MANAGEMENT PLAN**  
**SITE WORKS CONSTRUCTION**  
All on site materials will be re-used on site or removed off site for re-use on other works.  
**BUILDING CONSTRUCTION.**  
Building construction waste will be collected on site, separated and recycled on site or recycled off site or disposed of at an approved waste disposal facility.  
**ON-GOING MANAGEMENT OF WASTE ON SITE.**  
Any material that cannot be re-used, recycled or converted to reusable material on site, will be made ready for collection and delivered to Council's Waste contractor in the normal manner.

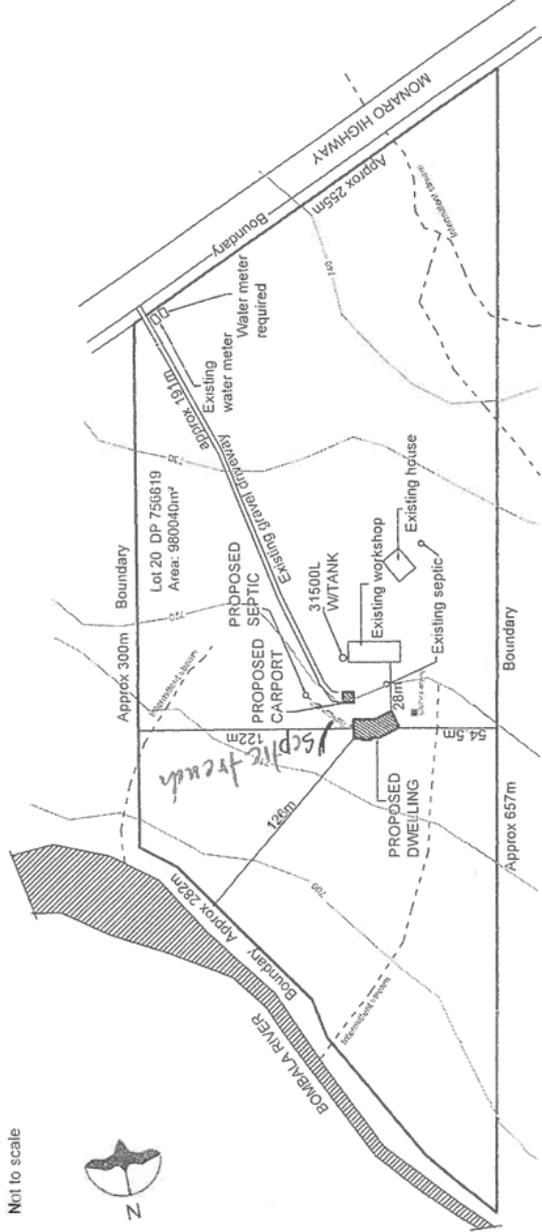
**EROSION & SEDIMENT CONTROL COMMENTARY.**  
Erosion & sediment control works to be in place prior to site work commencing.  
Vehicle entry and exit to be confined to one stabilised point.  
Sediment & barrier fences to be installed where applicable (see details)  
Place filters on all drains.  
Topsoil to be striped and stockpiled & reused for future landscaping.  
All stockpiles to be placed min. 2m clear of all areas of possible concentrated water flow including driveways.  
Disturb as little of site as possible to minimise occurrence of soil erosion.  
Re-habituate as soon as possible.  
Provide skips for building waste and make arrangements to for regular collection, re-use or disposal.  
Guttering to be connected to storm water system or rain water tanks as early as possible.  
All erosion and sediment controls to be checked weekly & after rain to ensure they are maintained and in a fully functioning condition.

**STORM WATER MANAGEMENT STATEMENT**  
**AIMS.**  
Manage storm water and reduce environmental impact of the building work and dwelling occupation, by adopting the following:  
Minimize cut and fill when preparing the building foundation. Attempt to maintain the existing topography and drainage pattern.  
Retain vegetation, particularly deep-rooted trees. These bind the soil, filter sediments, decrease run-off, capture sediment and reduce the potential of salinity.  
Detain storm water through the use of permeable paving, pebble paths, infiltration trenches, soak wells, lawn, garden area and swales.  
Reduce erosion returned on site during building works by minimizing the time that land is left in an exposed and unstable condition. Employ sediment traps and divert clean storm water around the disturbed site.  
Minimize the area of impervious surfaces such as paved area and concrete driveways.  
Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.  
Harvest and store roof water for use.  
Reduce pollution from fertilizers, herbicides and pesticide application Do not over-use these products.  
Avoid the use of solvent based paints, cleaners and equipment on a lawn area to trap contaminants before they reach waterways.

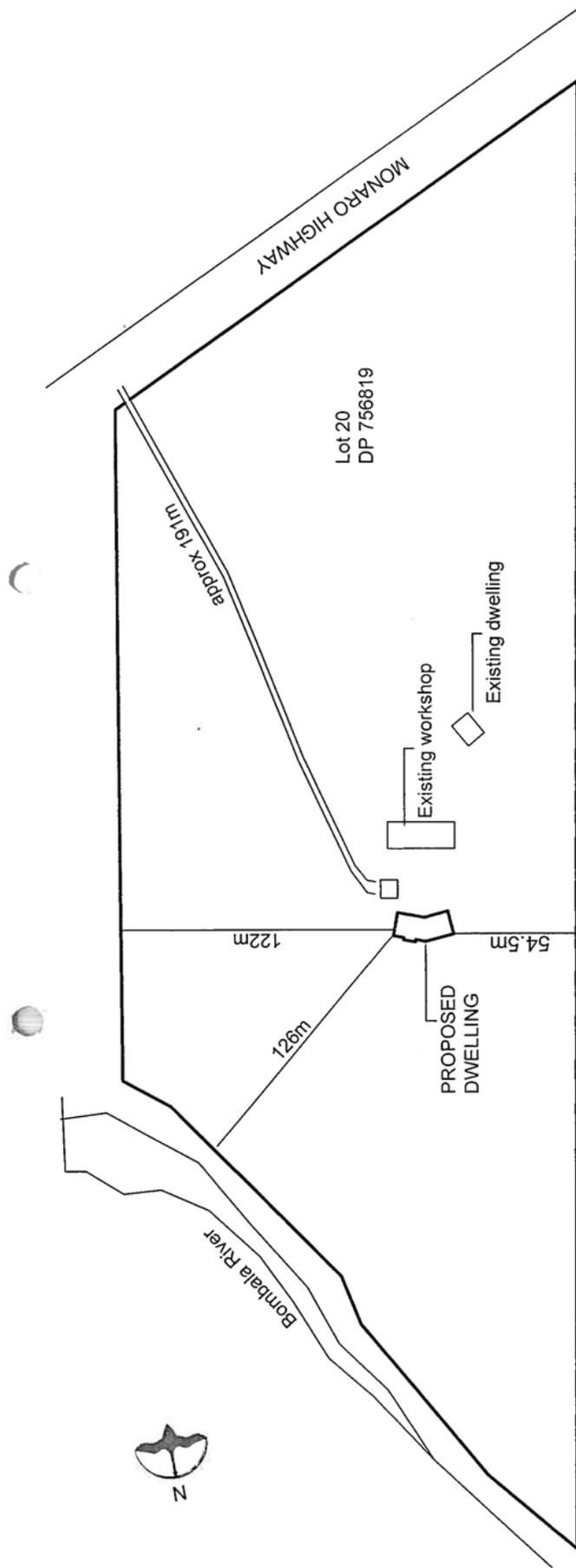


**NOTES:**  
Builder to determine extent of cut & fill during excavations  
Builder to determine RLs from survey plan.  
Builder to verify location of sewer & water and other underground services.  
**LANDSCAPING PLAN**  
Planting indigenous/low water use plants species will reduce water consumption.  
Owners to plant with low water use species.

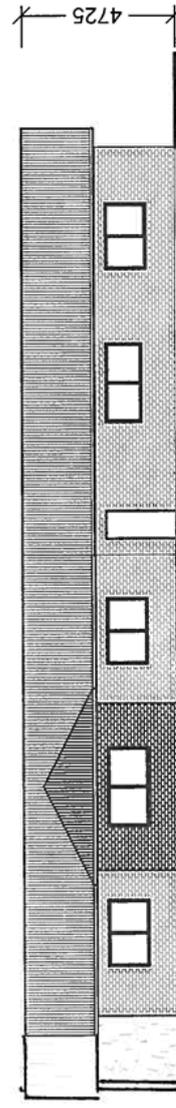
**SEDIMENT CONTROL PLAN**  
Not to scale



**SITE PLAN**  
Scale 1:2500  
SHEET 2 OF 9



SITE  
Not to scale

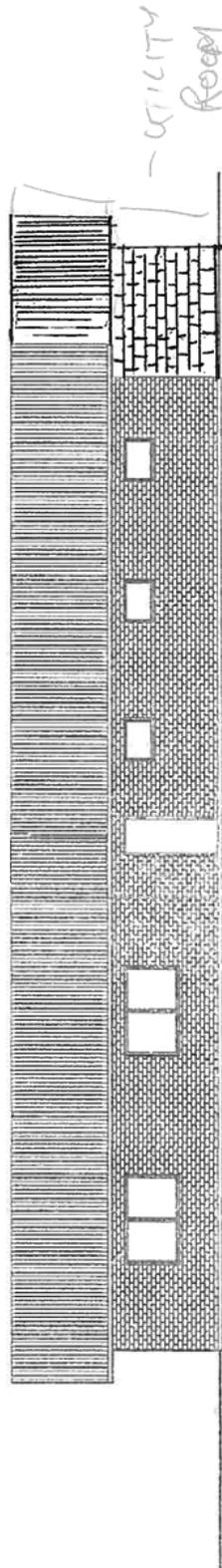


NORTH  
Not to scale

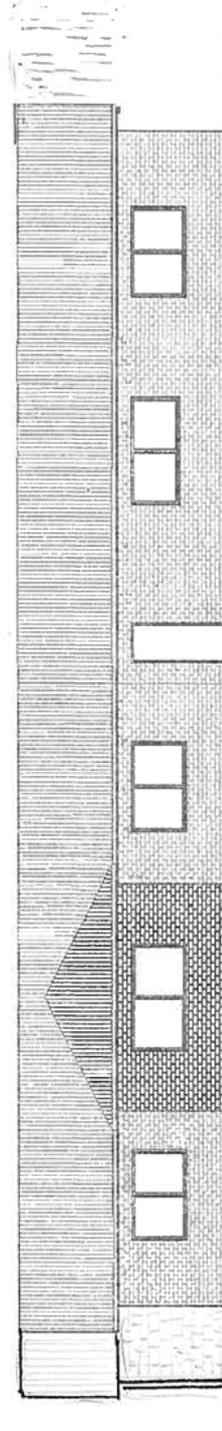
NEIGHBOUR NOTIFICATION PLAN



NOTES:  
Builder to determine extent of cut & fill during excavations  
Builder to determine RLs from survey plan.  
Builder to verify location of sewer & water and other underground services.

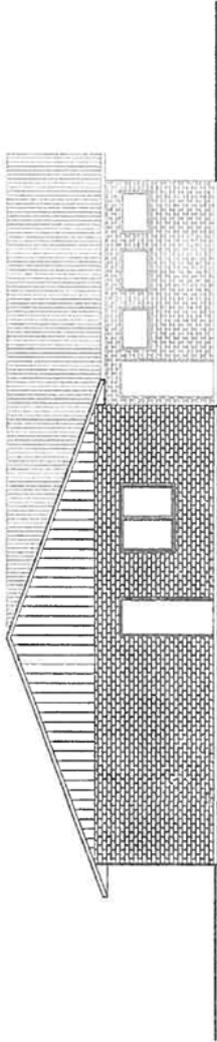


SOUTH  
SCALE 1:100

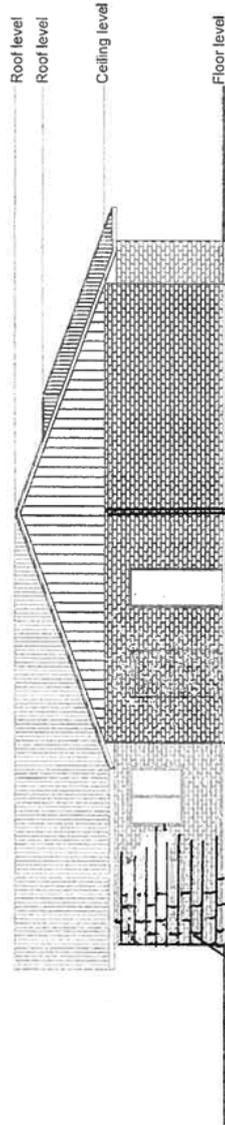
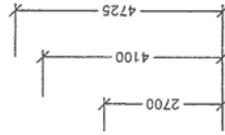


NORTH  
SCALE 1:100

- NOTES:
- Builder to determine extent of cut & fill during excavations
  - Builder to determine RLs from survey plan.
  - Builder to verify location of sewer & water and other underground services.



WEST  
SCALE 1:100



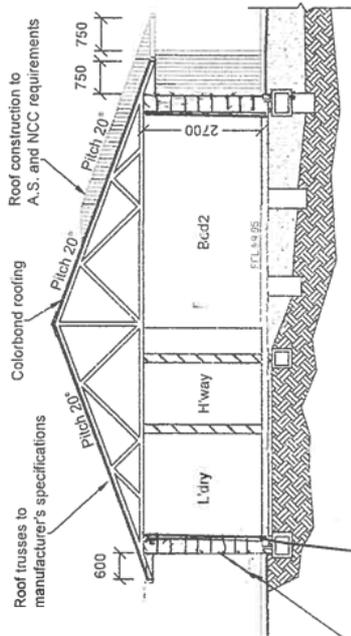
EAST  
SCALE 1:100

GREEN ENERGY BRICKS  
CONCRETE BLOCK LIKE  
TILE FINISH.

**NOTES:**

- Builder to determine extent of cut & fill during excavations
- Builder to determine boundaries & RLs from survey plan.
- Builder to verify location of sewer & water and other underground services.
- Builder to verify all dimension on site prior to construction

Masonry work to A.S.  
Tiles in wet areas installed to manufacturers detail & to A.S.



**SECTION A-A DETAILS**  
SCALE 1:100

Slab, piers & strip footings to A.S. & engineer's details.

Bracing & lintdown to engineer's details

- Al. sarking under roofing to A.S.
- Insulation to A.S.
- All guttering to tank
- Colorbond fascia & guttering

**GREEN ENERGY BRICKS**  
Total

**350mm PLASTERBOARD**

**GREEN ENERGY BRICK**

**Polyisocyanurate core.  
Magnesium oxide board outer.**

**NOTE:**  
Korulon Termite Barrier (or similar) for termite protection, to A.S. 3600.2-2000 and to manufacturer's details

**CONSTRUCTION NOTES:**

- Windows: Dbl glazed PVC
- Roof cover: Colorbond
- Guttering: Colorbond
- Ext. wall: Clay brickwork
- Int. wall: Hebel bricks
- Floor construction: Slab throughout

- Do not measure from drawing. Use figured dimensions.
- Builder to verify all measurements on site.
- All new work to match existing conditions.
- Drawings to be read in conjunction with all plans, specifications and engineer's details as required.
- Owner to ensure accurate allotment survey & locations.
- All work to be carried out in accordance with Australian Standards, BCA and good work practices.
- It is not implied that all details are shown in these plans. More details may be required.
- Builder to ensure termite prevention to A.S. requirements.
- Builder to ensure erosion and sediment control on site.
- Builder to comply with OH&S and Workcover requirements.
- Underground services may exist on site which are not shown on plans. Builder to liaise with relevant authorities prior to any excavation on site.
- Builder to ensure all plans are true and correct.

Residential Development (Dwellings & Associated Structures)



# Statement of Environmental Effects

A Statement of Environmental Effects must be submitted with all Development Applications in accordance with Schedule 1 of the *Environmental Planning & Assessment Regulations 2000*. If an answer requires additional details to be provided on likely impact(s) and the proposed means of mitigating or reducing such impact(s), additional space is provided on the last page. This Statement of Environmental Effects is not exhaustive and should be expanded where appropriate. *If more space is required, attach additional sheets.* In accordance with Section 148B of the *Environmental Planning and Assessment Act*, it is an offence to provide information that is false or misleading.

## 1 Author

Name: [REDACTED]  
 Company (if applicable):

## 2 Proposal

Proposal:	<input checked="" type="checkbox"/> New Dwelling <input type="checkbox"/> Dual Occupancy or Secondary Dwelling <input type="checkbox"/> Residential Flat Building <input type="checkbox"/> Multi Dwelling Housing	<input type="checkbox"/> Ancillary Outbuilding (ie garages and sheds) <input type="checkbox"/> Additions and Alterations <input type="checkbox"/> Change of Use (not involving building works) <input type="checkbox"/> Other:
Number of dwellings/ <del>units</del> proposed:	1	
Area of dwellings/units proposed:	325m <sup>2</sup>	
Number of bedrooms proposed:	2	
Number of storeys proposed:	1	
Proposed parking arrangements:	2 x car carport.	
Type and extent of landscaping proposed:	500m <sup>2</sup> - 400m <sup>2</sup> low water use.	
Proposed materials:	External Wall finishes	Brickwork.
	Roof finishes	Colorbond.
	Internal driveways/parking	Existing
	Fences/privacy screens	Existing
	Others	

Statement of Environmental Effects

Site & Surrounding Area

Property address	[REDACTED] Menare Highway.
Lot/DP/SP	lot 20 DP 756819
Site area (m <sup>2</sup> /ha)	980640 m <sup>2</sup>
Existing vegetation cover	Mainly cleared.

\* grass 1 tree

Existing structures

1 dwelling  
1 workshop

Existing access arrangements

Driveway - gravel.

Describe how water is supplied to the site

townwater  
31.500L w/tank.

Describe how effluent is currently managed

septic tank - existing

\* Describe how stormwater is currently managed

All run-off to tank

\* Describe how electricity and/or gas is supplied to the site

Electricity will come from workshop which has its own meter. no gas is required

Note: This information is also to be shown the submitted plans

Statement of Environmental Effects

Describe the types of development within the surrounding area
rural residential / semi industrial
Outline the distances to neighboring dwellings/structures
approx 150m
Describe any Heritage items within the surrounding area
N/A.
Describe the existing streetscape (ie landscaping, fences and building facades)
rural
If applicable outline the predominant Heritage style within any conservation areas
N/A.

Note: This information is also to be shown the submitted plans

**4 Environmental Impacts**

**4.1 Environmental Impacts**

Describe the type/number of vehicles expected to be parked on-site
2
Describe how the development will gain legal vehicular access
Existing driveway
Describe how water will be supplied to the development
Existing town water supply / 31.500L w/T.

Statement of Environmental Effects

Describe how effluent associated with the development will be managed

Existing septic

Describe how stormwater associated with the development will be managed

All run-off to tank

Describe how electricity and/or gas will be supplied to the development

Existing.

Note: This information is also to be shown the submitted plans

Describe proposed measures to minimise privacy, noise and security impacts (ie fencing/privacy screens, landscaping, etc)

Due to distance to only neighbour there will be no noise impact

Describe proposed measures to minimise the overshadowing of neighbouring living areas (shadow diagram must be supplied for buildings over two storeys)

N/A.

Describe how the proposed development will address the existing streetscape (ie front fences, landscaping, building facade etc)

No impact on streetscape.

If applicable describe how development will complement the existing Heritage items or conservation area

N/A.

Note: This information is also to be shown the submitted plans

Statement of Environmental Effects

Describe how the proposed development will impact upon native flora and fauna (including the removal of vegetation for bushfire protection etc)

NO removal of vegetation  
NO impact on flora & fauna.

Describe proposed measures to minimise the impacts outlined above (ie Property Vegetation Plan, Biobanking etc)

N/A.

Outline proposed measures to minimise any impacts on natural waterways (i.e. diversion banks, separation etc)

sediment fence on downhill side of building site.

Outline proposed measures to minimise any potential contamination (i.e. storage of chemicals, bunded areas etc)

N/A.

Outline the levels of excavation/fill associated with the development

cut & fill = 400mm

If applicable/appropriate describe how the development will manage flood waters (levy banks, construction etc)

N.A.

If applicable/appropriate describe how the development will manage bushfire events (asset protection zones, construction etc)

N.A

Note: This information is also to be shown the submitted plans

Statement of Environmental Effects

Describe erosion and sediment control measures proposed (ie silt fences, hay bales etc)			
see above.			
Outline the expected duration of construction			
Total Days:	approx 6 months.		
Hours:	Monday - Friday		Saturday - Sunday
	am	pm	am pm
Outline how the site will be secured during the construction process			
NA.			
Outline any demolition proposed as part of the development (including the removal of any asbestos materials)			
NA.			
Outline how building materials will be stored on the site during construction (ie storage sheds/containers etc)			
store materials in shed when applicable.			
Describe how waste generated during construction will be managed			
<b>Waste Management Plan</b>			
Complete a Waste Disposal Plan for all developments that include construction and/or demolition works. You may attach a Plan or use the table below. Waste includes, but is not limited to vegetation, trees, soil, construction waste, demolition waste, timber, asbestos, metals			
see plans - sheet 2			

Note: This information is also to be shown the submitted plans

Statement of Environmental Effects

Type of waste	Estimated Amount/Volume	Where/how it will be stored on site	Where it will be disposed	Method of transportation/disposal

**PRIVACY INFORMATION:** The information you provide in this Statement will enable your application to be assessed by Council and any relevant state agency. If the information is NOT provided, your application may not be accepted. Your application will be publicly notified in accordance with Clause 8 of Snowy Monaro Regional Council's Development Control Plan 2013. The application details will also be kept by Council in a register that may be viewed by the public at any time. The Act provides that for the purposes of public notification, specific internal layouts of a dwelling may be excluded from a plan prepared for such exhibition.

Statement of Environmental Effects

Additional Notes

  
Monaro Hwy  
BOMBALA NSW 2632

## Notice of Determination and Statement of Reason

Issued under the *Environmental Planning and Assessment Act 1979* (the 'Act')

**Application Number** 10.2019.145.1  
**Property Address** 8375 Monaro Hwy BOMBALA  
Lot: 20 DP: 756819  
**Development Description** Secondary Dwelling

### Determination

Pursuant to Section 4.16 (1)(a) of the Act

Notice is hereby given of the determination by Snowy Monaro Regional Council of Development Application **10.2019.145.1** relating to the land described above.

The Development Application has been **APPROVED** subject to the Conditions specified in this Notice.

Authority:

Determination Date:

Consent to Operate from:

Consent will Lapse on:

### Integrated Approval Bodies

Pursuant to Section 4.50 of the Act

The development application proposal was not Integrated Development. INT\_01

### Reason for Decision

Pursuant to Section 1 cl 20(2)

The reasons for the decision were:

1. The proposal adequately satisfies the application provisions and objectives of the Bombala LEP 2012 and the Bombala DCP 2012
2. Council has considered the Applicant's request to vary a development standard (5.4 Controls relating to miscellaneous permissible uses) and has considered that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as that variation will not generate unacceptable impacts on nearby premises, and remains consistent with the objectives of the standard.

3. The proposed development adequately satisfies the relevant State Environment Planning Policies including (Building Sustainability Index: BASIX) 2004 and State Environmental Planning Policy (Primary Production and Rural Development) 2019
4. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments including the nearby local heritage items, the local waterways or drainage systems or the operation of the local road system. Further it is considered that developments of the subject site does not prevent future reasonable development of adjoining allotments
5. In consideration of conclusions 1 – 4 above it is considered the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

## Conditions

### General

- 1) The development being carried out in accordance with the approved documents/plans listed in the Schedule below and development application except where amended by the conditions of this Consent as set out in the following conditions or by any subsequently approved Section 96 modification.

Document/Plan Schedule			
Ref	Description	Prepared/Drawn By	Received
	Statement Of Environmental Effects		
	Site Plans		
	Elevations		
	Floor Plans		
	BASIX Certificate		

*Reason:* Requirement that the development is completed in accordance with Council's consent. P\_1\_01

- 2) All erosion and sedimentation control devices shall be maintained until the site has been adequately revegetated and no soil remains exposed. Revegetation or stabilisation of disturbed areas shall be commenced as soon as possible on all sites. This includes turfing, seeding, bitumen straw mulching, and landscape planting.

*Reason:* To establish site stability as soon as possible following earthworks. P\_5\_01

- 3) The approved development is not to be used for tourist or visitor accommodation except when prior development consent has been granted.  
*"tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:*
  - (a) backpackers' accommodation,
  - (b) bed and breakfast accommodation,
  - (c) farm stay accommodation,
  - (d) hotel or motel accommodation,
  - (e) serviced apartments"

- Bombala Local Environmental Plan 2012

Note- This condition does not apply to those uses which are deemed to be "exempt" under applicable environmental planning legislation.

*Reason:* Requirement of Environmental Planning and Assessment Act and Regulations P\_0\_03

### Required Works

- 4) Driveway areas which exceed 15% grade shall be finished in grooved concrete or equivalent surface roughness to provide vehicle traction in adverse weather conditions for 2 wheel drive vehicles.

*Reason:* To provide safe vehicle access within the development.

**Conditions to be met prior to release of Construction Certificate**

- 5) A 307 certificate issued under water management act for s64 contributions is to be obtained and presented to the Principal Certifying Authority prior to release of the construction certificate
- 6) Monetary Contributions

Pursuant to Section 7.11A of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development: The developer must, pursuant to Section 7.11A of the Environmental Planning and Assessment Act, 1979 and Council's Contributions Plans, pay to Council the above monetary contributions. The contributions are to be paid prior to release of the Construction Certificate.

Contribution Payable = \$1000.00

Note: The above-specified Contribution Plans may be inspected at Council offices. The contributions stated in this consent are calculated on the basis of the s7.11A contribution rates determined in accordance with plan in force on the date of this consent. Where the development is to be connected to Council's water and/or sewage system a certificate of compliance under Section 64 of the Local Government Act (1993) must be obtained from the Council. This may involve payment of a charge authorised under Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 to recover costs of works constructed to serve the development.

**Conditions to be met prior to commencement of work**

- 7) NO WORK IS TO COMMENCE until a Construction Certificate is issued by Council or a private Principal Certifying Authority.
- Reason:* Requirement of the *Environmental Planning and Assessment Act and Regulations*. B\_1\_02
- 8) Before commencing any work a sign MUST be erected on the land, visible from the road and indicating:
- The owner's name and contact number (including after-hours contact number).
  - Allotment number
  - Construction Certificate number.
  - Principal Contractor's name and contact number.
  - Principal Certifying Authority's name, address and contact number.

Note: Where Council is the Principal Certifying Authority list details as:

Snowy Monaro Regional Council 81 Commissioner Street, Cooma Phone 1300 345 345
--

The sign must also state 'Unauthorised entry to the work site is prohibited'.

The sign must be maintained while building works are carried out and must be removed once works are completed.

*Reason:* Prescribed condition in accordance with clause 98A(2) of the *Environmental Planning and Assessment Regulations*. B\_2\_01

- 9) Where earthworks are undertaken to accommodate a new building, precautionary measures must be undertaken to ensure soil mixed in with run-off is contained on the site. It is an offence to allow soil and other runoff to escape from the building site. On-the-spot fines may be issued for offences.

*Reason:* To minimise erosion of land and siltation of waterways, and a requirement of the *Protection of the Environment Operations Act*. B\_2\_08

- 10) An application under Section 68 of the Local Government Act 1993 is to be lodged with Council for the installation and operation of the on-site effluent disposal system. No works are to commence until the Section 68 application is approved.

*Reason:* In accordance with the Local Government Act 1993.

**Conditions to be met during Construction**

- 11) Residential building works requires that the builder or person who does any residential building work complies with the applicable requirements of Part 6 of the *Home Building Act* whereby a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the approved work.

The builder or person shall obtain and have in force Home Building Insurance and supply to Council a copy of the certificate in respect of insurance complying with the *Home Building Act 1989* prior to the commencement of any residential building work together with the Notice of Commencement required by the Act.

If arrangements for doing the residential building work change while the work is in progress, further work must not be carried out unless Council has been provided with written notice of the updated information.

*Reason:* Prescribed conditions in accordance with clause 98(1)(b) and 98B(2)&(3) of the *Environmental Planning and Assessment Regulation* and requirement of the *Home Building Act 1989*. B\_1\_07

- 12) All Building Work is to comply with the Building Code of Australia.

*Reason:* Prescribed condition in accordance with clause 98(1)(a) of the *Environmental Planning and Assessment Act and Regulation*. B\_1\_01

- 13) The following are Critical Stage Inspections as prescribed by the *Environmental Planning and Assessment Act and Regulations*, whereby the Principal Certifying Authority must inspect.

- a) after excavation for, and prior to the placement of any footings;
- b) prior to pouring any in-situ reinforced concrete building element;
- c) prior to covering of the framework of any floor, wall, roof or other building element;
- d) prior to covering water proofing in any wet areas;
- e) prior to covering any stormwater drainage connections;
- f) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building;
- g) Council also requires that an inspection be made prior to covering any sanitary plumbing or drainage work.

Note carefully that unless all of the Mandatory Critical Stage Inspections are carried out, an Occupation Certificate cannot be issued for the building.

*Reason:* Requirement of the *Environmental Planning and Assessment Act and Regulations*.

NOTE: IF ANY ADDITIONAL COUNCIL INSPECTIONS ARE REQUIRED AN ADDITIONAL FEE WILL BE CHARGED IN ACCORDANCE WITH COUNCIL'S FEES SCHEDULE. B\_1\_04

- 14) The builder must at all times maintain on the site a legible copy of the plans and specifications bearing the stamp and Construction Certificate issued by the Principal Certifying Authority.

*Reason:* Requirement of the *Environmental Planning and Assessment Act and Regulations*. B\_1\_08

- 15) Working hours involving machinery or noisy activities being confined within the hours of 7.00am to 8.00pm, Monday to Saturday and 8.00am to 8.00pm on Sundays or Public Holidays. Please contact Council for further advice regarding noise control.

*Reason:* Requirement of the Protection of the *Environment Operations Act and Regulations* and to protect the amenity of residents in homes in the vicinity. B\_1\_09

- 16) During building operations the builder shall provide approved temporary closet accommodation - 1 toilet for each 20 persons or part thereof engaged upon the building at any time. In town and village areas, such toilet must be either a temporary water closet (connected to wastewater or septic tank) or an approved type of chemical closet, properly maintained.

*Reason:* To ensure adequate sanitary facilities are available. B\_2\_03

- 17) No building materials, equipment or structures are to be placed or stored on Council footpaths, nature strips or roadways unless prior approval under Section 138 of the Roads Act 1993 has been issued by Council.

*Reason:* To ensure roads and footpaths are not obstructed and for public safety. B\_2\_04

- 18) Provision is required to be made for the storage and disposal of all waste building materials.  
*Reason:* To ensure the site is kept in a satisfactory condition. [B\\_2\\_05](#)
- 19) The builder shall keep the building site tidy and shall ensure no waste material escapes at any time during construction or otherwise causes any nuisance.  
*Reason:* To ensure the site is kept in a satisfactory condition. [B\\_2\\_06](#)

### Conditions to be met prior to release of Occupation Certificate

- 20) The building MUST NOT be occupied until an Interim or Final Occupation Certificate has been issued by the Principal Certifying Authority (PCA). If Council is the PCA, an Application for Occupancy must be made and payment of any applicable fees prior to inspection and issue of an Occupation Certificate.  
*Reason:* Requirement of *Environmental Planning and Assessment Act and Regulations*. [B\\_4\\_01](#)
- 21) It is a condition of this Development Consent that all the commitments listed in the Basix Certificate No 1021736S (or any subsequent amendments to this certificate) for the development are fulfilled.  
*Reason:* Requirement of the *Environmental Planning and Assessment Regulation*. [B\\_4\\_04](#)

### Ongoing Conditions

- 22) All private road access to the dwelling on the site shall be maintained in a safe, trafficable condition for all weather use by two-wheel drive vehicles.  
*Reason:* In accordance with *Cooma-Monaro Shire Council Development Control Plan 2014*. [R\\_2\\_06](#)
- 23) The roof water drainage shall be collected in a rainwater tank. The overflow from that tank shall be dispersed onto the property in a manner that will not cause erosion to the downstream soils.  
*Reason:* Requirement of the *Environmental Planning and Assessment Act and Regulation*. [R\\_0\\_01](#)

### Advice to Applicant

- 1) Council wishes to advise that it is the responsibility of the owner and/or applicant to determine if site security and/or safety fencing is required to be provided in accordance with clause 235 of the *Occupational Health and Safety Regulation 2001* and *Work Cover Authority* requirements. Failure to comply with these requirements may result in penalties being imposed upon the owner and/or applicant.
- 2) Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact *Dial Before You Dig* at [www.1100.com.au](http://www.1100.com.au) or telephone 1100 before excavating or erecting structures. This is the law in NSW. If alterations are required to the configuration, size, form or design of the development upon contacting the *Dial Before You Dig* service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the *Dial Before you Dig* service in advance of any construction or planning activities.

Note: Under the *Telecommunications Act 1997 (Commonwealth)*, Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's

assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

- 3) It is the responsibility of the applicant to check, understand and seek assistance where needed so as to ensure full compliance with the conditions of this Development Consent. Please contact Planning on (02) 6455 1911 if there is any difficulty in understanding or complying with any of the above conditions.

## Notes

1. Section 8.2, 8.3, 8.4 and 8.5 of the *Environmental Planning and Assessment Act 1979* confers on an applicant who is dissatisfied with the determination of a consent authority a right to request the consent authority to review the determination. The request for review must be made within six (6) months after the date on which the applicant received the notice of determination and must be accompanied by the fee set by the Regulations; it does not apply to an application in respect of Designated Development or Integrated Development.
2. Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979* confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within six (6) months from the date of receipt of this notice.
3. In this consent the developer means the applicant for development consent and any person or corporation who carries out the development pursuant to that consent.
4. The applicant is solely responsible for ensuring that all additional consents, permits and/or agreements are obtained from other authorities, as relevant.
5. Headings are for convenience only and do not affect the interpretation of any condition of this development consent.

On behalf of the above Council:

Quinn Maguire  
**Town Planner**



# Development Application

made under the Environmental Planning and Assessment Act 1979 Section 78A

Office Use Only	
DA Number	10

PLEASE COMPLETE ALL SECTIONS

<b>APPLICANT</b>	
Name/Company: [REDACTED]	Phone: [REDACTED]
Contact Name (if Company):	Fax:
Postal Address: [REDACTED] MONARO HWAY	Mobile:
Town: BOMBALA State NSW Postcode: 2632	Email: [REDACTED]

<b>OWNER</b>	
Name/Company:	Phone:
Contact Name (if Company): AS ABOVE	Fax:
Postal Address:	Mobile:
Town: State: Postcode:	Email:
Is the subject land Crown Land NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> → Please attach Authority	
OFFICE USE ONLY NAR Numbers	

<b>LAND TO BE DEVELOPED</b> (Please attach additional sheet if inadequate space provided)	
No: [REDACTED] Street: MONARO HWAY, BOMBALA Town	
Lot: 20 Section: DP/SP: 756819	Lot: Section: DP/SP:
Lot: Section: DP/SP:	Lot: Section: DP/SP:
OFFICE USE ONLY Parcel Numbers	

<b>PROPOSED DEVELOPMENT</b>		
Description of development: RESIDENTIAL DWELLING		
<input checked="" type="checkbox"/> Erect, alter or add to a building or structure	<input type="checkbox"/> Subdivide land or building <input type="checkbox"/> Other (specify):	
<input type="checkbox"/> Change the use of land or building (or classification under the BCA)	<input type="checkbox"/> Demolition	
<input type="checkbox"/> Carry out a work	<input type="checkbox"/> Signage/Advertising	
<b>TYPE OF DEVELOPMENT</b> (tick all that apply)		
<input checked="" type="checkbox"/> Single dwelling	<input type="checkbox"/> Storage Shed	<input type="checkbox"/> Tourist
<input type="checkbox"/> Residential alterations/additions	<input type="checkbox"/> Garage	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Multi-Unit	<input type="checkbox"/> Industrial	<input type="checkbox"/> Infrastructure
<input type="checkbox"/> Second Occupancy	<input type="checkbox"/> Commercial/Business	<input type="checkbox"/> Community/Education Facilities
<input type="checkbox"/> Seniors Living	<input type="checkbox"/> Retail	<input type="checkbox"/> Education Facility
<input type="checkbox"/> Other residential	<input type="checkbox"/> Office	<input type="checkbox"/> Event
<input type="checkbox"/> Mixed	<input type="checkbox"/> Food Premises	<input type="checkbox"/> Other

<b>COST (including materials and labour)</b>	
This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimated cost is required.	
COST (including materials and labour): \$ 300K	

STAGED DEVELOPMENT			
Are you lodging a Staged Development Application?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Section 83B of the <i>Environmental Planning and Assessment Act 1979</i> defines a staged Development Application (DA) as one which sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs. The application may set out detailed proposals for the first stage of development.			
INTEGRATED DEVELOPMENT (Approvals from State Agencies)			
Is this application for Integrated Development?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Please tick which other approvals are required. If yes Council requires an additional set of plans, a Statement of Environmental Effects (SEE) and a fee for each relevant government agency. Please check with Council for current applicable fee.			
Roads Act 1993 <input type="checkbox"/> s138	Heritage Act 1977 <input type="checkbox"/> s58		
Rural Fires Act 1997 <input type="checkbox"/> s100B	National Parks and Wildlife Act 1974 <input type="checkbox"/> s90		
Petroleum (on shore) Act 1991 <input type="checkbox"/> s9	Protection of the Environment Operations Act 1997		
Fisheries Management Act 1994	<input type="checkbox"/> s43(a) <input type="checkbox"/> s43(b) <input type="checkbox"/> s43(d) <input type="checkbox"/> s47 <input type="checkbox"/> s48 <input type="checkbox"/> s55 <input type="checkbox"/> s122		
<input type="checkbox"/> s144 <input type="checkbox"/> s201 <input type="checkbox"/> s205 <input type="checkbox"/> s219	Water Management Act 2000		
Mine Subsidence Compensation Act 1961 <input type="checkbox"/> s15	<input type="checkbox"/> s89 <input type="checkbox"/> s90 <input type="checkbox"/> s91		
	Mining Act 1992 <input type="checkbox"/> s63 <input type="checkbox"/> s64		
Integrated Development is defined by the <i>Environmental Planning and Assessment Act 1979</i> as development which needs a Development Consent and one or more additional approvals under the Acts mentioned above in order to be legally carried out. Further explanatory notes are available from Council on request.			
IS/DOES THE PROPOSED DEVELOPMENT:		YES	NO
Designated Development ^ ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Likely to significantly affect a threatened species, population or ecological community, or it's habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Involve the use of or work on a Crown Road Reserve or other land owned by the Crown?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development by the Crown? (Part 5A of the Act applies to development by the Crown)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
On land which is also subject to a Property Vegetation Plan under the <i>Native Vegetation Act 2003</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development which requires a Site Compatibility Certificate from the Department of Planning prior to lodgement in accordance with <i>State Environmental Planning Policy (Infrastructure) 2007</i> , <i>State Environmental Planning Policy (Housing for seniors or people with a disability) 2004</i> , or any other State Environmental Planning Policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development which requires a BASIX Certificate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Involve land which has easements or restrictions on the Title? (If yes, please specify the nature of these easements or restrictions in your Statement of Environmental Effects)	<input type="checkbox"/>	<input type="checkbox"/>	
Likely to affect a threatened species, population or ecological community protected under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Require an approval under Section 68 of the <i>Local Government Act 1993</i> for any of the activities listed on the next page?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Biodiversity compliant development*? If yes, please specify the reason in your Statement of Environmental Effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Require Concurrence ↗ from any authorities?	<input type="checkbox"/>	<input type="checkbox"/>	
Is the proposal <i>State significant development</i> ? If yes, please provide (a) a list of authorisations and the applicable Act, (b) the capital investment value of the development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Is the land the subject of this application critical habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

APPROVALS UNDER SECTION 68 – LOCAL GOVERNMENT ACT, 1993	
Do you wish to carry out any S68 activities (listed below) <input type="checkbox"/> NO <input type="checkbox"/> YES – Complete details below	
<p>If you wish to carry out one of the following activities, you need the approval of Council. Identify the activities you propose to carry out, and the relevant documents you need to include in your Application, by placing a cross in the appropriate boxes. Please include the relevant documents as detailed in the Section 68 Checklist with your Application. Note: Alternatively these can be applied for separately using 'Section 68 Application' form.</p> <p>Under Section 78A of the <i>Environmental Planning and Assessment Act 1979</i> a person can apply to Council for both a development consent and a S68 Approval in the one Development Application. In determining the Development Application, Council may apply any of the provisions under the Local Government Act 1993 that it could apply if the Development Application were an application under that Act for the relevant approval. In particular, if the Development Consent is granted, Council may impose a condition that is authorised under that Act to be imposed as a condition of consent.</p> <p>In granting a Development Consent in which a Section 68 approval is also contained, Council may, (without limiting any other condition in the Consent) impose in relation to the approval taken to have been granted under Section 68, either or both of the following conditions:</p> <p>(a) A condition that the approval is granted only to the applicant and does not attach to or run with the land to which it applies.</p> <p>(b) A condition that the approval is granted for specific time.</p>	
<p><b>A Structures</b></p> <p><input type="checkbox"/> A1 Installing a manufactured home, moveable dwelling or associated structure on land.</p> <p><b>B Water supply, wastewater and stormwater drainage work</b></p> <p><input type="checkbox"/> B1 Carrying out water supply work. Please choose: <input type="checkbox"/> Install/alter private water system <input type="checkbox"/> Install/alter public infrastructure <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B2 Draw water from a Council water supply or a standpipe or sell water so drawn.</p> <p><input checked="" type="checkbox"/> B3 Install, alter, disconnect or remove a meter connected to a service pipe. <input checked="" type="checkbox"/> Establish new water service/meter connection <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B4 Carry out wastewater drainage work. <input type="checkbox"/> Establish new wastewater consumer service <input type="checkbox"/> Install/alter internal wastewater drainage <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B5 Carry out stormwater drainage work.</p> <p><input type="checkbox"/> B6 Connect a private drain or wastewater drain with a public drain or wastewater drain under the control of a Council or with a drain or sewer which connects with such a public drain or wastewater drain.</p> <p><b>C Management of waste</b></p> <p><input type="checkbox"/> C1 For fee or reward, transport waste over or under a public place.</p> <p><input type="checkbox"/> C2 Place waste in a public place.</p> <p><input type="checkbox"/> C3 Place a waste storage container in a public place</p> <p><input type="checkbox"/> C4 Dispose of waste into a wastewater drain of the council.</p> <p><input checked="" type="checkbox"/> C5 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. (eg Install Septic System, AWTS etc) Please choose: <input type="checkbox"/> Aerated Waste Treatment System (AWTS) <input type="checkbox"/> Dry Composting System <input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Wet Composting System <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> C6 Operate a system of wastewater management (within the meaning of Section 68A)</p>	<p><b>D Community Land</b></p> <p><input type="checkbox"/> D1 Engage in a trade or business.</p> <p><input type="checkbox"/> D2 Direct or procure a theatrical, musical or other entertainment for the public.</p> <p><input type="checkbox"/> D3 Construct a temporary enclosure for the purpose of entertainment.</p> <p><input type="checkbox"/> D4 For fee or reward, play a musical instrument or sing.</p> <p><input type="checkbox"/> D5 Set up, operate or use loudspeaker or sound amplifying device.</p> <p><input type="checkbox"/> D6 Deliver a public address or hold a religious service or public meeting.</p> <p><b>E Public roads</b></p> <p><input type="checkbox"/> E1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.</p> <p><input type="checkbox"/> E2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.</p> <p><b>F Other activities</b></p> <p><input type="checkbox"/> F1 Operate a public car park.</p> <p><input type="checkbox"/> F2 Operate a caravan park or camping ground.</p> <p><input type="checkbox"/> F3 Operate a manufactured home estate.</p> <p><input type="checkbox"/> F4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance</p> <p><input type="checkbox"/> F5 Install or operate amusement devices (within the mean of the Construction Safety Act 1912).</p> <p><input type="checkbox"/> F6 Use a standing vehicle or any article for the purpose of selling any article in a public place.</p> <p><input type="checkbox"/> F7 Carry out an activity prescribed by the regulations or an activity of a class or description by the regulations.</p> <p><b>Note:</b></p> <p>* <i>Private</i> means work/infrastructure that will be the responsibility of landowners, usually all development from the water meter or sewer tapping point, back to the dwelling/building.</p> <p>* <i>Public</i> means work/infrastructure that will be handed over for the responsibility of Council, eg. Council mains work/extensions etc.</p>

→ the proposal is a duplicate of the existing house system.

REQUIRED ATTACHMENTS
<input checked="" type="checkbox"/> 1 copy of the relevant Council checklist/s applying to the proposed development
<input checked="" type="checkbox"/> All plans/reports/documentation required by the above checklist.
<input type="checkbox"/> 1 copy of directional map/details to the site for remote rural properties.

POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT [Sec 147(4) EP&A Act]
Have you or any person with a financial interest in this development application made a political donation or gift within the last 2 years?
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – please complete and attach a Political Donations and Gifts Disclosure Statement (available from Council's website)
Applicants Signature <span style="float: right;">Name <span style="float: right;">Date</span></span>
<span style="float: right;"> <span style="float: right;">1.4.2019</span></span>

CONSENT OF ALL OWNERS
All owners must sign this application form or provide written authority for the lodgement of the application. Note: Company Ownership In the case of a company ownership, in accordance in s127 of the Corporations Act 2001, please state in the signature/name area the authority of each signatory (Director/Secretary etc) (eg as Director of ABC Holdings Pty Ltd) OR attach further documentation as required. <input type="checkbox"/> Owners consent attached OR ↓
As the owner/s of the above property described in this application I/we consent to its lodgement. I/we hereby permit any duly authorised officer of Snowy Monaro Regional Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration the Act(s), Regulations, or Planning Instruments. We advise that as landowners we are not aware of any known hazards that may be of harm to officers visiting the site.
Signature <span style="float: right;">Name <span style="float: right;">Date</span></span>
<span style="float: right;"> <span style="float: right;">1.4.2019</span></span>
Signature <span style="float: right;">Name <span style="float: right;">Date</span></span>
<span style="float: right;"> <span style="float: right;">Date</span></span>

DECLARATION AND SIGNATURE OF APPLICANT
I/we the undersigned hereby apply for approval of the development proposal as described and as per the plans and specifications and documents accompanying the Application. I/we undertake to develop in accordance with any approval granted by Council and conform with the provisions of the relevant Act(s), Regulations, codes and the Local Environmental Plan. I/we further undertake to pay any fee or charge assessed by Council in connection with development and indemnify Snowy Monaro Regional Council against all claims arising from negligence (or otherwise) resulting from work carried out in connection with the development within the road reserve.
Signature <span style="float: right;">Name <span style="float: right;">Date</span></span>
<span style="float: right;"> <span style="float: right;">1.4.2019</span></span>
Signature <span style="float: right;">Name <span style="float: right;">Date</span></span>
<span style="float: right;"> <span style="float: right;">Date</span></span>

SITE WORKS MUST NOT COMMENCE WITHOUT COUNCIL APPROVAL
Construction materials purchased/work done/arrangements made prior to consent are at the owner/applicants' risk.

\* Designated Developments are listed in Schedule 3 of the Environmental Planning and Assessment Regulations 2000. Special procedures apply to the notification and assessment of Designated Development under the Act)

◇ Development that requires Concurrence is listed in 79B of the Environmental Planning and Assessment Act 1979

◇ biodiversity compliant development means:

- (a) development proposed to be carried out on biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995, or
- (b) development in respect of which a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995, or
- (c) development to which the biodiversity certification conferred by Part 7 of Schedule 7 to the Threatened Species Conservation Act 1995 applies, or
- (d) development for which development consent is required under a biodiversity certified EPI (within the meaning of Part 8 of Schedule 7 to the Threatened Species Conservation Act 1995).



8 February 2019

Mr Peter Bascomb  
General Manager  
Snowy Monaro Regional Council  
BY EMAIL: council@snowymonaro.nsw.gov.au

**DEVELOPMENT APPLICATION 10.2016.543 – LOT 101 DP 1183622, YALLAKOOL ROAD, COOMA – 62 LOT SUBDIVISION**

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Dear Sir,

I refer to a phone discussion on Wednesday 6 February 2019 between Roads and Maritime Services' Southern Regional Director Sam Knight, yourself and myself, regarding the subject development application and the intersection of the Monaro Highway and Yallakool Road.

Roads and Maritime's position to date was formed on the basis the developers traffic study proposed an intersection upgrade at the intersection of the Monaro Highway and Yallakool Road. Road and Maritime maintains from a technical perspective the developer's analysis was appropriate and that an intersection upgrade was required to comply with Austroads guidelines.

As you are aware the current intersection does not comply with Austroads guidelines. There are many intersections on the network which do not meet the relevant standard based on current traffic volumes. As you would appreciate, there are limited funds available to development and implement improvements/upgrades and Roads and Maritime needs to prioritise its funds to address the intersections which are performing the worst. As the current intersection of the Monaro Highway and Yallakool Road does not have a significant crash history and is not performing poorly in terms of efficiency it would not attract Government funding for an upgrade.

While the existing development would increase turn movements at the intersection and, without an upgrade, potentially increase the risk of a crash occurring, Roads and Maritime considers it is a matter for Council to determine if it is (or is not) reasonable to require the developer to provide an upgrade.

If the developer were to submit a Section 4.55 modification application to remove this condition of consent, RMS advice would be consistent with the above. That is, it is a matter for Council to determine if it is (or is not) reasonable to require the developer to provide an upgrade.

rms.nsw.gov.au

1

If you have any questions please call me on 4221 2570.

Yours faithfully



Chris Millet  
A/Senior Manager Regional Customer Services  
Southern Region



Enquiries Tim Pepperell  
Our Ref 3140387



28 February 2019

Mr Tony Papalia  
Bottomline P/L

[REDACTED]

Mr Patrick Fitzsimmons  
Vision Town Planning  
[patrick@visiontpc.com.au](mailto:patrick@visiontpc.com.au)

Dear Mr Papalia and Mr Fitzsimmons,

As you may be aware, Council had sought funding from the NSW Roads Minister to assist with the upgrading of the Yallakool Road/Monaro Highway intersection. The intersection upgrade is required by the conditions of consent for your 62 lot subdivision application.

While no funding has been offered, discussions have ensued with Senior representatives from Roads and Maritime Services (RMS) regarding their position and previous advice regarding the intersection.

I am aware that following a previous application to remove the condition requiring the intersection to be upgraded, RMS clearly advised that they did not support the request to remove the condition. During recent discussions with RMS their position seemed to alter from that provided previously. I requested a formal acknowledgement of that change of position.

The attached letter from RMS outlines their present position, being that if a further application to modify the DA was made, they would advise that while the intersection was not to current Austroads standard, that they would advise that it would be up to Council to determine whether or not it was reasonable to require the applicant to upgrade the intersection.

A formal application to modify the consent would be required to enable that process to commence. A copy of the application form is available on Council's website:  
<https://www.snowymonaro.nsw.gov.au/DocumentCenter/View/4051>

SNOWY MONARO REGIONAL COUNCIL

I cannot pre-empt what the Council may determine but I assume it would consider any potential risk involved if it were to agree to delete the requirement to upgrade the intersection.

If you wish to lodge an application to modify the consent, please contact Mr Tim Pepperell in the Cooma office on 6455 1914.

Yours faithfully



Peter Bascomb  
General Manager



Enquiries Mark Adams  
Service Planning – Cooma Office  
Our Ref 10.2016.543.2  
Your Ref



## Notice of Determination of an Application to Modify a Development Consent

Issued under the *Environmental Planning and Assessment Act 1979* (the 'Act')

<b>Application Number</b>	<b>10.2016.543.2</b> Original Development Application Number: 10.2016.543.1
<b>Property Description</b>	<b>Yallakool Road COOMA 2630</b> <b>Lot: 101 DP: 1183622</b>
<b>Development Description</b>	<b>62 lot subdivision (Stage Development)</b>
<b>Modification Description</b>	<b>Applied for:</b> Stage development (3 stages) Delete condition 32 Accept land and capital works in lieu of payment of Section 94 contributions <b>Determined:</b> Stage development (3 stages) Amend condition 32 Accept capital works only in lieu of payment of Section 94 contributions subject to certain requirements

### Determination

Pursuant to Section 96 of the Act

Notice is hereby given of the determination by Snowy Monaro Regional Council of Development Application 10.2016.543.2 relating to the land described above.

The Modification has been **APPROVED** subject to the Conditions specified in this Notice.

Authority:	Council (Meeting date 26 July 2017)
Modification Determination Date:	<u>14/08/2017</u>
Original Determination Date:	23/06/2016
Consent to Operate from:	23/06/2016
Consent will Lapse on:	23/06/2021

### Integrated Approval Bodies

Pursuant to Section 93 of the Act

The development application proposal was not Integrated Development. INT. 50

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Conditions

General

- 1) The development being carried out in accordance with the approved documents/plans listed in the Schedule below and development application except where amended by the conditions of this Consent as set out in the following conditions or by any subsequently approved Section 96 modification.

Document/Plan Schedule	Ref	Description	Prepared/Drawn By	Received
	GV 1	General view	RA Griffiths – Consulting Land and Engineering Surveyor	28/01/2016
	LD 1	Lot dimensions	RA Griffiths – Consulting Land and Engineering Surveyor	28/01/2016
	LS 1	General view – Landscape and Planting	RA Griffiths – Consulting Land and Engineering Surveyor	28/01/2016
	FF 1	General view – Flora and Fauna	RA Griffiths – Consulting Land and Engineering Surveyor	28/01/2016
	RD 1	General view – Access Roads, Lot and Easement Layout, Concept Water Supply, Sewer and Stormwater Reticulation	RA Griffiths – Consulting Land and Engineering Surveyor	28/01/2016
		Utility Services Concept Plan		28/01/2016
	ST 1	Staging Plan	RA Griffiths – Consulting Land and Engineering Surveyor	18/05/2017

*Reason:* Requirement that the development is completed in accordance with Council's consent. [Page 131](#)

- 2) No water supply service shall traverse or encroach onto any lot to service another.  
*Reason:* Services to remain wholly within lot it services. [Page 132](#)
- 3) An easement for 3m in favour of Council is to be created under Section 88B of the *Conveyancing Act 1919* to burden the lots identified as being encumbered by Wastewater mains as indicated on the approved/submitted plans for the development. Space is to be provided within the Instrument for Council's General Manager to sign.  
*Reason:* To ensure Council has legal and unrestricted access to its Wastewater Drainage infrastructure. [Page 133](#)
- 4) An application under Section 68 of the *Local Government Act 1993* is to be lodged with Council for the required water supply / sewerage supply works. No works are to commence until the Section 68 application is approved.  
*Reason:* In accordance with the *Local Government Act 1993*. [Page 134](#)
- 5) No lots (other than lot 65) within the subdivision are to be less than 1800m<sup>2</sup> in area.  
*Reason:* To comply with clause 4.1 of *Cooma-Monaro Local Environmental Plan 2013*.
- 6) This consent is for subdivision and associated works only and does not authorise or unauthorise any built structures on the land which may also be shown on the approved plans.  
*Reason:* To avoid misinterpretations of the approved plans.
- 7) An application for a Subdivision Certificate is to be lodged with Council at the time of lodgement of the linen plans as required under Part 4A of the *Environmental Planning and Assessment Act, 1979*. The fee for the Subdivision Certificate application is currently \$155 for each lot on the plan and is payable upon lodgement of the application with Council. Note: The amount to be paid will be in accordance with Council's Fees and Charges at the time of actual payment. Fees may rise at the commencement of each new financial year on 1 July.  
*Reason:* In accordance with the *Environmental Planning and Assessment Act, 1979*.
- 8) A restriction to user is to be created under Section 88B of the *Conveyancing Act 1919* to apply to the part of lots 25, 26, 28, 29, 30 and 31 shown on the approved plans (General View – Flora and Fauna

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plan). The restriction to user is to prevent the following activities within the area it covers:

- The removal or relocation of bushrocks;
- Ploughing of the area, application of fertilisers or any other such means of tilling or improving the soil;
- The erection of any buildings, structures or tanks;
- The construction of any solid fences within or around the edge of the restriction area
- The planting of trees or shrubs
- The grazing of livestock
- The storage of any sort of material or goods
- The redirection of water and runoff towards or away from the restriction area.

Council is to be empowered as the only authority able to release, vary or modify the restriction to use.

*Reason:* To prevent impacts from the subdivision upon the Natural Temperate Grassland and Hoary Sunray (*Leucochrysum albicans*) present on the site and provide on-going long term protection for these threatened species.

- 9) Lot 66 on the approved plans (Lot 64 on the staging plan) is to be dedicated to Council as Open Space (as part of the registration process of the subdivision). This lot is to be dedicated as part of stage 3 of the subdivision by default, but may be dedicated at any stage in the subdivision if agreed in writing between Council and the developer.

*Reason:* To provide a linkage for the public between the subdivision and Snowy Oval.

- 10) Lot 65 on the approved plans is to be dedicated to Council as a public laneway (as part of the registration process of the subdivision).

*Reason:* To provide a linkage for the public between the subdivision and Snowy Oval.

- 11) Lot 67 on the approved plans (Lot 63 on the staging plan) is to be dedicated to Council as a public road (as part of the registration process of the subdivision). Council only requires as a minimum at each stage of the subdivision the dedication of that part of the road shown on the staging plan as within that stage of the subdivision.

*Reason:* To make this lot a public road owned by Council.

- 12) An easement is to be created under Section 88B of the Conveyancing Act 1919 for stormwater drainage. The easement is to burden lot/s through which stormwater infrastructure is to be located, including open channels and be in favour of Snowy Monaro Regional Council or the local government entity in existence at the time of lodgement of the instrument. Council is to be empowered as the only authority able to vary, modify or remove the easement. Space is to be provided on the 88B Instrument for Council's General Manager to sign.

*Reason:* To provide Council legal access to infrastructure and to provide adequate stormwater drainage for the approved/impacted lots.

### Design Changes

- 13) The following pairs of lots on the approved plans are each to be consolidated into a single allotment:
- Lots 24 & 63
  - Lots 54 & 64

The consolidated lots are to be shown on the plans for the Subdivision Certificate.

*Reason:* Land within the Transgrid easement (lots 63 & 64) cannot be dedicated as public open space as this is not supported by Transgrid or Council.

- 14) The boundary between Lots 41 and 42 on the approved plans is to be adjusted such that the area of lot 42 is increased to at least 1800m<sup>2</sup>. The adjusted boundary is to be shown on the plans for the Subdivision Certificate.

*Reason:* Lot 42 must be increased in size to at least 1800m<sup>2</sup> to comply with clause 4.1 of Cooma-Monaro Local Environmental Plan 2013.

- 15) The drainage easement on the approved plans shown on lots 54 and 57 is to be extended as required across Lot 64.

*Reason:* To ensure stormwater can legally drain across lot 64.

- 16) The boundary between Lot 52 and 54 on the approved plans is to be adjusted in the north east corner of Lot 52 such that the drainage easement is entirely located on Lot 54.

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*Reason:* To provide for the easement entirely within lot 54 and reduce the potential for fencing or other obstructions to be placed in the easement.

- 17) The drainage easement on Lot 59 on the approved plans is to be extended through Lot 60 to the new road. The easement is to be in favour of Council.

*Reason:* To permit stormwater from the road reserve to be drained across lot 60 and into the easement shown on the approved plans.

- 18) The existing stockyard on site is to be allocated to Lot 46 or Lot 47 and is not to form part of the Yallakool Road reserve.

*Reason:* This asset is not required by Council.

- 19) The internal road hierarchy within the subdivision shall be modified in consultation with Council's Engineer to provide for the loop road to be the feeder road. The loop road shall be designed as the through road with all other internal roads to be tee intersections off the feeder road. The loop road should be described as Road 1 on the design plans and the three cul-de-sac roads shall be described as Roads 2, 3 and 4 respectively. The developer may include threshold treatments in the design to designate the entry to each of the cul-de-sac roads.

*Reason:* In accordance with Cooma-Monaro Shire Council Development Control Plan 2014.

### Design Related Conditions

- 20) The minimum internal diameter, class and material of pipe used in the construction of the water reticulation system shall be 100mm PN12 mPVC.

The minimum water service pipe size, class and material (watermain to meter) is to be 20mm Type 'A' copper.

The minimum water meter size to service an individual property is to be 20mm.

*Reason:* Requirement of the *CMSC Water Supply Development Standard*.

### Required Works

- 21) Each lot created shall be provided with a metered water supply service connection in accordance with *Cooma-Monaro Shire Council Water Supply Development Standard*. A meter is only required to be installed in each stage for the lots to be released in that stage.

*Reason:* Development to be provided with an adequate water supply service in accordance with Council's Policy and Regulations.

- 22) The Council water main shall be extended to service the development in accordance with *Cooma-Monaro Shire Council Water Supply Development Standard*. Any water supply infrastructure to be inherited by Council and constructed across a residue lot in stages 1 or 2 must be protected by a 3m easement until such time as the infrastructure is located within a public road or reserve at the completion of further stages.

*Reason:* Development to be provided with an adequate water supply service.

- 23) A wastewater drainage service is to be provided for the development, in accordance with *Cooma-Monaro Shire Council Wastewater Development Standard*. Any wastewater supply infrastructure to be inherited by Council and constructed across a residue lot in stages 1 or 2 must be protected by a 3m easement until such time as the infrastructure is located within a public road or reserve at the completion of further stages.

*Reason:* Development shall be provided with adequate means to dispose of wastewater (sewage).

- 24) Each lot created (other than Lot 65, 66 or 67) shall be provided with a separate 150mm diameter service connection in accordance with *Cooma-Monaro Shire Council Wastewater Development Standard*. The service connection only needs to be provided in each stage for lots being released in that stage of the subdivision

*Reason:* Development to be provided with adequate means to dispose of wastewater (sewage).

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- 25) The Council's wastewater drainage system is to be extended to service the proposed development. Works are to be designed and carried out in accordance with *Cooma-Monaro Shire Council Wastewater Development Standard*. Any wastewater supply infrastructure to be inherited by Council and constructed across a residue lot in stages 1 or 2 must be protected by a 3m easement until such time as the infrastructure is located within a public road or reserve at the completion of further stages.  
*Reason:* Development to be provided with adequate means to dispose of wastewater (sewage).
- 26) The existing 11kV overhead powerline across Lots 24-37 and Lot 65 is to be removed prior to the release of the Subdivision Certificate for stage 2. All power supply lines within the subdivision (other than on Lot 66 unless required by Essential Energy) are to be underground within the new public road reserves.  
*Reason:* To comply with clause 4.1.8.2 of *Development Control Plan 2014* and requirement of Essential Energy.
- 27) The existing stock shelter shed on Lot 47 is to be demolished and removed from the site prior to release of the Subdivision Certificate for stage 3. The stock yard also located on this lot may remain or be removed at the discretion of the applicant.  
*Reason:* Lot 47 will be constrained by a large easement for stormwater and the shed occupies the likely house site on this lot. It is also located at the entrance to the subdivision and will not be suited aesthetically to the new streetscape.
- 28) The proponent shall prepare a site management plan for Lot 66. The plan shall include the design and construction of a combined cycleway/shareway of concrete construction along the full length of the water course designed to ultimately link Snowy Oval to the cul-de-sac at the north west end of the site. The cycleway/shareway shall further be extended along proposed Lot 65 linking the internal access road with the cycleway/shareway at the unnamed waterway. The combined cycleway/shareway shall be designed in accord with the relevant Australian Standard and constructed at the expense of the applicant, but construction is not to commence until the site management plan has received written endorsement from Council and TransGrid. This must be completed prior to the release of the Subdivision Certificate for stage 3.  
*Note:* Design of the cycleway/walkway will require further consultation with TransGrid and Council. TransGrid have advised that any such path should not be constructed directly underneath the Transmission lines and should maintain a 17m horizontal clearance from the centreline of the catenaries. It is obviously noted that the path will be required to cross underneath the transmission lines at some point, but these crossing points should be minimised in length.  
*Reason:* To provide a public thoroughfare connecting the subdivision with Snowy Oval and in accordance with Cooma-Monaro Shire Council Development Control Plan 2014.
- 29) All proposed new public roads within the subdivision are to be constructed for each stage as per the approved staging plan and provided with street trees planted at the rate of 1 per 30 metres of road frontage.  
*Reason:* In accordance with the provisions of clause 4.1.6 of *DCP 2014*.
- 30) Each lot (other than Lots 65 and 66) shall be provided with a separate water meter in accordance with the *Cooma-Monaro Shire Council Water Supply Development Standard*. A meter is only required to be installed in each stage for the lots to be released in that stage.  
*Reason:* Development to be provided with an adequate water supply service.
- 31) The applicant shall supply and plant within the road reserve street trees in the position shown on the approved Construction Certificate plans for each stage. The applicant shall also:  
a) fertilise and water the tree for one year from the date of planting;  
b) replace any dead trees.  
*Note:* Street trees are to be spaced 8 metres apart.  
*Reason:* In accordance with *Cooma-Monaro Development Control Plan 2014*.
- 32) Prior to the release of the Subdivision Certificate for stage 2, the developer must upgrade the junction of Yallakool Road and the Monaro Highway to be an Auxiliary Left-turn Treatment (AUL) together with a Channelised Right-turn Treatment - Short Turn Lane [CHR(S)] in accordance with Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections.

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Where required, the developer must also upgrade/provide lighting in accordance with Australian Standard AS/NZS 1158.

All roadworks, traffic control facilities and other works associated with this development, including any modifications required to meet RMS standards, will be at no cost to RMS. All works must be completed prior to issue of the Subdivision Certificate.

*Reason:* Requirement of Roads and Maritime Services.

- 33) Street lighting is to be installed in accordance with AS 1158 – *Street lighting* at the intersections of the new roads with Yallakool Road and the intersection of Yallakool Road and Yallakool Lane. The development is also to make provision for the future installation of street lighting throughout the subdivision by the installation of underground conduits as part of the subdivision works.

*Reason:* To ensure new intersections have adequate lighting for safety reasons and that provision is made within the subdivision now for the future installation of street lights throughout the subdivision.

- 34) Roads within the subdivision are to be designed and constructed in accordance with the following design standards shown in *Appendix 5 of Development Control Plan 2014*:

- Internal loop road – Category 5
- Long cul-de-sac ending at Lot 58 – Category 4
- Two short cul-de-sacs – Category 3
- Yallakool Lane – Category 3

*Reason:* Requirement of *Development Control Plan 2014* and to specify the road construction standards for the development.

- 35) Prior to release of the Subdivision Certificate for stage 1, the developer shall construct that section of Yallakool Lane from Yallakool Road, including the intersection, for the full length of the site boundary and in accord with Council's Specification for Engineering Works. A turning circle shall be provided at the end of the newly constructed laneway and the road closed off by installation of bollards and a rangers gate for maintenance access. A vehicular footpath crossing shall be constructed to service the rangers gate.

*Note:* The intent of this condition is to restrict through road access along Yallakool Lane to the intersection with Monaro Highway.

*Reason:* In accordance with *Cooma-Monaro Shire Council Development Control Plan 2014*.

- 36) Arrangements are to be made for the provision of underground electricity, telephone services and street lighting for the development. The developer may choose to install gas reticulation.

Construction standards are to be as follows:

- Facilities to be placed within the footpath verge in accordance with the services alignments described in Council's Specification for Engineering Works.
- Provision of street lighting shall comply with the provisions of Austroads Guide to Traffic Engineering Practice Part 12 Roadway Lighting and AS 1158.1 – Public Lighting Code.
- Provision of other services in accord with the relevant standards if not otherwise prescribed in Council's Specifications.

*Reason:* To provide adequate services to all lots at acceptable standards.

- 37) Guide posts and delineators, traffic warning and guideposts shall be provided on the public road carriageway in accordance with the requirements of DCP 2014.

*Reason:* In accordance with *Cooma-Monaro Shire Council Development Control Plan 2014*.

- 38) The applicant shall nominate, in writing to Council, the preferred name/s for the proposed new public road/s for approval by Council. Road name signs bearing the approved names shall be erected in accordance with the requirements of Council's Development Control Plan 2014.

*Reason:* In accordance with *Cooma-Monaro Shire Council Development Control Plan 2014*.

- 39) The intersection/s of the proposed access road/s with the public road (Yallakool Road) and the intersection of Yallakool Road and Yallakool Lane shall be designed and constructed as a TYPE BAL/BAR intersection in accordance with Austroads Standard, 'Guide to Traffic Engineering Practice, Part 5 - Intersections at Grade'.

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Construction standards to be as follows:

- a) Proposed corner lots adjacent to the intersection shall be provided with minimum splay corners of 6 metres by 6 metres. Land comprising the cut-off corners shall form/be dedicated as part of the public/access road reserve.
- b) A two coat hot bitumen seal, provided in accordance with the requirements of Council's Specification for Engineering Works, for the full pavement width including tapers, splays and widening. The seal shall extend from the edge of the existing seal to at least the alignment of the road reserve boundary of the through/existing sealed road.
- c) The provision of taper flares to accommodate left turn vehicles to and from the intersecting road.
- d) Intersections of the new roads with Yallakool Road shall provide for a 15 metre radius turning movement for a design 19m semi-trailer.

Reason: In accordance with Cooma-Monaro Shire Council Development Control Plan 2014 and Specification for Engineering Works.

- 40) A vehicular entrance/s is to be constructed from the road carriageway to all lots in the subdivision, for each stage, and shall be shown on the plans submitted for the issue of a Construction Certificate.

Construction standards are to be as follows:

- a) An all weather, compacted gravel pavement of not less than 100 mm thickness.
- b) Provision of a reinforced concrete pipe culvert across the table drain, of not less than 375 mm diameter or an alternative structure complying with the requirements of Council's Specification for Engineering Works.
- c) Provision of reinforced concrete or mortared rock headwalls on the culvert.
- d) Any culvert shall be located such that the culvert structure is at least 2.5 metres from the edge of pavement in accordance with Roads and Traffic Authority 'Road Design Guide - Section 3 Clear Zone'.
- e) The access, including culvert and headwalls, shall be designed to provide at least a 6 metre radius to the edge of pavement for turning vehicles.
- f) Any gate constructed at the allotment access shall be located at least 15 metres from the edge of pavement.
- g) Complying with Standard Drawing B 238.
- h) Vehicular entrances shall be sealed to a minimum of 15 metres from the edge of the traffic lane.
- i) Vehicular entrances shall be located so as to provide the required sight distance in each direction along the road carriageway, when measured 3 metres back from the edge of the road carriageway, in accordance with Austroads Guide to Traffic Engineering Practice Part 5 – Intersections at Grade.
- j) The longitudinal gradient of the vehicular access located on the low side of the road carriageway shall not exceed 3% for a minimum distance of 10 metres measured from the edge of the road carriageway.

Reason: In accordance with Cooma-Monaro Shire Council Development Control Plan 2014 and Specification for Engineering Works.

- 41) Stormwater drainage to ensure the proper drainage of all roads and drainage lines shall be constructed in accordance with the requirements of Council's Specification for Engineering Works.

Construction standards are to be as follows:

- a) Culverts shall be reinforced concrete of not less than 450 mm diameter and such greater diameter as determined by design
- b) Culverts shall extend the full width of the road formation and shall be provided with reinforced concrete or mortared rock headwalls.

Reason: In accordance with Cooma-Monaro Shire Council Development Control Plan 2014 and Specification for Engineering Works. R\_8\_01

- 42) Inter-allotment drainage shall be constructed across the relevant Lot/s on the approved plans in accordance with the requirements of Council's Specification for Engineering Works and in compliance with the requirements of Transgrid for structures within electricity easements.

Reason: To provide adequate stormwater drainage for residential lots.

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**Conditions to be met prior to commencement of work**

- 43) RMS will be exercising its powers under Section 64 of the Roads Act, 1993 to become the roads authority for works on the Monaro Highway. Given this, Section 138 consent under the Roads Act, 1993 must be obtained from the RMS prior to construction.

Note: It is requested that Council advise the applicant that conditions of development consent do not guarantee RMS final consent to the specific road work, traffic control facilities and other structures and works on the classified road network. In this regard, prior to undertaking any such work, the applicant is required to submit detailed design plans and all relevant additional information prior to commencing work on the State road network. The developer will need to pay all RMS fees and charges associated with works. In the first instance, to progress the post consent process, the applicant should email the conditions of development consent to: [WAD.southern@rms.nsw.gov.au](mailto:WAD.southern@rms.nsw.gov.au).

*Reason:* Requirement of the Roads and Maritime Services.

- 44) An Aboriginal Heritage Management Plan (AHMP) must be prepared by a qualified archaeologist, in conjunction with OEH prior to commencement of any development activities. The AHMP must include, but not be limited to:
- Detail on the procedures to be followed if Aboriginal objects are found at any stage during the life of the development works and allow for the formulation of appropriate measures to manage any unforeseen impacts to Aboriginal heritage values;
  - Specifically detail the procedures to be followed if any Aboriginal skeletal material is uncovered during the development works and allow for the development of appropriate measures to manage this material;
  - An outline of the process that will be followed for consultation with Aboriginal stakeholders and OEH, where required; and
  - An outline of the process for how the AHMP procedures will be managed and adhered to during the operational life of the development activities..

*Reason:* Requirement of the Office of Environment and Heritage.

- 45) All site workers and contractors are to be provided with induction training on the identification of Aboriginal objects, Aboriginal cultural awareness and procedures that must be followed in the event of discovery of Aboriginal objects.

OEH reminds the proponent that it is an offence to do any of the following without an exemption or defence (penalties apply):

- knowingly harm or desecrate an Aboriginal object (the 'knowing' offence)
- harm or desecrate an Aboriginal object or Aboriginal place (the 'strict liability' offence)

Accordingly, no harm can occur to any Aboriginal objects unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by the Office of Environment and Heritage (OEH).

*Reason:* Requirement of the Office of Environment and Heritage.

- 46) The applicant shall obtain a Section 138 (Roads Act 1993) consent from Council for the following works within the public road reserve:
- a) Vehicular footpath crossings
  - b) Construction of new vehicular entrance point/s for Lot/s accessing Yallakool Road and Yallakool Lane
  - c) Intersection construction works on the local road network, including provision of street lighting at the new intersections with Yallakool Road
  - d) Roadworks on Yallakool Road and Yallakool Lane
  - e) Signage installation works
  - f) Water Supply and Sewerage works within the Road Reserve
  - g) Any other works within the Public Road Reserve

The applicant shall make application to Council for approval under Section 138 of the Roads Act 1993 using the Application for Works within a Road Reserve form. All works shall be in accordance with Cooma-Monaro Shire Council Development Control Plan 2014, Specification for Engineering Works and Conditions of this Consent.

The Section 138 approval must be sought prior to commencement of the works.

All works shall be carried out in accordance with the Section 138 Approval.

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Reason: In accordance with Roads Act 1993.

**Conditions to be met prior to release of Construction Certificate**

- 47) An application under S68 of the Local Government Act 1993 containing engineering design, plans and specifications for the water main extension prepared in accordance with *Cooma-Monaro Shire Council Water Supply Development Standard* shall be submitted to and approved by Council's Director of Engineering Services prior to the issue of the Construction Certificate for stage 1.

Reason: To ensure the proposed new infrastructure conforms to Council standards.

- 48) An application under S68 of the Local Government Act 1993 containing engineering design, plans and specifications for the new wastewater drainage main prepared in accordance with *Cooma-Monaro Shire Council Wastewater Development Standard* shall be submitted to and approved by Council prior to issue of the Construction Certificate for stage 1.

Reason: To ensure the proposed new infrastructure conforms to Council standards.

- 49) Prior to the issuing of the construction certificate, the developer must enter into a Works Authorisation Deed (WAD) with the RMS for all works on the Monaro Highway.

Reason: Requirement of Roads and Maritime Services.

- 50) All pavement design on the State road network must be in accordance with Austroads standards. It should be noted that pavement investigations need to consider the suitability of the existing shoulder to accommodate new loadings and if necessary, the developer must upgrade the existing shoulder.

Reason: Requirement of Roads and Maritime Services.

- 51) Any new services or modifications to existing services associated with this development application that involve works on, over or under the Monaro Highway (as defined the area from kerb to kerb) must be incorporated into, and managed under, the Works Authorisation Deed for the project.

Note: It is the developer's responsibility to identify these works to RMS project manager.

Reason: Requirement of Roads and Maritime Services.

- 52) An application for a Construction Certificate is to be submitted to Council for approval for works required by this consent, as relevant to each stage shown on the approved staging plan.

The work includes:

Road Works

- Engineering designs, plans and specifications for the construction/upgrading of the proposed/existing public road/s, prepared in accordance with the requirements of Council's Specification for Engineering Works and including the requisite design for adequate site distances for intersection design, road sealing works and any conditions included in this consent. This includes all new roads within the subdivision site, vehicular footpath crossings to newly created lots plus upgrades to Yallakool Road and Yallakool Lane.
- Soil and water management proposals during construction
- Signage design details including street names, guide signs and warning signs.
- Bus pullover bays (2 required) for future school bus routes including design allowance for a bus shelter at each site designed in accord with the Australian Standards for accessible bus stop facilities in consultation with Council and the bus operator (it is NOT a requirement to construct the bus shelters – simply to make provision in the designs for the pullover area)
- Cycle Path and access within the proposed public reserve.
- The provision of underground electricity and telephone services in accordance with the requirements of the relevant authorities
- The provision of gas reticulation if the developer determines to proceed with this service.
- Road pavement investigations, testing and design for public roads to be bitumen sealed shall be undertaken in accordance with the requirements of Council's Specification for Engineering Works
- A copy of test results of proposed road pavement materials by an approved laboratory, for compliance with the requirements of Council's Specification for Engineering Works

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- Sample of the tested material
- Drainage
- Engineering design plans and specifications of the intersection treatment, prepared in accordance with the requirements of Council's Specification for Engineering Works.
  - Drainage design for the subdivision shall include inter-allotment drainage, an assessment of downstream runoff effects and the capacity of downstream channels. Measures designed to mitigate downstream effects shall be provided on the design plans including the construction of energy dissipation structures and pollutant traps prior to discharge to the receiving waterway.
  - Stormwater drainage - Hydrological and hydraulic design calculations shall be provided for all stormwater design including a statement of the stormwater design philosophy for the subdivision.
  - Street Lighting in accordance with Australian Standard AS/NZS1158 for the subdivision at the local road intersections.

**Note:** A single construction certificate may be issued for all the works specified above, or alternatively a series of separate construction certificates may be issued for particular parts of the specified works only.

**Reason:** In accordance with Cooma-Monaro Shire Council Development Control Plan 2014 and Specification for Engineering Works.

- 53) The applicant shall apply to Council for property addressing of all lots within the subdivision and shall pay the current fee for issue of a rural address number/s. The application and fee shall be paid prior to issue of the Construction Certificate.

**Reason:** To allow identification of rural properties.

#### Conditions to be met during Construction

- 54) Council's existing water supply infrastructure including rising mains, trunk and reticulation pipelines which are exposed, accidentally or deliberately during construction shall be protected from damage. Council must be informed (Water & Wastewater Manager – 6455 1821) immediately of any damage occasioned to any Council infrastructure. The damage shall be repaired/reinstated to new condition at the applicant's expense following consultation with Council.  
**Note:** Repair work may require a Section 68 Application for water supply works under the *Local Government Act 1993*.  
**Reason:** Applicant responsible for any damage occurred to Council infrastructure while constructing development.
- 55) Council's existing wastewater infrastructure including rising mains, trunk, drainage pipelines and access chambers (SMH) which are exposed, accidentally or deliberately during construction shall be protected from damage. Council must be informed (Water & Wastewater Manager – 6455 1821) immediately of any damage occasioned to any Council infrastructure. The damage shall be repaired/reinstated to new condition at the applicant's expense following consultation with Council.  
**Note:** Repair work may require a Section 68 Application for sewerage works under the *Local Government Act 1993*.  
**Reason:** Applicant responsible for any damage occurred to Council infrastructure while constructing development.
- 56) Any infrastructure pipes crossing a Transgrid easement will need to be non-metallic (i.e. plastic / PVC) and the position placement of the pipes marked at ground level by plastic marker posts.  
**Note:** TransGrid uses 40 tonne mobile plant and equipment to undertake maintenance of its transmission lines and towers, including cranes and elevated work platforms, therefore any subterranean infrastructure must be designed to withstand the weight of such mobile plant passing over it, as TransGrid will not be responsible for any damage arising from use of its transmission easement in this regard.  
**Reason:** Requirement of Transgrid to protect electricity infrastructure on the site and ensure public safety.

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- 57) Any excavation must be at least 30 metres away from any transmission structure or guy.  
**Note:** TransGrid's transmission structures possess subterranean earthing straps that are hazardous if disturbed, especially under fault conditions.  
**Reason:** Requirement of Transgrid to protect electricity infrastructure on the site and ensure public safety.
- 58) Any underground services installed will need to be a minimum 30m away from any transmission structure.  
**Reason:** Requirement of Transgrid to protect electricity infrastructure on the site and ensure public safety.
- 59) Any development or construction work occurring within a TransGrid easement must be carried out in accordance with the 'TransGrid Easement Guidelines for Third Party Development' (**Guidelines**). No development may occur on TransGrid's easement without prior written consent of TransGrid. No building structures are permitted on the easement. Further, no fencing is permitted on the easement without TransGrid's prior written approval. Fencing and access gates proposed either in or immediately adjacent to the high voltage transmission line easement must be appropriately earthed and isolated, in accordance with the design specifics advised by TransGrid.  
**Note:** TransGrid's assessment has been undertaken on the basis that no aboveground structures are proposed on the easement [except for the plastic marker posts associated with subterranean pipe installations], therefore no structures are permitted on the easement as part of the development application.  
**Reason:** Requirement of Transgrid to protect electricity infrastructure on the site and ensure public safety.
- 60) All works are to be carried out in accordance with the NSW WorkCover 'Work Near Overhead Power Lines Code Of Practice 2006 (link shown below), and please also refer to TransGrid's Easement Guidelines For Third Party Development (V10) (**Guidelines**): <http://www.workcover.nsw.gov.au/health-and-safety/industry-safety/electrical-and-power/power-lines/publications/work-near-overhead-power-lines-code-of-practice-2006>  
**Reason:** Requirement of Transgrid to protect electricity infrastructure on the site and ensure public safety.
- 61) During construction erosion and sediment controls must be installed and maintained at all times.  
**Note:** Particular attention should be paid to preventing sediment entering the small watercourse on Lot 66.  
**Reason:** To prevent the movement of sediment from the site and into watercourses and drainage channels in the vicinity.
- 62) During construction appropriate measures must be employed at all times to minimise the generation of airborne dust from the development. Such measures may include, but are not limited to, the following:  
- Wetting of all new road surfaces whilst work is being undertaken;  
- Covering any temporary stockpiles of earth with suitable sheeting material;  
- Minimising work likely to generate dust on windy days;  
- Maintaining as much existing surface vegetation on the site as possible during construction works;  
- Cleaning up and/or securing areas of sediment movement and erosion created within the site during construction promptly.  
**Reason:** To minimise environmental impacts from the works on site.
- 63) The area on lots 25, 26 and 28-31 on the approved plans which will be subject to the restriction to user (upon registration of the subdivision plan) must be protected from disturbance at all times during construction works on the site.  
**Reason:** To protect threatened species located in this area.
- 64) All roadworks and traffic control facilities on the Monaro Highway must be undertaken by a pre-qualified contractor.  
A copy of pre-qualified contractors can be found on the RMS website at:  
<http://www.rta.nsw.gov.au/doingbusinesswithus/tenderscontracts/prequalifiedcontractors.html>  
**Reason:** Requirement of Roads and Maritime Services.

Snowy Monaro Regional Council

- 65) Adequate measures for erosion and sediment control shall be implemented prior to, during and following construction works. Such treatment shall include the revegetation of all disturbed areas.  
*Reason: In accordance with Council's Specification for Engineering Works.*

**Conditions to be met prior to release of Subdivision Certificate**

- 66) The following Works as Executed records, prepared in accordance with *Cooma-Monaro Shire Council Water Supply Development Standard* shall be submitted to Council prior to the final inspection of the completed works for each stage:  
(a) Works as Executed plans for the constructed works;  
(b) Certification from a registered surveyor that all pipes and manholes are wholly contained within the respective easements or reserves;  
Works-as-Executed (WAE) drawings for all constructed assets which are to revert to Council ownership or control are to be provided in electronic format as pdf files and dwg files. The WAE information shall include a schedule of all of the asset components and the unit rates of construction and for each class of asset.  
*Reason: To ensure the constructed works comply with the approved plans and specifications.*
- 67) The following Works as Executed records, prepared in accordance with *Cooma-Monaro Shire Council Wastewater Development Standard*, shall be submitted to Council prior to the final inspection of the works for each stage:  
(a) Works as Executed plans for the constructed works;  
(b) Certification from a registered surveyor that all pipes and manholes are wholly contained within the respective easements or reserves;  
Works-as-Executed (WAE) drawings for all constructed assets which are to revert to Council ownership or control are to be provided in electronic format as pdf files and dwg files. The WAE information shall include a schedule of all of the asset components and the unit rates of construction and for each class of asset.  
*Reason: To ensure the constructed works comply with the approved plans and specifications.*
- 68) An 88B Instrument is to be prepared for all proposed easements, restriction to user and for any utility services (eg gas, electricity, etc) on any lot which benefits another lot. Council is to be empowered as the only authority able to vary or extinguish the parts of the Instrument which burden or benefit the Council.  
*Reason: To ensure legal access for all lots to appropriate utility services.*
- 69) Prior to release of the Subdivision Certificate for each stage, a copy of a 'Notice of Arrangement for Electricity Supply to a new Subdivision' from an electricity service provider is to be provided for the approved development.  
Note: The Notice must indicate that satisfactory arrangements have been made to supply electricity to the approved lots. It must also specifically identify the approved development (preferably by the DA number on the consent) and not simply identify the site.  
*Reason: To confirm that an electricity supply is available for connection to future development on the approved lots in accordance with clause 4.1.8 of DCP 2014.*
- 70) Prior to release of the Subdivision Certificate for each stage, a copy of a 'Provisioning Confirmation' letter from the telephone service provider is to be provided to Council.  
Note: The Provisioning Confirmation must specifically identify the approved development (preferably by the DA number on the consent) and not simply identify the site.  
*Reason: To confirm that a telephone service is available for connection to future development on the approved lots in accordance with clause 4.1.8 of DCP 2014.*
- 71) Prior to release of the Subdivision Certificate for each stage, the applicant is to provide Council with a plan of the site showing the approximate location of all existing utility services (ie electricity, telephone, gas, water, sewer, stormwater) if any, on the lots. If there are no services on the site, a statement is to be provided in this regard.  
*Reason: To verify the location of these services and any easements subsequently required to be shown on the linen plans.*
- 72) All conditions identified as 'Required Works' (conditions 21-42) in this consent must be completed as

Snowy Monaro Regional Council

specified in that condition or relevant to each stage of the subdivision.

*Reason:* To ensure the development is completed prior to registration of the subdivision.

- 73) Written confirmation must be obtained from TransGrid confirming the construction works within the TransGrid easements have been completed satisfactorily.  
*Reason:* To protect electricity infrastructure on the site and ensure public safety.
- 74) All work for each stage specified in any Construction Certificate, Section 138 Roads Act approval or Section 68 Local Government Act approval applying to the development must be complete.  
*Reason:* To ensure the development is complete prior to registration.
- 75) An easement is to be created under Section 88B of the Conveyancing Act 1919 for stormwater drainage. The easement is to burden lot/s through which stormwater infrastructure is to be located, including open channels and be in favour of Snowy-Monaro Regional Council or the local government entity in existence at the time of lodgement of the instrument. Council is to be empowered as the only authority able to vary, modify or remove the easement. Space is to be provided on the 88B Instrument for Council's General Manager or Authorised Person to sign.  
*Reason:* To provide Council legal access to infrastructure and to provide adequate stormwater drainage for the approved/impacted lots.
- 76) For works which are to revert to Council's ownership and control, cash or other acceptable form of security, of not less than 10% of the cost of works undertaken in association with the consent, shall be lodged with Council for a period of six months to cover:
- maintenance or rectification works during this period
  - bitumen sealed sections of the access road
  - erosion and sediment control measures including revegetation of the site.
- The six month period commences from the date of issue of the Subdivision Certificate for the stage containing the relevant works. Any repairs required during or at the conclusion of the six month period will be funded from the bond.
- After this six month period, arrangement is to be made with Council's Engineer for inspection of the works. Council will refund any remaining amount of the bond following inspection.
- Reason:* In accordance with Cooma-Monaro Shire Council Development Control Plan 2014.

**Fees & Contributions**

- 77) A contribution under Section 94(1)(b) of the *Environmental Planning and Assessment Act 1979* shall be paid in accordance with the following:
- a) **Cash Contribution Required**  
In accordance with the *Cooma-Monaro Section 94 Contributions Plan*, a cash contribution shall be paid to Council in accordance with this condition.
  - b) **Amount and Purposes of Contribution**  
The amount payable will be reassessed at the time of payment in accordance with Council's adopted Fees and Charges at that time.  
The contribution is required and shall be held by Council in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979* and the *Cooma-Monaro Section 94 Contributions Plan* for the purposes of:

Description	Lots	\$/Lot	Total
Open Space	61	2,947.86	\$179,819.46
<b>TOTAL</b>			<b>\$179,819.46</b>

Note: Council's Section 94 Plan provides for a reduction in this amount in lieu of land dedicated as open space or new capital works providing a material public benefit. Council will not accept a deduction for land dedicated to Council in Lots 65 and 66 but will accept a reduction for new capital works on these lots subject to the submission and approval of a design plan as required by condition 28 and independent certification of the cost of the approved works by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors. Council will require the developer to enter into a written agreement for the provision of the works and once such agreement is made will only require payment of any

Snowy Monaro Regional Council

monetary contributions, if any, in accordance with that agreement. Works completed as part of the agreement will be taken as completion of this condition in part or in full as specified in the agreement. If no written agreement is reached, the developer will remain liable for the full amount of monetary contributions shown above.

c) **Timing of Payment**

Where a monetary contribution is required, the contribution shall be paid prior to release of the Subdivision Certificate for each stage as follows:

Stage 1: 30 lots

Stage 2: 14 lots

Stage 3: 17 lots

Total: 61 lots

d) **Inspection**

A copy of the *Cooma-Monaro Section 94 Contributions Plan* may be inspected at the offices of Council at any time during normal office hours.

*Reason:* In accordance with Section 94 of the *Environmental Planning and Assessment Act 1979* and Council's *Section 94 Contributions Plan*.

- 78) The applicant shall pay the current fee for issue of a rural address number/s. The fee shall be paid prior to issue of the Subdivision Certificate for each stage.

Note: The street numbers of the new lots are ideally indicated on the Subdivision Plan for registration. As such it is advisable that this fee be paid prior to engaging your surveyor to prepare the final plan for registration so that Council can advise of the new addresses for each lot for inclusion in the surveyors plan. Council can issue street numbers once the fee is paid and the location of the access points to the lots are known. These are to be included on the plans for the Construction Certificate.

*Reason:* To allow identification of rural properties.

### Ongoing Conditions

- 79) The terms of the restriction to user applying to Lots 25, 26, 28, 29, 30 and 31 are to be complied with at all times.

Note: This condition does not apply where Council provides written authorisation that a certain activity which would be contrary to the terms may be permitted in a particular instance.

*Reason:* To protect threatened species on the site.

### Modified Conditions

Conditions 1, 7, 9, 11, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 35, 40, 47, 48, 52, 66, 67, 69, 70, 71, 72, 74, 76, 77, 78 have been amended in this consent.

### Advice to Applicant

- (a) Council wishes to advise that it is the responsibility of the owner and/or applicant to determine if site security and/or safety fencing is required to be provided in accordance with clause 235 of the *Occupational Health and Safety Regulation 2001* and *Work Cover Authority* requirements. Failure to comply with these requirements may result in penalties being imposed upon the owner and/or applicant.
- (b) Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact *Dial Before You Dig* at [www.1100.com.au](http://www.1100.com.au) or telephone 1100 before excavating or erecting structures. This is the law in NSW. If alterations are required to the configuration, size, form or design of the development upon contacting the *Dial Before You Dig* service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting

Snowy Monaro Regional Council

the Dial Before you Dig service in advance of any construction or planning activities.

Note: Under the *Telecommunications Act 1997 (Commonwealth)*, Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

- (c) It is the responsibility of the applicant to check, understand and seek assistance where needed so as to ensure full compliance with the conditions of this Development Consent. Please contact Planning on (02) 6455 1911 if there is any difficulty in understanding or complying with any of the above conditions.
- (d) Any alteration to existing water supply and/or wastewater drainage services shall be at the applicant's expense.  
*Reason:* Requirement of Council that all expenses associated with the development are borne by the applicant.
- (e) This development requires the submission of an application under Section 68 of the *Local Government Act 1993* for water supply work, wastewater (sewerage) work or stormwater drainage work. It is likely that a condition of approval of such an application will include a condition requiring payment of the following contributions:

	Rate (2015/2016)	Qty	Amount
Water Supply Work	\$4,897.00 per lots =<2000m <sup>2</sup>	18	\$88,146.00
	\$5876.00 per lots >2000m <sup>2</sup>	44	\$258,544.00
Wastewater (sewerage) Work	\$3,681.00	62	\$228,222.00
<b>TOTAL</b>			<b>\$574,912.00</b>

Payment of the above contributions will need to be made before Council can issue a Certificate of Compliance for the works. A Certificate of Compliance is required before an occupation certificate/subdivision certificate for the development can be issued.

The contributions above, if unpaid after the end of the current financial year, shall be increased to the figure adopted by Council for the financial year in which the payment is made.

**Notes**

- 1) An applicant may request a review of this determination under Section 96AB of the Environmental Planning and Assessment Act 1979. A request for a review must be lodged within 28 days of the date of this notification. A review under Section 96AB cannot be made for Integrated, Designated or Crown Development.
- 2) Section 97AA of the Act confers on an applicant or an objector who is dissatisfied with the determination of Snowy Monaro Regional Council, a right of appeal to the Land and Environment Court exercisable within 6 months after receipt of this notice.

On behalf of the above Council:



Mark Adams  
**Group Manager – Economic Development and Tourism**

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Our ref: STH16/00018/07  
Contact: Chris Millet 4221 2570  
Your ref: 10.2016.543.3

6 June 2019

Sharon Thompson  
Snowy Monaro Regional Council  
BY EMAIL: council@snowymonaro.nsw.gov.au

**DEVELOPMENT APPLICATION 10.2016.543.3 – LOT 101 DP 1183622, YALLAKOOL ROAD, COOMA – 62 LOT SUBDIVISION**

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Dear Madam

Roads and Maritime Services refers to your correspondence dated X regarding the subject development application.

Road and Maritime has completed an assessment of the development, based on the information provided and focussing on the impact to the State Road Network. For this development, the key state road is the Monaro Highway.

Road and Maritime notes the modification is seeking to remove condition 32 of the development consent which relates to an upgrade of the intersection of the Monaro Highway and Yallakool Road.

Roads and Maritime's original position was formed on the basis the developers traffic study proposed an intersection upgrade at the intersection of the Monaro Highway and Yallakool Road. Road and Maritime maintains from a technical perspective the developer's analysis was appropriate and that an intersection upgrade was required to comply with Austroads guidelines.

As you are aware the current intersection does not comply with Austroads guidelines. There are many intersections on the network which do not meet the relevant standard based on current traffic volumes. As you would appreciate, there are limited funds available to development and implement improvements/upgrades and Roads and Maritime needs to prioritise its funds to address the intersections which are performing the worst. As the current intersection of the Monaro Highway and Yallakool Road does not have a significant crash history and is not performing poorly in terms of efficiency it would not attract Government funding for an upgrade.

While the existing development would increase turn movements at the intersection and, without an upgrade, potentially increase the risk of a crash occurring, Roads and Maritime considers it is a matter for Council to determine if it is (or is not) reasonable to require the developer to provide an upgrade.

If you have any questions please contact myself on 4221 2570.

Yours faithfully

  
Chris Millet  
Manager Land Use Southern Region

rms.nsw.gov.au

1



Bottomline Group  
PO Box 60  
SILVERDALE  
NSW 2752

Attention: Tony Papalia

Osgood CRE Pty Ltd 2168 bermagui-tathra road  
ACN 143 590 827 wapengo nsw 2550  
ABN 59 089 603 656 po box 181  
bermagui nsw 2546

p 02 6494 0239  
m 0408 361 812  
e van@osgoodcre.com.au  
w osgoodcre.com.au

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08 May 2019

Re: **DA 10.2016.543.2**  
**Consent Condition 32 - Yallakool Road/Monaro Highway Intersection**

Dear Tony,

I offer to restate the position of the Yallakool Rd/Monaro Highway Intersection and hence the need for the Condition 32 (et al).

The extract from the RMS in the SMRC email of 15 March 2018, has confirmed that previous investigations of the traffic volume for the Monaro Highway used in the Warrants for turn treatment figures, have been understated, i.e. essentially half. Hence I have annotated Figure A10(b) with the corrected figures (see attached). The annotation of the figures illustrate that under current traffic figures (i.e. Qm – Monaro Hwy Total Traffic (426vph (2017) or 483vph (2016) at the intersection, with an existing turn volume from the Highway into Yallakool Rd (18vph (2011) or 20vph (2017) say 19vph average), that the intersection is already above the threshold for a CHR(S)/AUL(S) type intersection (point "A").

Adding the expected peak hourly traffic (26vph) from the full development of Yallakool Rd to the existing situation raises the point on the figure to point "B" and yet it is still within the CHR(S)/AUL(S) range.

Therefore, I return to our previous position, i.e. to impose the entire cost of the upgrade of Yallakool Rd/Monaro Highway Intersection to a CHR(S)/AUL(S) type intersection onto the initial developer is unreasonable. This has been clarified by the traffic figures used to determine if an intersection requires upgrade to a higher order arrangement, illustrating that this development does not exceed the warrant for the higher order intersection type, as the intersection is already within the higher order range.

Furthermore, I reiterate earlier arguments:

1. The Polo Flat Road(PFRd)/Monaro Highway Intersection also requires a CHR/AUL intersection upgrade and the proximity to the Yallakool Road Intersection is such that they cannot be design or constructed independently, and the SMRC and RMS have already confirmed the PFRd/Monaro H'way Intersection is their responsibility to upgrade.
2. The Yallakool Rd Development is not "traffic generating development" as per SEPP2007 (Infrastructure), hence the SMRC were not obligated to refer the site to RMS.
3. There is other land and potentially other developments with access to Yallakool Rd and thus may have a similar impact on the Monaro Highway Intersection. It is again unreasonable to impose the entire cost of upgrade of an intersection on to the initial developer.
4. The Yallakool Rd (and hence the subject Yallakool Rd Development) has an alternative connection to the broader road network, i.e. the intersection with Mittagang Rd, which is a far more desirable intersection to use than the Monaro Highway.



I consider this matter to not be an engineering issue, it is a planning issue. Furthermore, we appear to be getting nowhere returning to the same argument as it appears the SMRC are adopting the opinion of the RMS, in effect to get someone else to fund for the upgraded intersection. The Yallakool Road/Monaro Highway and Polo Flat Road/Monaro Highway intersections should be a project funded/design/constructed by the RMS/SMRC sooner rather than later and proceed without delay.

Yours sincerely,



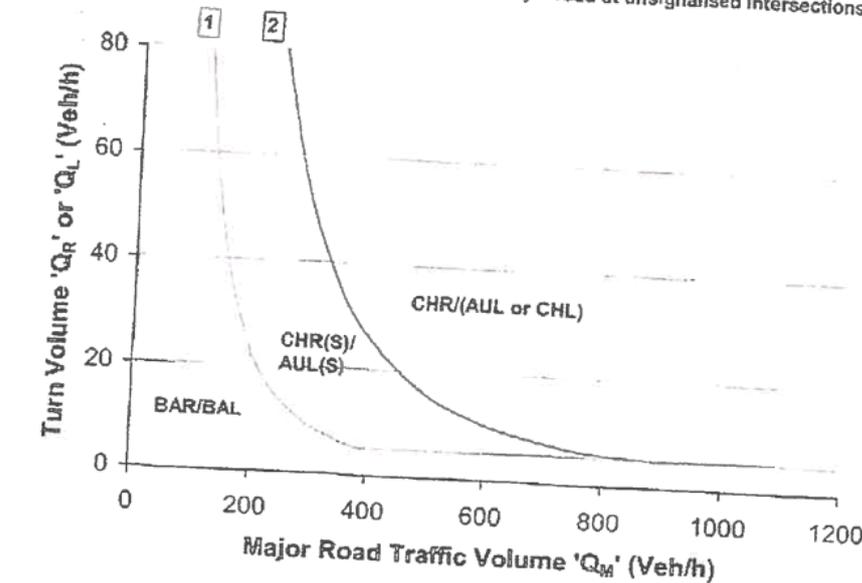
Van Osgood  
Director

cc: Patrick Fitzsimmons - Vison Town Planning Consultants

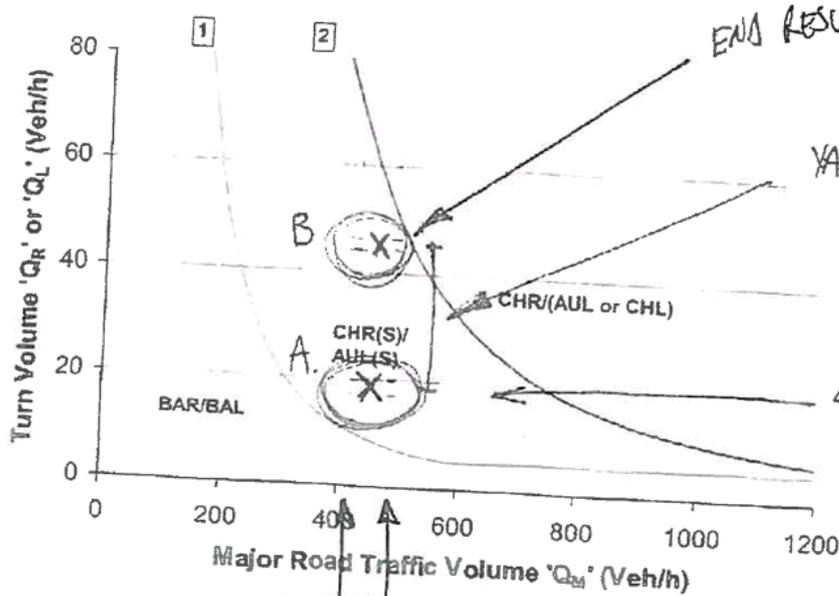
Enc: Annotated Fig A10 - Austroads GDR 2017, Pt4

Guide to Road Design Part 4: Intersections and Crossings - General

Figure A 10: Warrants for turn treatments on the major road at unsignalised intersections



(a) Design speed  $\geq$  100 km/h



(b) Design speed  $<$  100 km/h

Source: Arndt and Troutbeck (2006).

MONARO HWY 426vph  
PEAK HOUR (2017)  
TRAFFIC VOLUME

483vph  
(2016)

END RESULT = 19 + 26  
= 45 vph.

YALLAKOOL DEVELOPMENT  
ADDS +26 vph.

EXISTING TOTAL TRAFFIC  
(PEAK HOUR) ON  
YALLAKOOL RD  
35vph (2011)  
41 vph (2017)  
x 50% FOR ONE-WAY  
TRAFFIC

≈ 18 vph (2011)  
or ≈ 20vph (2017)  
say 19vph

Enquiries Joseph Vescio  
Our Ref 10.2016.0543.2



5 June 2018

The Hon. Melinda Pavey, MP  
Minister for Roads, Maritime and Freight  
GPO Box 5341  
SYDNEY NSW 2001

Dear Minister

**RE: Yallakool Road/Monaro Highway and Polo Flat Road/Monaro Highway Intersections**

Thank you for taking time to meet with our Mayor and myself on 2 May 2018. We appreciate that you afforded us the opportunity to raise various issues that are important to the Snowy Monaro community.

Unfortunately we did not have time to also raise items regarding some major roads in the Cooma area.

Council is seeking assistance to fund an upgrade to the Yallakool Road/Monaro Highway intersection (refer to location map attached).

This area has been identified as a location that is likely to experience considerable growth in the near future, and there is an existing approval in place for 60+ residential allotments serviced by Yallakool Road. That approval includes a condition requiring the upgrading of the intersection, in accordance with submissions received from RMS. In normal circumstances, it would be expected that the developer would fund these improvements.

However, current traffic count data shows that the intersection already exceeds the RMS threshold for improvement to a 'Channelised' intersection standard, even without the release of the additional housing allotments. That being the case, Council is seeking your assistance in providing funding to improve the Highway intersection.

With the capacity for even further additional housing in the immediate area, this is becoming a priority.

Further to the above, Council is simultaneously pursuing funding to upgrade the Polo Flat Road/Monaro Highway intersection, which is in very close proximity to the Yallakool Road intersection.

This intersection is a vital part of Cooma's Heavy Vehicle Route and an appropriately constructed intersection is paramount for safety and the efficient transport connections to Cooma's industrial estate, regional saleyards, and links through to the Bombala area for the timber industry, and to Victoria and the South Coast.

SNOWY MONARO REGIONAL COUNCIL

Upgrading the Yallakool Road/Monaro Highway intersection at the same time would create an opportunity to address two significant issues in a more efficient manner.

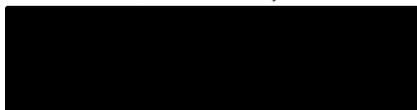
The Snowy Monaro is currently experiencing major growth in tourist visitation and the Monaro Highway is one of the main entrances into the region.

The immense potential for growth from the Snowy 2.0 project also provides justification to elevate these upgrades as a high priority. Improving the traffic safety of these intersections is critical.

We would be most grateful if you could take our request into consideration and we look forward to hearing from you in due course.

I would welcome the opportunity to discuss these items further with you, and invite you to contact Ms Janine Hudson on 6451 1753 to arrange a suitable time to do so.

Yours faithfully



Joseph G. Vescio  
General Manager

Cc: The Hon. John Barilaro MP

Cc: The Hon. Bronnie Taylor, MLC

Yallakool - Polo Flat Intersections



Disclaimer: This report has been generated by various sources and is provided for information purposes only. Spatial Services does not warrant or represent that the information is free from errors or omission, or that it is exhaustive. Spatial Services gives no warranty in relation to the information, especially material supplied by third parties. Spatial Services accepts no liability for loss, damage, or costs that you may incur relating to any use or reliance upon the information in this report.



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11 May 21018

Mayor John Rooney  
John.rooney@snowymonaro.nsw.gov.au

Dear Sir

**Residential Subdivision – Yallakool Road – Condition 32 Intersection Yallakool Road and Monaro Highway.**

The owners of residential land on the southern side of Yallakool Road Bottomline Group have engaged my company services to discuss the correspondence that has occurred between Snowy Monaro Regional Council (SMRC) Planning Staff, Osgood Civil Resource Engineering (OCRE) and NSW Roads and Maritime Services (RMS).

In July 2017 Council supported a recommendation that condition number 32 of Modified Development Consent No. 10.2016.543 that requires the intersection of Yallakool Road and Monaro Highway to be upgraded be retained in the consent. This recommendation was based on traffic counts included in the Business Paper which displayed that the subdivision once constructed would result in traffic numbers exceeding the upper limit for the existing intersection.

Since this meeting OCRE have been corresponding with Council's Planning staff regarding this matter. Ongoing emails and referrals by Council staff to the RMS has resulted in updated traffic count data being provided.

In summary the final traffic count data displays that existing traffic movements at the intersection already warrant the intersection to be upgraded. Attached is a report prepared by OCRE using the traffic count data demonstrating the upgrade of the intersection is already needed. Accordingly, the traffic impacts at the intersection are not being caused by the subdivision and should not be required to be constructed by the Bottomline Group. The RMS have declined to contribute to the upgrade of the intersection in an email to Council's planning staff

I have contacted Councils Director of Environment and Sustainability Peter Smith who suggested I write to you in regards to this matter. Bottomline Group intend to immediately finalise civil construction design and surveying of their subdivision for construction, but seek your assistance to rectify this matter prior to commencing works.



Please contact me if I can provide any information that may assist in your consideration of this matter.

Yours Faithfully,



Patrick Fitzsimmons  
**Town Planner**  
**Director, Company Founder**  
**VISION Town Planning Consultants Pty Ltd**



Bottomline Group  
PO Box 60  
SILVERDALE  
NSW 2752

Attention: Tony Papalia

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**w** osgoodcre.com.au

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09 April 2018

**Re: DA 10.2016.543.2**  
**Consent Condition 32 - Yallakool Road/Monaro Highway Intersection**

Dear Tony,

Further to the SMRC response email (Mark.Adams@snowymonaro.nsw.gov.au dated 15 March 2018, which is essentially, blindly accepting the RMS recommendation), I offer to restate the position of the Yallakool Rd/Monaro Highway Intersection and hence the need for the Condition 32 (et al).

The extract from the RMS in the referred email, has confirmed that previous investigations of the traffic volume for the Monaro Highway used in the Warrants for turn treatment figures, have been understated, i.e. essentially half. Hence I have annotated Figure A10(b) with the corrected figures (see attached). The annotation of the figures illustrate that under current traffic figures (i.e. Qm – Monaro Hwy Total Traffic (426vph (2017) or 483vph (2016) at the intersection, with an existing turn volume from the Highway into Yallakool Rd (18vph (2011) or 20vph (2017) say 19vph average), that the intersection is already above the threshold for a CHR(S)/AUL(S) type intersection (point "A"). Hence as the intersection exists at this time, without any traffic from any development on Yallakool Rd, the warrants suggest it is currently substandard.

Adding the expected peak hourly traffic (26vph) from the full development of Yallakool Rd to the existing situation raises the point on the figure to point "B" and yet it is still within the CHR(S)/AUL(S) range.

At the end of the day I return to our previous position that to impose the entire cost of the upgrade of Yallakool Rd/Monaro Highway Intersection to a CHR(S)/AUL(S) type intersection onto the initial developer is unreasonable as the clarification of the traffic figures by the RMS used to determine if an intersection requires upgrade to a higher order arrangement, has shown that this development does not exceed the warrant for the higher order intersection type as it is already in within the higher order range.

Furthermore, I reiterate earlier arguments:

1. The Polo Flat Road(PFRd)/Monaro Highway Intersection also requires CHR/AUL intersection upgrade and the proximity to the Yallakool Road Intersection is such that they cannot be design or constructed independently, and the SMRC and RMS have already confirmed the PFRd/Monaro H'way Intersection is their responsibility to upgrade.
2. The Yallakool Rd Development is not "traffic generating development" as per SEPP2007 (Infrastructure), hence the SMRC were not obligated to refer the site to RMS, therefore why do they continue to impose the RMS view that the intersection should be upgraded. Just because it was "advertised" development.
3. There is other land and potentially other developments with access to Yallakool Rd and thus may have a similar impact on the Monaro Highway Intersection. It is again unreasonable to impose the entire cost of upgrade of an intersection on to the initial developer.
4. The Yallakool Rd (and hence the subject Yallakool Rd Development) has an alternative connection to the broader road network, i.e. the intersection with Mittagang Rd, which is a far more desirable intersection to use than the Monaro Highway.
5. The Development does not even front onto and is over 500m away from the Monaro Highway by the shortest possible distance in a vehicle.



I am at the point where it is not an engineering issue, it is a planning issue, and I feel like we are getting nowhere returning to the same argument and where the SMRC are just blindly regurgitating the opinion of the RMS, in effect to get someone else to fund for the upgraded intersection. The SMRC should admit that the Yallakool Road/Monaro Highway and Polo Flat Road/Monaro Highway intersections should be a project funded/design/constructed by the RMS/SMRC sooner rather than later and proceed without delay.

Yours sincerely,

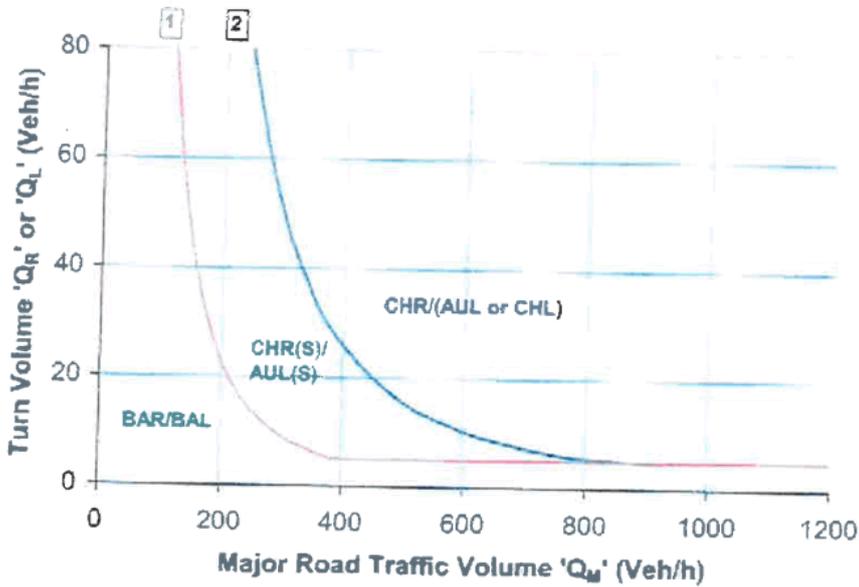


Van Osgood  
Director

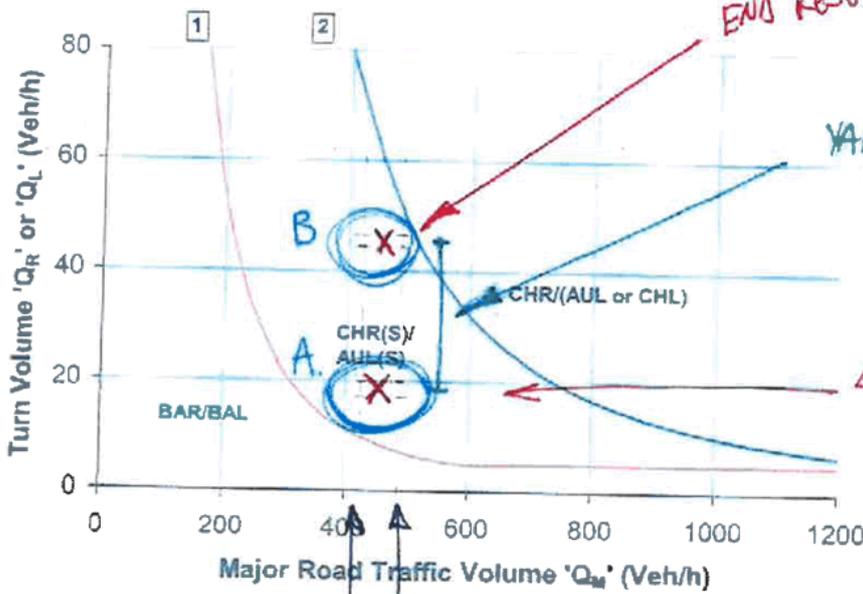
cc: Patrick Fitzsimmons - Vison Town Planning Consultants

Enc: Annotated Fig A10 - Austroads GDR 2017, Pt4

Figure A 10: Warrants for turn treatments on the major road at unsignalised intersections



(a) Design speed  $\geq$  100 km/h



(b) Design speed  $<$  100 km/h

Source: Arndt and Troutbeck (2006).

END RESULT = 19 + 26  
 = 45 v/h.

YALLAKOOL DEVELOPMENT  
 ADDS +26 v/h.

EXISTING TOTAL TRAFFIC  
 (PEAK HOUR) ON  
 YALLAKOOL RD  
 35 v/h (2011)  
 41 v/h (2017)  
 x 50% FOR ONE-WAY  
 TRAFFIC  
 = 18 v/h (2011)  
 or = 20 v/h (2017)  
 say 19 v/h

MONARO HWY 426 v/h  
 PEAK HOUR (2017)  
 TRAFFIC VOLUME

483 v/h  
 (2016)



Enquiries Peter Smith  
Our Ref 10.2016.543.2

7 June 2018

Mr Patrick Fitzsimmons  
Vision Town Planning Consultants Pty Ltd  
PO Box 852  
COWRA NSW 2794

Dear Mr Fitzsimmons

**Application Number** 10.2016.543.2  
**Development Description** 62 lot subdivision (Stage Development)  
**Property Description** Yallakool Road COOMA 2630  
**Lot: 101 DP: 1183622**

Thank you for your letter of 11 May 2018 addressed to me in relation to the intersection at Yallakool Road and Monaro Highway.

I note the contents of your letter advising that the Bottomline Group wish to finalise surveying works and their civil construction design as soon as possible. I also note the advice regarding the current traffic data and standard of the intersection.

I would be happy to seek Council's consideration of a co-funding arrangement between your client and Council. It would be appreciated if you could provide a detailed submission with designs and estimated costings to facilitate those discussions. It would ultimately be a decision of Council to determine whether an allocation of community funding would be provided.

I am aware that a recent inquiry to RMS about funding for improvements to the intersection was declined, however, Council has also written to the Minister for Roads, Maritime and Freight requesting assistance in upgrading the intersection. It is not known whether that approach will be viewed favourably.

I understand that the current DA permits the release of at least some of the 62 allotments of the overall development without triggering the requirement for the intersection works.

If you wish to discuss this matter further with me, please make an appointment with my Executive Assistant, Mrs Sarah Cleverley, on 6455 1702.

Yours faithfully



John Rooney  
Mayor