



**MODIFIED NOTICE OF DETERMINATION OF
DEVELOPMENT APPLICATION**
Environmental Planning and Assessment Act 1979 Section 4.18

DEVELOPMENT APPLICATION

Application Number: DA 2019/0128/1

Applicant: Molong Show Society

Applicant Address: PO Box 98, MOLONG NSW 2866

Owner: Crown Land c/- Cabonne Council as Trustee

Land to be Developed: Lot 131 DP 756883, Euchareena Road, Molong

Proposed Development: Amenities Block

Assessment Number: A52505

DETERMINATION

Made On: 25 June 2019

Modification Date: 18 March 2021

Determination: Consent Granted Subject to Following Conditions

Consent to Operate From: 25 June 2019

Consent to Lapse On: 25 June 2024
(Where proposed development has not been commenced)

CONDITIONS OF APPROVAL

1. APPROVED PLANS AND SUPPORTING DOCUMENTS (AS MODIFIED BY DA 2019/0128/1)

The development shall be carried out in accordance with the approved stamped and signed plans and/or documentation listed below **except where modified by any following condition**. Where the plans relate to alteration or additions only those works shown in colour or highlighted/shaded are approved.

Reference	Title/Description	Prepared By	Date/s
R10901e	On-site effluent management study	Envirowest Consulting	14 June 2019
NA	Untitled Plans	NA	Undated

Note 1: *Modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the Environmental Planning and Assessment Act.*

Note 2: *A warning to all Accredited Certifiers. You should always insist on sighting the original Council stamped approved plans/documentation and not rely solely upon the plan reference numbers in this condition. Should the applicant not be able to provide you with original copies, Council will provide you with access to its files so you that may review our original copies of approved documentation.*

Note 3: *The approved plans and supporting documentation may be subject to conditions imposed under section 4.17 of the Act modifying or amending the development (refer to conditions of consent which must be satisfied prior to the issue of any Construction Certificate).*

(Reason: To confirm and clarify the terms of consent)

2. COMPLIANCE WITH BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Note: Applicants who have lodged an objection and who have been granted exemption under clause 187(6) & 188(4) of the Environmental Planning and Assessment Regulation 2000, must comply with the Building Code of Australia in all other respects.

(Reason: Prescribed statutory control)

3. OBTAINING A CONSTRUCTION CERTIFICATE FOR BUILDING WORK

This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifying Authority (PCA), and lodgement of Notice of Commencement.

Please note that if demolition works forms part of the extent of works approved in the same application, then demolition must not commence prior to the issue of a Construction Certificate.

(Reason: Information)

4. APPLICATION FOR A CONSTRUCTION CERTIFICATE

The applicant must apply to Council or an Accredited Certifier for a Construction Certificate to carry out the relevant building works that are approved by this consent. The details to be included in the application for a Construction Certificate are:

- (a) Architectural plans and specifications complying with the Building Code of Australia (BCA), relevant Australian Standards, and the development consent and conditions.
- (b) If Council issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab, first floor joist layout, roof trusses, steel beams and the like. The details must be prepared by a practising consulting structural engineer. Also a certificate from the engineer must be included certifying that the design fully complies with appropriate SAA Codes and Standards and the Building Code of Australia requirements.

Note: The engineer/s undertaking certification must be listed on the National Professional Engineers Register under the appropriate category.

- (c) Geotechnical report for the site, prepared by a qualified geotechnical engineer detailing the foundation conditions of the site and solutions for consideration by a structural Engineer.
- (d) Essential services plan outlining the existing and proposed fire safety measures.
- (e) Disabled access provisions to common and public areas in accordance with AS1428.
- (f) If an alternative solution to the “deemed to satisfy” provisions of BCA is proposed, the following details must be lodged:
 - Performance requirements that the alternative solution intends to meet.
 - Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
 - A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details, and membership of an approved accreditation body

Note: The performance-based application may be required to be reviewed by a suitably qualified independent body at the applicant's expense. Any fees relating to any review are required to be paid prior to the issue of the Construction Certificate.

(Reason: Statutory requirement)

5. CONSTRUCTION CERTIFICATE

No work shall commence until you:

- (a) Obtain a Construction Certificate from either Cabonne Council or an Accredited Certifier - a fee applies for this service; and
- (b) Lodge with Cabonne Council any Construction Certificate obtained from an Accredited Certifier (together with associated plans and documents) - a fee applies for this service

(Reason: Statutory Requirement)

6. NOTICE OF COMMENCEMENT

No work shall commence until you submit a notice of commencement (form will be attached with issue of a Construction Certificate or available from our website) giving Council:

- (a) Not less than two (2) days" notice of the date on which it is proposed to commence work associated with this Development Consent;
- (b) Details of the appointment of a Principal Certifying Authority (either Cabonne Council or another Accredited Certifier)
- (c) Details of the name, address and licence details of the Builder.

(Reason: Statutory Requirement)

7. PRINCIPAL CERTIFYING AUTHORITY (PCA) SIGN

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- The Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(Reason: Statutory Requirement)

8. CONSTRUCTION HOURS

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Saturdays. No work to occur on Sundays and public holidays.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: Safety and amenity)

9. DRAINAGE

To ensure satisfactory disposal of roof stormwater run-off. All roofwater shall be collected through guttering and downpiping, connected to a 100mm or 90mm PVC pipeline and shall be disposed of:

1. 3m away from the building
2. to the existing storm water drainage system
3. well clear of the effluent absorption area to prevent infiltration or runoff to the area, or
4. convey all roof rainwater to an approved absorption / rubble trench, having a cross-sectional area of 600 mm x 600 mm and being one (1) metre long for every 25m² of roof area drained thereto. Trenches are to be located three (3) metres clear of any Building or Lot boundary and not in a position to permit infiltration or overland flow to an effluent disposal area.

(Reason: Statutory requirement)

10. CONSTRUCTION OF SANITARY COMPARTMENT

A sanitary compartment is to have sufficient space or other means to permit an unconscious occupant to be removed from the compartment

The door to a fully enclosed sanitary compartment must

- a) open outwards; or
- b) slide; or
- c) be readily removable from the outside of the sanitary compartment;

unless there is a clear space of at least 1.2m between the closet pan within the sanitary compartment and the nearest part of the doorway.

(Reason: Compliance BCA)

11. DRAINAGE RECORDS

To provide an accurate record of drainage works. The below listed records are to be submitted to Council prior to the release of the final Plumbing and Drainage Certificate. **ANY OCCUPATION CERTIFICATE MUST NOT BE ISSUED** until the final Plumbing and Drainage certificate has been issued by council. (Templates can be found on councils website www.cabonnecouncil.nsw.gov.au)

- Notice of Works,
- Certificate of Compliance, and
- Sewer Service Diagram drawn to the scale of 1 in 200 of drainage.

(Reason: Statutory requirement)

12. PLUMBING AND DRAINAGE WORKS

All plumbing and drainage work shall be carried out by a licensed plumber and drainer to the requirements of the National Plumbing and Drainage Code AS3500.

(Reason: Statutory requirement)

13. INSPECTIONS FOR BUILDING WORK (CLASSES 1 OR 10)

Where applicable inspections of the development site may be required to be undertaken at the following stages:

- (a) After the 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 for any floor, wall, roof or other building element;
- (d) Prior to the covering waterproofing 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; and
- (g) Other.

If the person having the benefit of the development consent appoints Council as the PCA, Council will give written advice as to what critical stage inspections apply.

Prior to issuing an occupation certificate or subdivision certificate the PCA must be satisfied that the work has been inspected on the above occasions.

Except as provided by subclause (g), the inspections may be carried out by the PCA or, if the PCA agrees, by another certifying authority.

The final inspection detailed at subclause (g) may only be carried out by the PCA.

For each inspection the principal contractor (or owner-builder) must notify the PCA at least forty eight (48) hours in advance that the site is ready to be inspected prior to the commencement of work on the next stage.

(Reason: Statutory Requirements)

14. OCCUPATION CERTIFICATE

To ensure compliance with the Environmental Planning & Assessment Act 1979. All buildings will require an Occupation Certificate PRIOR to occupation/use of the building.

(Reason: Statutory requirement)

Right of Appeal: If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court. Pursuant to Section 8.10 an applicant may only appeal within six (6) months after the date on which the decision is notified.

Signed
(On behalf of Consent Authority)



.....
H.J. Nicholls
DEPUTY GENERAL MANAGER – SERVICES

18-03-2021
.....
(Date)



CABONNE COUNCIL
APPROVAL TO MODIFY CONSENT
ISSUED UNDER THE ENVIRONMENTAL
PLANNING & ASSESSMENT ACT 1979
DA NUMBER: 2019/0128
MOD NUMBER: 2019/0128/1
DATE: 18-03-2021
SIGNED: *Michelle*

LUNCHEON PAVILION

