



Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA-346/2020
Development: Animal boarding establishment
Site: 96 Coomba Road, Charlotte Bay

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 2 February 2022

Date from which consent takes effect: Date of determination.

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as 96 Coomba Road, Charlotte Bay being Lot 120 in DP 848596.

The conditions of consent are as follows:

General Conditions**1. Development in accordance with approved plans**

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Site / Roof Plan	A2.1	Ian Sercombe Architect	2 May 2022
Ground Floor Plan	A2.2	Ian Sercombe Architect	2 May 2022
Elevations	A3.1	Ian Sercombe Architect	2 May 2022
Elevations	A3.2	Ian Sercombe Architect	2 May 2022
Sections	A3.3	Ian Sercombe Architect	2 May 2022
Landscape Plan	219091/1	Tattersall Lander Pty Ltd	8 June 2022
Acoustic Report titled "Response to Statement of Facts and Contentions and additional RFI from s34 Conciliation Hearing"	191882-8735B	Spectrum Acoustics	April 2022

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. Compliance with National Construction Code Series - Building Code of Australia

All building work must be carried out in accordance with the requirements of the National Construction Code Series - Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

3. Separate application required for advertising structures

A separate development application must be submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures, other than those permitted as exempt development.

Reason: To limit the visual impact of advertising signs.

4. Adjustment to utility services

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.

Reason: To ensure utility services remain in a serviceable condition.

Conditions which must be satisfied prior to the issue of a Construction Certificate

5. Certification of Noise Mitigation Measures

Construction details (including mechanical equipment specifications) must be reviewed and certified by an acoustic engineer to ensure all recommended mitigation measures and assumptions provided in the acoustic report prepared by Spectrum Acoustics (Doc No. 191882-8735B, dated April 2022) have been included and to ensure that the proposed construction will achieve the minimum project intrusiveness noise levels as provided by the NSW Environment Protection Authority - Noise Policy for Industry 2017. A copy of the certification must be provided to the Principle Certifying Authority and Council prior to the issue of a Construction Certificate.

Reason: To protect the amenity of adjoining premises.

6. Plans of retaining walls

Prior to the issue of a construction certificate plans and specifications of retaining walls or other approved methods of preventing the movement of soil, where excavation or fill exceeds 600mm above or below the existing ground level, must be submitted to and approved by the certifying authority, adequate provision must be made for drainage in the design of the structures.

Reason: To ensure site stability and safety.

7. Erosion and sediment control plan

Prior to the issue of a construction certificate, an erosion and sediment control plan prepared by a suitably qualified person in accordance with "The Blue Book - Managing Urban Stormwater (MUS): Soils and Construction" (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation.

8. Construction of buildings in bushfire-prone areas

Prior to the issue of a construction certificate, plans and specifications detailing the construction of the building to Bushfire Attack Level (BAL) Flame Zone level of construction as defined in Australian Standard AS 3959-Construction of buildings in bushfire-prone areas and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2019' must be submitted to and approved by the certifying authority.

Reason: To ensure the development complies with bush fire construction standards.

9. On-site sewage management system - Section 68 application

Prior to the issue of a construction certificate, an application under section 68 of the Local Government Act 1993 to install an onsite sewage management system must be submitted to and approved by Council.

In support of the application Council will require the submission of a wastewater Management Assessment Report prepared by a suitably qualified soil scientist, Environmental Consultant, Geotechnical Engineer or other competent person experienced in Onsite effluent disposal techniques.

Reason: To ensure suitable onsite sewage disposal is provided to the development to protect public health and the natural environment.

10. S7.11 Development Contributions

Prior to the issue of a construction certificate, a monetary contribution must be paid to Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979. The services and facilities for which the contributions are levied and the respective amounts payable under each of the relevant plans are set out in the following table:

Code	Contributions Plan	Facility	quantity	unit	rate	amount
GLW-07	Great Lakes Wide	Headquarters Building	\$750,000	\$1 non res	@	\$0.001 =
Total						= \$750.00

Contribution rates are subject to indexation.

The Contributions Plan and the Standard Schedule for Section 7.11 Plans may be viewed on Council's web site or at Council's offices.

Reason: To provide for the improvement of facilities and services.

11. Preparation of a landscape plan

Prior to the issue of a construction certificate, a landscape plan prepared by a qualified landscape architect or horticulturalist must be submitted to and approved by the certifying authority that is consistent with the approved landscaping plan referred to in condition 1. The Final Landscape Plan must include the following information:

- a) Demonstration of the predominant use of species that are local native plants;
- b) Specification of the details of all proposed plantings on the land, including common and botanical names and potential height/ spread at maturity, planting densities and quantities;
- c) A plan of the locations of all proposed planting;
- d) A description of the location of all parking and storage areas and the type of material to be used for sealing these areas;
- e) Details of earthworks including cut/ fill, mounding and retaining walls;
- f) Details of planting procedure and maintenance, including watering, management of safety and risk, replacement of lost and damaged stock;
- g) Details of compliance with the requirements of Planning for Bushfire Protection 2019; and
- h) The location of four (4) *Eucalyptus microcorys* (Tallowood) to be planted to replace the removal of Trees 1 and 2 as shown in the Koala Impact Assessment dated June 2022 prepared by Wildthing.

The applicant is to maintain the approved landscaping until maturity and throughout the life of the approved development. Any landscaping that fails prior to maturity is to be replanted with the same species.

Reason: To ensure that adequate landscaping is established as part of the development for amenity

12. Marking of the APZ/Defendable Space on the Land

The Registered Proprietor of the land shall engage a surveyor to identify with marker pegs the extent of the required Asset Protection Zone/Defendable Space around the pet resort building.

Reason: To mark and identify the approved APZ/Defendable Space.

13. APZ/Defendable Space Marking Procedure

Following the marking of the APZ/Defendable Space in the above condition, the Registered Proprietor of the land (or their agents) shall engage an ecologist and a bushfire consultant to jointly conduct a marking program identifying those trees which are to be removed for the APZ. Trees to be removed shall be clearly marked with an "X". All marking shall be conducted with spray-paint.

No hollow-bearing trees are to be marked for removal for the bushfire APZ area and shall be retained. Fruiting forest oak and Tallowood trees must be preferentially retained in the marking program.

The Construction Certificate shall not be issued (and no works shall commence on the land, including tree removal), until such time as the APZ marking program has been completed in accordance with this condition.

Reason: To minimise tree removal and direct tree removal to preserve special habitat features.

Conditions which must be satisfied prior to the commencement of any development work

14. Construction certificate required

Prior to the commencement of any building work (including excavation), a construction certificate must be issued by a certifying authority.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

15. Notification of commencement and appointment of principal certifying authority

Prior to the commencement of any building work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

16. Site access

Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied. The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

Reason: To ensure public health and safety during the construction of the development.

17. Erosion & sediment measures in accordance with approved plans

Prior to the commencement of work, erosion and sediment controls must be installed in accordance with the approved erosion and sediment control plan and must be maintained for the duration of the project.

Reason: To protect the environment from the effects of erosion and sedimentation.

18. Toilet facilities - unsewered areas

Prior to the commencement of work, toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.

Reason: To maintain the public health and the natural environment.

19. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent

position at the frontage to the site.

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

20. Approval required for works within the road reserve

Prior to the commencement of work, approval from Council must be obtained for all works within the road reserve in accordance with Section 138 of the Roads Act 1993.

The works required within the road reserve is to be the erection of two concealed driveway signs either side of the driveway entry into the development site.

Three (3) copies of engineering construction plans indicating the intended position of the signs in relation to the driveway entry and an offset from the edge of bitumen on Coomba Road must accompany the application for works within the road reserve.

These plans must be in accordance with Council's adopted engineering standards.

Reason: To ensure compliance with Council's specifications for engineering works.

21. Location of onsite sewerage management system

Prior to the issue of any construction certificate the applicant must demonstrate to Council's satisfaction that the absorption beds described in the On-site Wastewater Management Plan prepared by Whitehead & Associates dated 29 January 2020 are located to ensure that no trees or habitat trees, and in particular those identified in Figure 5.2 of the Ecological Assessment Report dated June 2022 prepared by Wildthing will be removed or impacted upon.

22. Colours and finishes schedule

A colour and finishes schedule for the acoustic barrier surrounding the Outdoor Play Area must be submitted to the certifying authority for approval along with evidence demonstrating that the colour choice has been chosen following consultation with Council.

Reason: To ensure that the acoustic barriers fades into the surrounding vegetation.

Conditions which must be satisfied during any development work

23. Management of Trees to be retained

Trees to be retained on the land are defined as those trees on and near the subject land other than those approved in these conditions for removal.

The construction of the approved development shall be conducted in a manner that avoids impact, harm or removal of trees that are to be retained. Stockpiles, machinery and equipment shall not be used or placed in the root zones of trees that are to be retained. Landform modification (cut/ fill) shall not occur in the primary root zones of trees that are to be retained.

Those trees that are to be retained shall be protected from direct and indirect harm associated with any aspect of the approved construction and operation of the development.

No trees outside the area of the subject land shall be harmed or removed.

Reason: To protect trees that are to be retained.

24. Tree removal to be restricted

Only trees that are marked (and approved) for removal in accordance with the conditions of this consent shall be cleared from the land for the construction and operation of this facility.

Reason: To minimise the removal of native vegetation for the approved development.

25. Clearing of native vegetation procedure

In undertaking approved tree and native vegetation clearing work on the land, the following shall be undertaken:

1. Tree and native vegetation clearing shall only be conducted by licensed and experienced clearing contractors acting under the direction of an appointed, suitably qualified and experienced project ecologist,
2. No hollow-bearing trees are to be impacted for any aspect of the work,
3. During approved tree and vegetation clearing activities:
 - a. The project ecologist shall work cooperatively with the clearing contractors to develop and implement a clearing methodology to minimise impacts to fauna, and
 - b. Limits to clearing shall be established and all trees approved for clearing shall be clearly identified, and
 - c. Removal of trees shall be conducted using dismantling or directional felling away from trees that are to be retained, and
 - d. Removal of trees shall be conducted in a manner that avoids the movement of heavy machinery in the root zones of trees that are to be retained, and
 - e. The project ecologist shall conduct a pre-clearing survey on the morning of general tree / native vegetation clearance to survey for the presence of large bird nests and arboreal mammals (particularly koalas). If a koala is observed, all work shall cease in an area of a 100-

- metre radius around the animal until such time as it has vacated the site of its own free will, and
- f. Trees and vegetation from the clearing works should be re-used as log form or mulch or retained by the occupier for use in internal wood fires. Windrowing and pile-burning shall be avoided except for with the approval of the RFS, and
 - g. The clearing of any trees should be undertaken in a manner that avoids damaging adjacent vegetation.
4. Measures shall be installed that will ensure that no damage or clearing occurs outside the approved development footprint and APZ area,

Reason: To protect significant trees and minimise the impacts of the development on native vegetation.

26. Weed and pathogen procedure

Contractors shall ensure that all machinery, materials and personnel are clean of any weed seed and tyres, boots, hats and clothing are disinfected / laundered prior to entering the site during the construction work.

Reason: To manage weeds and pathogens appropriately.

27. Mitigation measures

The mitigation measures identified in Section 6.4 of the Ecological Assessment report dated June 2022 prepared by Wildthing are to be implemented.

28. Construction times

Construction works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

Monday to Friday, from 7 am to 6 pm.
Saturday, from 8 am to 1 pm.

No construction work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development.

29. Builders rubbish to be contained on site

All builders rubbish is to be contained on the site in a suitable waste bin/enclosure. Building materials must be delivered directly onto the property. Footpaths, road reserves and public reserves must be maintained clear of rubbish, building materials and other items at all times.

Reason: To ensure that materials and waste do not adversely affect traffic or pedestrian safety and amenity.

30. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Reason: To protect the environment from the effects of erosion and sedimentation.

31. Aboriginal heritage

This consent does not authorise the harming of an Aboriginal object or place. Under the National Parks and Wildlife Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified. All directions of the Office of Environment and Heritage must be complied with at all times.

Reason: To protect Aboriginal heritage.

32. Imported Fill Materials

Any imported fill material shall be limited to the following:

- a. Virgin excavated natural material (VENM); or
- b. Excavated natural material (ENM) certified as such in accordance with the Protection of the Environment Operations (Waste) Regulation 2014; or
- c. Material subject to a Waste exemption certified as such under Clause 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW Environment Protection Authority as being "fit for purpose" for the proposed use.

Any waste-derived material that is subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be held by the landowner and be made available to Council upon request.

Reason: To maintain amenity and protect the environment.

33. Finished Levels

The finished floor level of the building shall be no higher than 38.55m AHD.

The finished level of the outdoor play area shall be no higher than 38.25m AHD.

A survey certificate prepared by a registered surveyor must be submitted to the certifying authority at the following stages of the development:

- a) Prior to the construction of first completed floor slab showing the area of land, building under construction and proposed finished level of the slab.
- b) At completion, indicating the finished floor level of the building and outdoor play area.

Reason: To maintain amenity

34. Fencing

Fencing to the perimeter of the outdoor play area shall be of a height no greater than 3m above the finished level for the area.

Fencing shall be of non-combustible materials and complementary to the proposed building and rural residential setting. The use of colorbond fencing or the like is not permitted.

Reason: To maintain amenity

Conditions which must be satisfied prior to the issue of any Occupation Certificate relating to the use of the building or part

35. Works to be completed

The building/structure or part thereof must not be occupied or used until an occupation certificate has been issued in respect of the building or part.

Reason: To ensure compliance with the development consent and statutory requirements.

36. Rural stormwater disposal

Prior to the issue of an occupation certificate, stormwater must be collected to tank storage and the overflow disposed of in a controlled manner so that stormwater flows are:

- a) Clear of buildings and infrastructure,
- b) Clear of effluent disposal areas,
- c) Not concentrated so as to cause soil erosion,
- d) Not directly to a watercourse, and
- e) Not onto adjoining land.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

37. On-site sewage management system - approval to operate

Prior to the issue of an occupation certificate, the on-site sewage management system must be completed in accordance with the approved plans and current specifications and standards. The system must not be used and/or operated until it has been inspected by a Council Officer and an approval to operate the system has been issued.

Reason: To ensure public health and safety.

38. Stormwater Treatment - Rainwater Tank for Water Quality

Prior to issue of any occupation certificate, the rainwater tank must be constructed in accordance with the approved plans dated Site/Roof Plan A2.1, approved WATER SENSITIVE DESIGN STRATEGY for PROPOSED ANIMAL BOARDING FACILITY

prepared by Tattersall Lander Feb 2020, and these conditions. The site stormwater management must meet the following criteria:

- a) A minimum 100KL rainwater tank is to collect 100% of the roof area with water from the tank connected to all taps in the development.
- b) Overflow from the rainwater tank is to be evenly dispersed across landscaped areas; rock protection is to be situated at the overflow point to prevent scouring and erosion.

Reason: To ensure water quality requirements as contained in the Water Sensitive Design section of the Great Lakes Development Control Plan are met.

39. Completion of car parking areas and provision of signs

Prior to the issue of an occupation certificate, the car parking areas must be constructed and sealed in accordance with the approved plans and be fully line-marked.

Reason: To ensure that adequate parking facilities for the development are provided on site.

40. Inspections of engineering work

Prior to the issue of an occupation certificate, a Certificate of Practical Completion from MidCoast Council, stating that the installation of the concealed driveway signage along Coomba Road has been satisfactorily completed, must be submitted to the principal certifying authority.

Reason: To ensure the provision of required signage.

41. Inspection of Noise Mitigation Measures

An inspection must be undertaken by an acoustic engineer to ensure all recommended mitigation measures and assumptions provided in the acoustic report prepared by Spectrum Acoustics (Doc No. 191882-8735B, dated April 2022) have been included in the construction, including the sound power and location of any external air conditioning plant. An inspection report must be prepared by the acoustic engineer and must be submitted to Council prior to issue of any occupation certificate.

The acoustic engineer must ensure that any penetrations in the structure to allow for air conditioning are filled in to maintain acoustic integrity of the building.

Reason: To protect the amenity of adjoining premises.

42. Implementation of the Landscape Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the landscape plan. The final occupation certificate shall not be issued until such time as the required landscaping set-out in the relevant plan has been appropriately established.

Reason: To appropriately conduct landscaping on the subject land.

43. Plan of Management

Prior to the issue of an occupation certificate the Plan of Management dated May 2022 prepared by Tattersall Lander Pty Ltd for the ongoing use of the development must be amended to include the following matters prior to being submitted to the consent authority for approval:

The Plan of Management shall incorporate a complaint management system, which includes (but is not limited to) communication with neighbouring residents, 24hour contact details to be provided to neighbouring residents, recording of all complaints received, details of all actions taken to investigate and address complaints and details of the response provided to the complainant in a new section 4.7 entitled "Complaints Management Procedures". The complaints management procedure must as a minimum include:

- a contact name, along with telephone and website details by which complaints can be lodged in relation to the proposed pet resort;
- a statement of commitment to minimum times within which a complainant would receive a response from management of the pet resort;
- the details of complaints are to be recorded by the pet resort on its complaints register, which can be those provide under section 4.1 concerning noise; and
- confirmation that the complaints register will be kept up to date, including details provided to complainants and the time by which the response was provided, and that the register will be made available to the Council upon request and within 24 hours (one working day) of the request being received;

Section 4.5 of The Plan of Management must be amended to include:

- any maintenance recommendations made by the BPAD accredited consultant who approves the final configuration of the approved plantings in the space along the southern boundary of proposed Lot 33; and
- address the relevant requirements for APZ management and maintenance under Appendix 4 of Planning for Bushfire Protection 2019 and the Standards for Asset Protection Zones published by NSW Rural Fire Service;

The Plan of Management provide for a new section 4.8 entitled "Plan of Management Review" that includes:

- a commitment to annual review of the plan of management;
- a commitment to seek input to the review from current and future adjoining neighbours of the pet resort; and
- a commitment to include within the review a statement of how the review has responded to any complaints received during the year preceding the review date.

The Plan of Management must also describe the measures that are to be implemented to ensure:

- Best practice management is being employed;
- Compliance with noise criteria in this consent and prevent offensive noise;
- Compliance with approved hours of operation and use of external areas including the drop off and collection of dogs shall only be permitted between the hours of 8am-10am and 1:30pm-5pm daily
- More than three (3) dogs are not in the outdoor play area at any one time;
- More than three (3) dogs are not in the carpark area at any one time;
- Solid waste and wastewater is appropriately managed; and

- Staff are onsite and contactable at all times;
- A procedure for yearly review; and
- Address any amendments made to the DA under these conditions of development consent.

Reason: to protect amenity, public health and the environment.

Conditions which must be satisfied for ongoing use of the development

44. Maximum number of dogs

A maximum of 30 dogs associated with the kennel facility shall permitted to be kept on the premises at any one time.

Reason: To protect the amenity of adjoining premises.

45. Maximum number of dogs outside

A maximum of 3 dogs shall be permitted to be outdoors at any one time, with the exception of dogs being picked up or dropped off. Dogs outside of the building must be kept within the designated outdoor play area, with exception of dogs being dropped off or picked up from the development. No more than 3 dogs being picked up or dropped off shall be outside at any one time.

Reason: To protect the amenity of adjoining premises.

46. Outdoor play area hours of operation

Dogs shall only be permitted in the outdoor play area between the hours of 7:00am to 6:00pm Mondays to Saturdays and 8am to 6pm on Sundays and public holidays

Reason: To protect the amenity of adjoining premises.

47. Public access hours of operation

Public access for drop off, pick up and enquiries shall only be permitted between the hours of 8:00am-10:00am and 1:30pm-5:00pm daily.

Reason: To protect the amenity of adjoining premises.

48. Review of noise attenuation methods

Submit to Council a report from an acoustic engineer one month after commencement of the development which:

- a) Assesses noise emission from the development;
- b) Reviews the effectiveness of the noise attenuation methods; and
- c) Assesses compliance or otherwise with the Project Noise Levels as specified in this consent.

Reason: To maintain acoustic amenity.

49. Project Noise Levels

Project noise Levels from the premises must not exceed noise levels specified in the table below:

Location	Day	Evening	Night
R1, R3	40 dB(A) LAeq(15min)	35dB(A) LAeq(15min)	35dB(A) LAeq(15min)

Note:

Day is: 7am to 6pm Monday to Saturday; 8am to 6pm Sundays and Public Holidays and an exceedance of no more than 2dB(A) in the daytime noise levels is considered acceptable.

Evening is: 6pm to 10pm daily

Night is: the remaining periods

Noise levels are to be measured in accordance with the NSW Environment Protection Authority - Noise Policy for Industry 2017.

Reason: To maintain acoustic amenity to adjoining properties.

50. Storage of waste

All waste generated on the premises shall be stored in a manner so that it does not pollute the environment.

Reason: To protect the environment.

51. Disposal of waste

All waste (including liquid waste) must be disposed of at an appropriately licenced waste facility. Receipts for disposal must be retained and provided to Council upon request.

Reason: To protect the environment.

52. Noise Mitigation

Within one month after receiving a written request from the owner of any residence on Lot 32 approved under development consent DA-445/2015, the person with the benefit of this consent is to engage a suitably qualified acoustician to undertake an acoustic assessment of the impact of the proposed development against the project noise criteria in condition 40. The person with the benefit of this consent must implement any additional noise mitigation such as double glazing, insulation and/or air conditioning recommended by the acoustic assessment. Any noise mitigation required must be carried out at the cost of the person with the benefit of this consent.

Reason: To maintain acoustic amenity to adjoining properties.

53. Notification of requirements

The person with the benefit of this consent must notify the owner of Lot 32 of the requirements of condition 43 within three months of any occupation certificate being issued for a dwelling house on Lot 32. There is no requirement to notify under this condition if both allotments are within the same ownership.

Reason: To maintain acoustic amenity to adjoining properties.

54. Bushfire mitigation requirements

Prior to the issue of an occupation certificate, the pet resort building and associated structures are to be certified, by a an appropriately qualified person, as having been constructed in accordance with Bushfire Attack Level Flame Zone as defined in Australian Standard AS 3959- Construction of buildings in bushfire-prone areas and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2019.

Reason: To improve bush fire safety.

55. Plan of Management

The development shall be carried out in accordance with the approved Plan of Management.

Reason: To protect amenity, public health and the environment.