

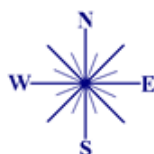
CENTRAL DARLING SHIRE COUNCIL

CONSTITUTED 1 MAY 1959

ABN: 65-061-502-439

E-mail: council@centraldarwin.nsw.gov.au
Website: www.centraldarwin.nsw.gov.au

PLEASE ADDRESS ALL
CORRESPONDENCE TO
THE GENERAL MANAGER
P.O. BOX 165
WILCANNIA NSW 2836



PHONE: (08) 8083 8900
FAX: (08) 8091 5994

COUNCIL CHAMBERS
21 REID STREET
WILCANNIA NSW 2836

Delegated report for internal determination

Development application

DA number	D/02/21	Date of lodgement	18 /12/2020
Applicant	Natalie Ryan		
Owner	LANDS ADMINISTRATION MINISTERIAL CORPORATION – CROWN LANDS		
Proposed development	Works to Menindee Lakes Caravan Park Menindee		
Street address	1 Menindee Aerodrome Road Menindee NSW 2879		
Notification period	14 days	Number of submissions	0

Assessment

Report prepared by	Glenda Dunn		
Report date	11 February 2021		
Recommendation	Approved subject to conditions		

Checklist

Summary of section 4.15 matters	
Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction	
Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report?	Yes
Clause 4.6 Exceptions to development standards	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	N/A
Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (section 7.24)?	N/A
Native Title land Claim and Aboriginal land claim	
Review status	N/A

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Attachments

- 1 Location map - zone information, Aerial image as of 11/02/2021
- 2 Assessment against planning controls
- 3 Draft conditions of consent

1 Executive summary

1.1 The key issues that need to be considered in respect of this application are:

- Works to Caravan Park at Menindee Lakes.
- Contamination of soil from asbestos or fuel.
- Aboriginal relics and heritage

Assessment of the application against the relevant planning framework and consideration of matters by our technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.

The application is therefore satisfactory when evaluated against Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended).

This report recommends approval of the application subject to the recommended conditions.

2 Location

2.1 The site is located 1 Menindee Aerodrome Road Menindee NSW 2879.

2.2 The location of the site is shown at attachment 1.

3 Site description

3.1 Lot 7330 DP1195006

3.2 Menindee Lakes Caravan Park at Menindee

3.3 An aerial image of the site and surrounding area is at attachment 1.

4 Background

4.1 RU1 Primary Production zone - The zoning plan for the site and surrounds is at attachment 1.

5 The proposal

5.1 The development application has been lodged by Natalie Ryan of Crown Lands.

5.2 The applicant proposes Minor repair and site works to upgrade the caravan park site and facilities.

6 Assessment against planning controls

6.1 A full assessment of the development application against relevant planning controls is provided at attachment 6, including:

- Environmental Planning and Assessment Act 1979 (as amended 2018)
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- Central Darling Local Environmental Plan 2012

7 Key issues

7.1 Contamination from on site fuel tank

7.2 Aboriginal heritage or relics found during works.

8 Issues raised by the public

8.1 The proposed development was notified to property owners and occupiers in the locality for 14 days upon the council website.

8.2 We received 0 submissions.

9 External referrals

9.1 The development application was referred to the following external authorities for comment:

Authority	Comments
0	0

10 Internal referrals

10.1 The development application was referred to the following internal sections of Council for comment:

Section	Comments
0	0

11 Conclusion

The proposed development has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

12 Political donations disclosure

12.1 Under Section 10.4 of *the Environmental Planning and Assessment Act 1979*, a disclosure statement must be lodged in certain circumstances in relation to any planning application, i.e. a development application, an application to modify a consent and an application to make an environmental planning instrument or development control plan.

12.2 A disclosure statement of a reportable political donation or gift must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.

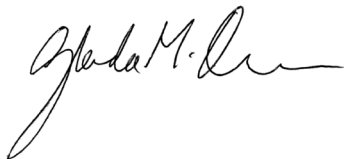
12.3 A disclosure statement may be made available for viewing upon a written request to Council in line with Section 12 of the *Local Government Act 1993*.

As required under Section 10.4 of the Act, a disclosure statement has been submitted to Council in respect of the subject development application.

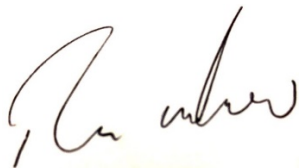
13 Recommendation

Approve Development Application D01/02 for the reasons listed below, and subject to the conditions listed in attachment.

- a** Crown Reserve under Crown Management
 - b** Improvement to the Menindee Lakes Caravan Park will benefit Menindee and the Central Darling Shire Community by attracting tourists.
 - c** The applicant follows the conditions of consent in regard to contamination and aboriginal relics.
- 2 Council officers to notify the applicant and submitters of the decision.

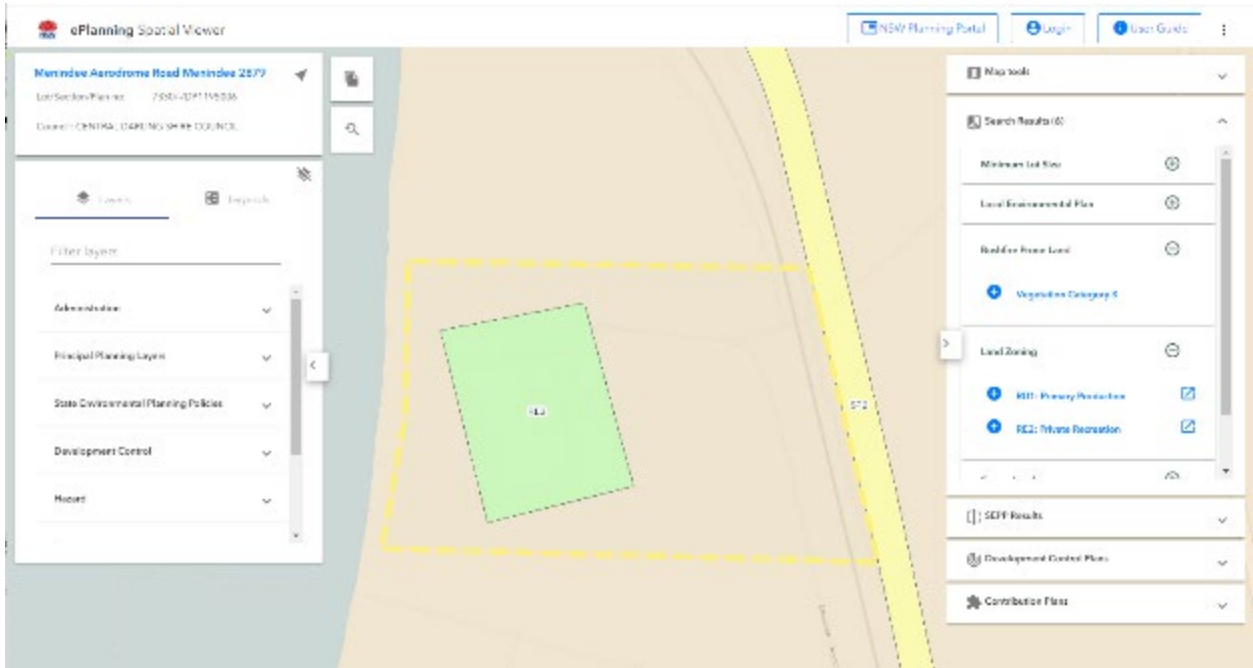


Glenda Dunn
Senior Planner



Reece Wilson
Director Environmental Services
Central Darling Shire Council

ATTACHMENT 1 - MAPS and PHOTOS



Planning Portal extract showing Menindee Lakes Caravan Park - Crown Land



Six maps extract showing Menindee Lakes Caravan Park Menindee.

ATTACHMENT 2 - ASSESSMENT OF PLANNING CONTROLS

PLANNING ASSESSMENT SUMMARY

Application Number:	D 21/02
Site Address:	1 Menindee Aerodrome Road Menindee NSW 2879
Date of Lodgement:	18 DECEMBER 2020
Applicant:	Natalie Ryan
Architect/Designer:	-
Owner:	LANDS ADMINISTRATION MINISTERIAL CORPORATION – CROWN LANDS
Cost of Works:	\$455,015.00
Development Contribution Required:	No
Zoning:	Ru1 Primary Production and RE2 Private Recreation. The proposed development is defined as works to Caravan Park and is permissible with consent in the zones.
Proposal:	Works – site works and repairs and works to existing buildings and structures within the Menindee Lakes Caravan Park.
Recommendation:	The development application is recommended for approval, subject to the conditions in the Notice of Determination.

Background

The Site and Surrounding Development

The site has a legal description of Lot 7330 DP1195006, known as Menindee Aerodrome Road Menindee 2879

It is a rectangular shape with area of approximately 19.181ha. It has a primary street frontage Menindee Aerodrome Road Menindee.

The site contains a caravan park with numerous facility buildings, onsite caravan's and cabins and site facilities.

The site is not identified as a heritage item or within a heritage conservation area, the site is crown land under the management of Crown land.



Figure 2: six map aerial view of caravan park

Proposed Development

The application seeks consent for the following:

Electricity upgrades; asbestos removal; demolition of residence/office and hall/camp kitchen; remediation of an underground fuel tank; upgrades of domestic water supply; fire safety infrastructure upgrades; and septic tank replacement.

Assessment

The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Local Environmental Plans

Central Darling Local Environmental Plan 2012

An assessment of the proposed development against the relevant provisions of the Central Darling Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	<p>Zone RU1 Primary Production</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. <p>2 Permitted without consent</p> <p>Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Roads; Water reticulation systems</p> <p>3 Permitted with consent</p> <p>Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant</p>

	<p>agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roadside stalls; Rural industries; Rural workers' dwellings; Sewerage systems; Veterinary hospitals; Water recreation structures; Water supply systems</p> <p>4 Prohibited</p> <p>Any development not specified in item 2 or 3</p> <p>The proposed development is defined as alterations and additions to a commercial building and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.</p> <p>Zone RE2 Private Recreation</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> • To enable land to be used for private open space or recreational purposes. • To provide a range of recreational settings and activities and compatible land uses. • To protect and enhance the natural environment for recreational purposes. <p>2 Permitted without consent</p> <p>Environmental protection works; Extensive agriculture; Roads</p> <p>3 Permitted with consent</p> <p>Airstrips; Amusement centres; Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Extractive industries; Flood mitigation works; Food and drink premises; Forestry; Function centres; Heliports; Information and education facilities; Jetties; Kiosks; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Seniors housing; Signage; Tourist and visitor accommodation; Veterinary</p>
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		hospitals; Water recreation structures; Water recycling facilities; Water supply systems 4 Prohibited Bed and breakfast accommodation; Farm stay accommodation; Any other development not specified in item 2 or 3
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Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	No height limit. Structures all single storey on site not higher than 5metres
4.4 Floor space ratio	Yes	No FSR for site

General Provisions

Provision	Compliance	Comment
Public Domain	Yes	The proposed works will not result in any additional overshadowing to the public domain or affect public views.
Heritage	Yes	The site is not a heritage item
Transport and Parking	Yes	The proposal includes vehicle parking and caravan sites. The proposed works do not interfere with the existing parking.
3.12 Accessible Design	Yes	The proposed works are to single storey buildings with no accessibility issues.
3.14 Waste	Yes	A Waste Management Plan will be submitted.

Development Types

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.2 Floor heights	Yes	Existing single storey buildings that will meet the minimum BCA requirements.
4.2.2 Building setbacks	N/A	Caravan park N/A.
4.2.3 Amenity		
4.2.3.1 Solar access	N/A	N/A
4.2.3.11 Acoustic privacy	N/A	N/A
4.2.6 Waste and recycling Management	Yes	A Waste Management Plan will be submitted.

Consultation

Internal Referrals

The application was not discussed with any internal units.

Advertising and Notification

The application was advertised on the Central Darling Website for 14 days, there was no submissions.

Financial Contributions

N/A

Conclusion

Having regards to all of the above matters, the proposed development will not result in any adverse impacts on both the natural and built environment and the locality, is suitable for the site, and is in the public interest, subject to appropriate conditions of consent being imposed.

The proposed development generally satisfies the relevant provisions of the applicable State Environmental Planning Instruments including the Central Darling Local Environmental Plan 2012 and is acceptable.

Recommendation

The development application is recommended for approval, subject to the conditions in the Notice of Determination.

The application is approved under delegated authority of Council.

ATTACHMENT 3- CONDITIONS OF CONSENT

CONDITIONS OF CONSENT SCHEDULE 1A

APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

1. APPROVED DEVELOPMENT

Development must be in accordance with Development Application No. D/02/21 dated 11/02/2021 and the Review of Environmental Factors (REF) prepared by Crown Lands, and as amended by the conditions of this consent.

In the event of any inconsistency between the approved plans and supplementary documentation, the Review of Environmental Factors (REF) will prevail.

2. NOISE – COMMERCIAL PLANT / INDUSTRIAL DEVELOPMENT

Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI) unless agreed to by the Councils Director of Environmental Services. Further:

Background noise monitoring must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI unless otherwise agreed by the Councils Director of Environmental Services.

Commercial plant is limited to heating, ventilation, air conditioning, refrigeration, and energy generation equipment.

SCHEDULE 1B

PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING

3 ASBESTOS REMOVAL WORKS

All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence shall be made available to any authorised Council officer on request within 24 hours.

Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.

All work must be carried out in accordance with the Work Health and Safety Regulation 2017 and the NSW Government and SafeWork NSW document entitled How to manage and control asbestos in the workplace: Code of Practice (Safework NSW) December 2011 and associated guidelines.

The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.

Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 Safety Signs for the Occupational Environment for size, illumination, location, and maintenance.

Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.

No asbestos products are to be reused on the site (i.e., packing pieces, spacers, formwork or fill etc).

No asbestos laden skips or bins are to be left in any public place without the written approval of Council.

A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

contact person for the site;

telephone and facsimile numbers and email address; and

site activities and time frames.

4 STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – ALTERATIONS AND ADDITIONS

A qualified practising registered structural engineer must provide structural certification to Council (where Council is the Accredited Certifier) verifying that the existing structure can adequately support the proposed new loads and the structural design complies with the Structural Provisions of Part B1 (Vol 1) and Part 2.1 (Vol 2) of the Building Code of Australia prior to a Construction Certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building including its performance under earthquake actions (AS1170.4).

5 CONTINUED PERFORMANCE OF MECHANICAL VENTILATION

The required operation and performance of any mechanical ventilation, air pressurisation or other smoke control system must not be impaired by the proposed partitioning layout.

6 INSTALLATION OF DUAL-FLUSH TOILETS

All toilets installed within the development must be of water efficient dual-flush or other water-saving capacity with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the approval of the Accredited Certifier, prior to a Construction Certificate being issued.

7 INSTALLATION OF WATER EFFICIENT TAPS

All taps and shower heads installed must be water efficient with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details are to be submitted for the approval of the Principal Certifier, prior to any Occupation Certificate being issued.

8 ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia.

If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council prior to a Construction Certificate being issued.

9 WASTE AND RECYCLING MANAGEMENT - MINOR

Council requires the proposal facilities to minimise and manage waste and recycling generated by the proposal.

- (1) A waste management plan for the work must be submitted to the principal certifying authority at least 2 days before work commences on the site
- (2) The waste management plan must—
 - (a) identify all waste (including excavation, demolition and construction waste materials) that will be generated by the work on the site, and
 - (b) identify the quantity of waste material in tonnes and cubic metres to be—
 - (i) reused on-site, and
 - (ii) recycled on-site and off-site, and
 - (iii) disposed of off-site, and
 - (c) if waste materials are to be reused or recycled on-site—specify how the waste material will be reused or recycled on-site, and
 - (d) if waste materials are to be disposed of or recycled off-site—specify the contractor who will be transporting the materials and the waste facility or recycling outlet to which the materials will be taken.
- (3) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (4) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

10 RUN – OFF AND EROSION CONTROLS

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by—

- a) diverting uncontaminated run-off around cleared or disturbed areas, and
- b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- c) preventing the tracking of sediment by vehicles onto roads, and
- d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

SCHEDULE 1C

DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION

11 OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

12 HOURS OF WORK AND NOISE

The hours of construction and work on the development must be as follows:

All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.

All work, including demolition, excavation and building work must comply with the Australian Standard 2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection, and dismantling of on site tower cranes which warrant the on- street use of mobile cranes outside of above hours can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Unit, prior to works proceeding.

The Council allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the Environmental Planning and Assessment Act 1979.

13 ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

14 DEMOLITION

Any demolition must be carried out in accordance with AS 2601—2001, The demolition of structures.

15 MAINTENANCE OF SITE

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Copies of receipts stating the following must be given to the principal certifying authority—

- a) the place to which waste materials were transported,
- b) the name of the contractor transporting the materials,
- c) the quantity of materials transported off-site and recycled or disposed of.
- d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction—

- a) all vehicles entering or leaving the site must have their loads covered, and
- b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- c) At the completion of the works, the work site must be left clear of waste and debris.

16 EARTHWORKS, RETAINING WALLS AND STRUCTURAL SUPPORT

Any earthworks (including any structural support or other related structure for the purposes of the development)—

- a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
- b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
- c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and
- d) that is excavated soil to be removed from the site—must be disposed of in

accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005.

Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442 [PDF] and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.

17 DRAINAGE CONNECTIONS

If the work is the erection of, or an alteration or addition to, a building, the roof stormwater drainage system must be installed and connected to the drainage system before the roof is installed.

Any approval that is required for connection to the drainage system under the Local Government Act 1993 must be held before the connection is carried out.

18 ARCHAEOLOGY DISCOVERED DURING WORKS

If any object having interest due to its age or association with the past is uncovered during the course of the work—

- a) all work must stop immediately in that area, and
- b) the Office of Environment and Heritage must be advised of the discovery.

Note

Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1997 may be required before further the work can continue.

19 ABORIGINAL OBJECTS DISCOVERED DURING WORKS

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work—

- a) all excavation or disturbance of the area must stop immediately in that area, and
- b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the National Parks and Wildlife Act 1974.

Note—

If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.

Requirements

Site works such as excavation and new pipe work may impact Aboriginal significant and heritage items and areas on the land at Menindee Lakes Caravan Park.

A recent heritage study has been carried out at Menindee Lakes, the findings of this study may impact on the proposed works on site.

Please provide a letter/ report from NSW Heritage verifying that the proposed works do not impact on areas of Aboriginal significance or heritage items.

The heritage study summary is as follows:

Austral Archaeology has completed initial Aboriginal cultural and heritage survey work in Menindee, the Lower Darling and Great Darling Anabranch to understand the scale and type of effects of potential works and measures considered for the Menindee Lakes project.

The discovery of a range of artefacts during the investigations, including burials, grinding stones, ovens and scar trees, highlighted the significance of the project area. The investigations will help in further understanding potential impacts and offer opportunities for new Aboriginal site monitors to learn new skills from their Elders.

Read more about the [Menindee Lakes project](#).

20 COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

21 LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

All loading and unloading associated with construction activity must be accommodated on site, where possible.

If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 and Section 138 of the Roads Act 1993 must be obtained.

22 NO OBSTRUCTION OF PUBLIC WAY

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

23 USE OF MOBILE CRANES

The following requirements apply:

Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.

For special operations including the delivery of materials, hoisting of plant and equipment and erection, and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

24 REMOVAL OF UNDERGROUND PETROLEUM STORAGE TANK

The following requirements apply:

A report on the level of contamination in the soil surrounding the underground petroleum storage tank is required.

The is to by a qualified person certifying that—

- (i) the land is suitable for the intended purpose of the development having regard to the contamination status of the land, or
- (ii) the land would be so suitable if the remediation works specified in the report, were carried out.

“The removal and disposal of the underground petroleum storage tank shall be done in accordance with AS4976-2008”.

<https://emsen.com/2016/12/16/underground-storage-tank-removal-process/>

<https://www.safework.nsw.gov.au/resource-library/potential-risks-when-removing-underground-storage-tanks-safety-alert>

25 CONTAMINATED SOILS

Requirement to Notify about New Contamination Evidence

Any new information revealed during demolition works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.

Reason: To protect human health and the environment.

Compliance with the Remediation Action Plan

The requirements of the Remediation Action Plan required by this consent are to be fully implemented from commencement of any excavation, demolition or development works until the issue of any interim / final occupation certificate.

Reason: Protection of the environment, SEPP 55 compliance.

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A validation report, is to be prepared in accordance with relevant guidelines issued under the Contaminated Land Management Act 1997 must be submitted to the Council within one month from completion of the remediation work.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

If the site requires ongoing activities to control contamination, the validation report is to provide a list of ongoing measures to be undertaken to protect adjacent properties, the environment and the water table from further contamination.

Reason: To ensure environmental amenity is maintained.

SCHEDULE 2 PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the Environmental Planning and Assessment Regulation 2000 apply:

Clause 98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

Clause 98A Erection of signs

Clause 98B Notification of Home Building Act 1989 requirements Clause 98C Conditions relating to entertainment venues.

Clause 98D Conditions relating to maximum capacity signage.

Clause 98E Conditions relating to shoring and adequacy of adjoining property Refer to the NSW State legislation for full text of the clauses under Division 8A of the Environmental Planning and Assessment Regulation 2000. This can be accessed at:

<http://www.legislation.nsw.gov.au>

IMPORTANT ADDITIONAL INFORMATION

Advisory notes:

The Environmental Planning and Assessment Act 1979 requires you to:

Obtain a Construction Certificate prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a Construction Certificate. An accredited certifier must obtain Council's approval to certain conditions of this development consent, where indicated before issuing the Construction Certificate.

Note: it is compulsory to lodge digital copies of applications, including plans and documentation if lodging an application with Council. Please refer to the link below for any further information about digital requirements and electronic files.

Nominate a Principal Certifier which may be either Council or an accredited certifier and notify Council of that appointment. You cannot lawfully commence works without complying with this requirement.

Give Council at least two days' notice of your intention to commence the erection of a building before commencing construction works. You cannot lawfully commence works without complying with this requirement.

Obtain an Occupation Certificate before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

You may also need to:

Obtain approval through the lodgement of an application under Section 68 of the Local Government Act 1993 and Section 138 of the Roads Act 1993 for an activity which is proposed to be undertaken in, on or above a road reservation (including footways). Such activities include:

- a) Installation of hoardings/scaffolding.
- b) installation and/or alterations to advertising/business signs and street awnings. crane operation and other hoisting activities.
- c) temporary works (e.g.: barricading, road openings, mobile hoisting devices). works zone (for loading and unloading from the roadway); and
- d) temporary ground anchoring and shoring to support a roadway when excavating.

Lodge an Application for Subdivision to obtain a Subdivision Certificate if a land (including stratum) subdivision is proposed and an Application for Subdivision to obtain Strata Title Subdivision under the relevant Strata Titles Act if strata title of the development is proposed.

Comply with the Food Act 2003, the Australia New Zealand Food Standards Code, Australian Standard 4674 – 2004, and register the business with Council if the premises are used for the manufacture, preparation, packing, storing, conveying, or delivering of food or beverage for sale.

Contact NSW Water and Central Darling Shire Council regarding the water and sewerage services to this development.

Carry out critical stage inspections in accordance with Section 6.5 of the EP&A Act 1979 and clauses 162A, 162B and 163 of the EP&A Regulation 2000.

**Applications and submissions referred to in this consent may be lodged
at: Central Darling Shire Council**

21 Reid Street

Wilcannia NSW 2836