

General Conditions:

1. The development is to be carried out in accordance with the details submitted with the application and the plans stamped "210/2011/DA approved" (as amended by the following conditions).
2. A Construction Certificate issued by the principal certifying authority is to be deposited with Council at least 48 hours prior to commencement of any building work on the site.
3. Payment of the prescribed Long Service Levy Fee prior to the issue of a Construction Certificate.
4. The design of the proposed building is to fully comply with the provisions of the Building Code of Australia, prior to the issue of a Construction Certificate.
5. Landscaping of the site shall include primarily locally native tree and shrub species.
6. Provision of on-site parking in accordance with Council's DCP 2010 Part G1 to accommodate 181 vehicles. Disabled parking spaces shall be provided at each commercial building in accordance with Australian Standards.
7. All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

Prior to issue of Construction Certificate:

8. An Erosion and Sediment Control Plan in accordance with Council's Policy is to be submitted for Council's approval prior to the issue of a Construction Certificate. The plan is to detail temporary and permanent measures proposed to be installed and is to include an analysis of the susceptibility of the soil to erosion.
9. The applicant is to carry out all demolition or construction works, which require the use of footpath area in front of the premises, to ensure minimum interference with pedestrian and vehicular movements. Appropriate traffic control measures are to be undertaken during the works and details of these measures are to be submitted prior to the issue of a Construction Certificate
10. The applicant is to pay to Council contributions levied in respect of Section 94 of the Environmental Planning & Assessment Act for the following designated

purposes prior to the issue of a Construction Certificate.

The individual contributions from section 94 Contributions Plan 1992 are as follows:

1992 Plan total - \$758.32 Stormwater Drainage

The amount of each contribution may be revised in accordance with the indexing or review provisions of the relevant Contribution Plan under which the contribution is levied. The amount of each contribution will be determined by Council at the time of payment in accordance with those provisions.

11. Internal driveway details including site plan drawn to scale showing the location, layout and levels of the parking spaces, vehicle access and manoeuvring areas, designed in accordance with Council's DCP 2010 Part G1, are to be submitted to and approved by Council prior to issue of a Construction Certificate.

12. Princes Street

- a) A single lane roundabout is to be constructed at the intersection of Princes Street, Emerton Close and the new bypass road, generally as shown on the plan prepared by Tony Owen Partners dated 25 May 2012, Drawing No A101 Revision H, and in accordance with Austroads Guide to Road Design Part 4B Roundabouts. The pavement of the roundabout is to be constructed of reinforced concrete, with a landscaped central island. The roundabout is to be designed to enable future expansion to a two lane roundabout, and the design drawings are to also show this expansion.
- b) The pavement is to be designed for Design Traffic of 1×10^7 ESA's to Council's 2 Lane Urban Arterial Road Standard as specified in Council's Auspec Design Manual.
- c) Provision is to be made in the road and roundabout design for cyclists and pedestrian movements, both along Princes Street and across Princes Street to the development.
- d) The verge area of the site frontage to Princes Street and the new bypass road is to include landspacing which provides for a contiguous 'gateway' theme along both roads comprising an avenue of Illawarra Flame Trees. Such trees are to be planted at a minimum trunk spacing of 10 metres, setback 3 metres from the kerb or edge of bitumen if no kerb, or as determined by Council.

Full details are to be submitted prior to the issue of a Construction Certificate.

In addition to the landscaping requirements of Section G of DCP 2010, all street frontages of new buildings are to be planted with a low contiguous hedge, allowing for driveway access points. A flowering *Westringa* species is preferred.

The verge is to be planted with drought and frost resistant species established in an adequate depth of topsoil. Trees are to be maintained until established with species being replaced should dieback occur.

- e) The carriageway of Princes Street at the roundabout, including the approaches, is to be constructed to provide the full integrity of the road structure so as to prevent longitudinal failure of the joints between the new and existing pavement.

New By-Pass Road

- a) The new by-pass road providing access to the development is to be constructed from the proposed roundabout at Princes Street to 10 metres past the entry to the development. The road is to be designed to Council's 4 Lane Arterial Road Standard as specified in Council's Auspec Design Manual, with pavement designed for Design Traffic of 5×10^7 ESA's. Kerb and gutter is to be constructed on one side of the road. The road is to be constructed half-width plus 3 metres, with shoulder and table drain.
- b) Rural type fencing is to be erected along the northern boundary of the constructed road.
- c) White reflectorised guideposts are to be placed at the end of the constructed road.

13. A **Geotechnical Report** for pavement design of the proposed roadworks prepared by a duly qualified and experienced Geotechnical Engineer shall be submitted for approval prior to the issue of a Construction Certificate.

14. A Soil & Water Management Plan in accordance with Council's DCP 2010 Section G3 is to be submitted and approved by Council, prior to the issue of a Construction Certificate. The plans are to be prepared by an Engineer whose qualifications are acceptable for membership of the Institution of Engineers Australia (or other professional approved by Council) detailing temporary and permanent measures proposed to be installed. The plan is to include an analysis of the susceptibility of soil to erosion and is to be submitted with the Engineering plans.

All erosion and sediment control measures undertaken on the site are to conform to the specifications and standards contained in the document "Managing Urban Stormwater – Soils and Construction", Department of Housing, 2004 Manual.

15. Water Sensitive Urban Design (WSUD) principles are to be incorporated into the drainage design and are to be prepared by a suitably qualified and experienced person. In this regard, provision is to be made for best practice gross pollutant traps (SQUIDS) at the outlets to collect litter, sand, silts and oils etc. The devices selected are to be submitted to Council for approval with the engineering drawings in accordance with Section 68 of the Local Government Act 1993, and are to be capable of retaining pollutants in accordance with the requirements of Council's Stormwater Management Plan and Australian Runoff Quality (ARQ). A Site specific Operation and Maintenance Manual is to be prepared for the system and submitted to Council for approval prior to the issue of a Construction Certificate.

MUSIC modeling is to be undertaken and submitted to Council for approval prior to the issue of a Construction Certificate. Stormwater is to be directed into appropriate stormwater treatment measures close to the source of that stormwater and include a combination of rain gardens, permeable paving, pit inserts, vegetated filler strips, bio-retention swales and retention/infiltration systems. An electronic, as well as a hard copy of the model is to be submitted to Council with the Engineering Drawings.

16. Provision must be made within the site for turning area to accommodate the following vehicles in accordance with the design guidelines of Austroads –
 - Design semi-trailers to the service station,
 - Design single unit trucks to each commercial business,
 - Design buses to the motel.
17. Entrance and Exit of sufficient width to demonstrate ability to accommodate the turning movements of a Design Semi-trailer, in accordance with Austroad guidelines.

Prior to Commencement of Works:

18. **Demolition - WorkCover Licence** - Persons undertaking demolition work shall be licensed under the Occupational Health and Safety (Demolition Licensing) Regulation 1995. WorkCover issue demolition licenses to applicants who successfully undertake the Demolition Supervision Course, and who can demonstrate their ability and experience in the field.
19. The sheet metal cladding proposed to be used on the external surfaces of the roof of the building is to be of factory prefinished, non glare materials.
20. **WorkCover Approval** - It is the responsibility of the owner to contact WorkCover Authority with respect to any demolition work or use of any crane, hoist, plant or scaffolding prior to any work commencing on the site.
21. **Disconnection of Services** - All services (ie sewer, phone, gas, water and electricity) must be disconnected prior to commencement of demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
22. **Destination of Waste Material** – Demolition materials must be disposed of to an approved land-fill site and where appropriate to an approved recycling outlet. Details of the method of waste disposal must be lodged with the Consent Authority (ie Greater Taree City Council) prior to commencement of work.
23. **Information Required By Council Prior To Demolition** - The demolisher shall lodge with Council at least forty-eight (48) hours prior to the commencement of work: Written notice indicating the date when demolition of the building is to commence. Details of name, licence, address and business hours contact number. Copy of the demolishers current public liability/risk insurance policy indicating cover of at least \$20,000,000.
24. **Site Security For Demolition Works** - The site shall be secured prior to the commencement of demolition and to the satisfaction of the Council or the Accredited Certifier and in accordance with Clause 78H of the Environment Planning and Assessment (Amendment) Regulation 1998.
25. The north western boundary of the development site shall be fenced off prior to works commencing, to prevent encroachment of machinery into the EEC on adjoining Lot 681.
26. A survey shall be undertaken by a qualified botanist during the flowering / fruiting period of *Eucalyptus seeana* in order to confirm or discount the species within the development site. Should the species be identified within the development site, seeds shall be collected from any felled *E. seeana* trees on site and used in the landscaping of the site at a ratio of 10:1.

27. The Waste Management Plan is to be prepared and approved by Council prior to the issue of the Construction Certificate.
28. A Traffic Control Plan (TCP) is to be prepared by a qualified person and submitted to Council prior to the commencement of construction. No works are to commence until the TCP has been received by Council.
29. Prior to commencement of any works, the applicant is to lodge with Council:
- i) a plan, prepared by a registered surveyor, showing all survey marks on public record, which may be disturbed or destroyed during the course of the works;
 - ii) a cash bond or bank guarantee to cover the potential cost of replacement of any such marks disturbed or destroyed during the course of the works. The value of such bond shall be determined by Council on examination of the plan supplied in (i) above.

During Construction:

30. It is required that a Principal Certifying Authority (PCA) be appointed to undertake all critical stage inspections as prescribed under the Environmental Planning and Assessment Regulation 2000. The owner may appoint either the Council or an accredited certifier to be the PCA.
31. **Hoarding and Ancillary Requirements** - The site must be enclosed with a suitable temporary hoarding or security fence of a type approved by the Consent Authority, (ie Greater Taree City Council). An application must be lodged with and approved by Council prior to the erection of any hoarding or fence.
- Note 1** No site or demolition works must commence before the hoarding or fence is erected and a Construction Certificate, if applicable, granted by a Certifying Authority.
- Note 2** Public thoroughfares must not be obstructed in any manner whatsoever during demolition works.
- Note 3** All demolition works must comply with the requirements of AS 2601 - 1991.
32. **Prevention Of Nuisance To Inhabitants** - All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind blown dust, debris, noise and the like.
33. **Protection Of Council Property** - All reasonable care must be taken to protect Council's roads, including the made footway, kerbs, trees, etc, and when plant and vehicles enter the site, the footway shall be protected against damage by deep sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends.
34. **Vehicles Leaving The Site** - The demolisher shall:

cause motor lorries leaving the site with demolition material and the like to have their loads covered; ensure the wheels of vehicles leaving the site do not track soil and other waste material onto the public roads adjoining the site.

35. **Asbestos** - All material in the building which contains asbestos shall be removed in accordance with the guidelines of the WorkCover Authority and requirements of the Environmental Protection Authority.
36. **Demolition - On Site Burning** - The burning of any demolished material on the site is not permitted. Offenders will be prosecuted under the Environmental Protection Operations Act.
37. The construction and operation of the proposed petrol station must comply with Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008.

The proposed petrol station, fast food and retail outlet shall not impact on the amenity of the surrounding area by way of noise, odour or light pollution during construction and once business has commenced.

38. **Removal Of Hazardous And/Or Intractable Wastes** - Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant Statutory Authorities, and receipts submitted to Council for verification of appropriate disposal.
39. **Demolition Australian Standard** - Demolition of the building shall be carried out in accordance with the requirements of Australian Standard 2601 - 1991 where applicable.
40. The construction and fit-out of the premise or any part thereof, to be used for the manufacture, preparation or storage of food, must comply with Standard 3.2.3 of the Food Standards Code and Australian Standard 4674-2004 "Design, Construction and Fit Out of Food Premises".
41. The operation of the proposed facility must be in accordance with the Food Act 2003, Food Regulations 2004 and the Food Standards Code.
42. The premises, fittings and fixtures must be constructed and installed in accordance with the approved plans unless otherwise specified in these conditions of approval.
43. The intersections of the floor with walls and plinths shall be covered so that the area can be easily cleaned.
44. Floors in the food preparation areas, sculleries and food storage areas shall be constructed of approve materials that are non-slip, impervious to moisture.
45. Walls in the food preparation areas, sculleries and food storage areas shall be constructed of approved materials that are non-slip, impervious to moisture.

46. All gaps between selves and vertical surfaces must be sealed to prevent the accumulation of grease and food particles. Alternatively 25mm clearance is required to allow the area to be cleaned.
47. A hand wash basin must be provided with hot and cold water that is mixed through a single device. Liquid soap and disposable hand towel must be available at the hand basin.
48. Where an exhaust ventilation system is installed, a Certificate of Compliance must be submitted to Greater Taree City Council, prior to occupation. The certificate must be issued by a suitably qualified person and verify that the kitchen exhaust system as installed, has been tested and complies with Australian Standard 1668 – 1991 Parts 1 & 2 and the Building Code of Australia.
49. All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.
50. All equipment used for the display or storage of cold food shall maintain the food temperature of not more than 5°C
51. All benches, fixtures, refrigeration cabinets and cooking appliances must be butted against walls or other equipment. Junctions with vertical surfaces must be sealed to eliminate the accumulation of grease and food particles. Alternatively, clearances are to be provided from vertical surfaces in accordance with AS 4674:2004
52. Light fittings must be recessed into the ceiling or flush mounted and edges sealed. They must be enclosed in unbreakable diffusers.
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54. The premises must be provided with a:
 - (a) commercial dishwashing machine capable of achieving a hot water temperature of at least 77 degrees Celsius ; and
 - (b) at least one single bowl cleaning sink or tub containing at least one compartment.
55. Should any item of indigenous or European heritage be uncovered during construction, all work shall cease immediately and notification shall be provided to the Office of Environment and Heritage (OEH).
56. Work during construction which may result in noise nuisance being created, shall be restricted to hours of operation between 7 a.m. to 6 p.m. Monday to Friday, and 7 a.m. to 12 noon Saturdays

Prior to Issue of Occupation Certificate:

57. A Lighting Management Plan will be completed by a suitable qualified consultant and submitted to Council. The plan will demonstrate compliance with AS4282-1997 "Control of the Obtrusive Effects of Lighting".
58. No occupation of the building will be permitted until all conditions of development consent are satisfied, a satisfactory final inspection has been carried out and an Occupation Certificate issued.
59. All unbuilt upon or unsealed areas are to be grassed and planted with appropriate trees and shrubs generally in accordance with the approved Landscape Plan prior to the issue of an Occupation Certificate.
60. A Landscaping Plan prepared generally in accordance with the principles of Council's DCP 2010 Part G is to be approved by Council prior to the issue of the Occupation Certificate.
61. Parking areas, access lanes and vehicle movement areas are to be constructed, drained and concreted, bitumen sealed or alternatively constructed to a similar standard surface (but not gravel) with the parking spaces permanently and clearly identified. The work is to be completed prior to the issue of an Occupation Certificate.
62. Prior to the issue of an Occupation Certificate, a full width industrial and commercial reinforced concrete verge crossing with separated entry and exit is to be provided by the applicant at the approved vehicle entry location point, at no cost to Council. All work required to be carried out within a public road reserve must be separately approved by Council under Section 138 of the Roads Act 1993. A Driveway Application is to be submitted to Council for approval, with the appropriate fee, prior to the commencement of construction. Vehicular crossings are to be designed and constructed in accordance with Council's standards (SD74) and the plan prepared by Tony Owen Partners dated 25 May 2012 Drawing No A101 Revision H.

The verge crossings shall be the following widths and located a minimum of 1.0 metre from the side boundaries.

Entrance	6 metres (minimum)
Exit	6 metres (minimum)
Separation	2 metres (minimum)

63. Signs must be erected at the entrance to the development, advising that trucks and large vehicles (other than delivery vehicles and coaches) are not to enter the site. Work shall be completed prior to the issue of an Occupation Certificate.
64. Guide posts and/or bollards shall be erected along the frontage of the site, and on the road shoulder opposite the site, to prevent semi-trailers and other large vehicles from parking. Work is to be completed prior to the issue of an Occupation Certificate.
65. Prior to the issue of an Occupation Certificate, a small mountable roundabout with painted islands, shall be constructed within the site at the western end of the main entry, generally as shown on the drawing TX.02 prepared by TRAFFIX dated 25 May 2012.
66. Prior to the issue of an Occupation Certificate, bicycle storage racks, providing storage for not less than 10 bicycles, shall be provided at a central location within the site.
67. All redundant vehicular crossings are to be removed and replaced with kerb and gutter to Council's standard prior to the issue of an Occupation Certificate.
68. Prior to the issue of an Occupation Certificate, the applicant is to carry out the following works and services. Plans prepared in accordance with Council's Auspec 1 Design Manual accompanied by the appropriate supervision/assessment fees are to be submitted to and approved by Greater Taree City Council, together with a construction certificate and long service levy prior to the issue of a Construction Certificate. Work is to be completed prior to the issue of an Occupation Certificate.
69. The applicant is to repair any damage to existing roads and concrete foot paving caused during the construction works, in accordance with Council requirements, prior to the issue of an Occupation Certificate
70. Prior to the issue of an Occupation Certificate, concrete foot paving 1.2 metres wide is to be constructed for the full frontage of the development in Princes Street and the frontage of the development in the New Bypass Road from the proposed roundabout to the main entry.
71. Damaged sections of the kerb and pavement along the street frontage of the development are to be reconstructed to Council's requirements. Prior to undertaking the works the applicant shall contact Council for inspection to determine the extent of the works. Construction is to be carried out prior to the issue of an Occupation Certificate.

72. Where depth of filling exceeds 300mm it is to be constructed in horizontal layers not exceeding 150 mm compacted thickness. Each layer shall be compacted to at least 95% of the maximum dry density, when tested, in accordance with AS 1289 - 1993 Clauses 5.1.1 and 5.3.1. Verification of the compaction is to be provided by a Certificate, incorporating a location plan indicating filled areas in relation to road and lot boundaries, from a registered N.A.T.A. testing laboratory prior to the issue of an Occupation Certificate.

Operational Conditions

73. The development is to be conducted in a manner so as not to interfere with the amenity of the area by reason of noise, vibration, smell, fumes, smoke, oil, waste water, waste products or otherwise.
74. All refrigeration equipment and associated fittings must be installed so that they operate without causing a vibration nuisance or offensive noise within the meaning of the Protection of the Environment Operations Act 1997.
75. Weed control shall be undertaken on site post-construction.
76. Any bulk garbage bins delivered by Authorised Waste Contractors are to be placed and kept within the property boundary.
77. Solid waste generated by the development must be disposed of at an approved landfill.
78. The underground petroleum storage system is to be installed to meet the minimum requirements of the POEO (Underground Petroleum Storage Systems) Regulation 2008 inclusive of the following:
A new UPSS must prior to commissioning:
- Be appropriately designed, install and commissioned by duly qualified persons in accordance with the UPSS Regulation.
 - Have minimum mandatory pollution protection equipment installed, consistent with the Regulation, comprising non-corrodible secondary containment tanks and associated pipework and overfill protection devices.
 - Have groundwater monitoring wells installed and tested in accordance with the Regulations.
 - Have a certificate showing that any equipment integrity test (EIT) has been carried out in line with the written directions of duly qualified persons.
79. The applicant is to prepare and implement a Plan of Management for the site detailing the following:
2. installation of lighting in the areas car parking areas.
 3. installation of pedestrian and vehicle controls .
 4. protocols for the use and management of CCTV.
 5. installation of intruder alarms and monitoring protocols.
 6. risk assessments to determine the need for security personnel.

- 7. cleaning and maintenance protocols.
- 8. operational procedures relating to incident reporting.
- 9. noise management associated with patrons.

80. Any proposed landscaping, signage and fencing are not to impede sight lines of traffic and/or pedestrians within the development, or when entering or leaving the development.

81. The installation of exterior lighting to all vehicular manoeuvring and parking areas. The exterior lighting shall be designed and installed so that no obtrusive light will be cast onto any adjoining property.

82. Landscaping (including installation of an adequate watering system) is to be carried out and maintained in accordance with the approved landscape plan.

83. All landscaping areas are to be separated from adjoining driveways, manoeuvring areas and parking areas to prevent damage by vehicles.

84. All activities associated with the loading and unloading of goods associated with the development must be carried out on site. All vehicles including delivery vehicles are to enter and exit the site in a forward direction.

85. Operation of the site shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:

Drive Through and Fast Food Outlet – 6am-12pm
 Service Station – 24 hours
 Motel – 24 hours
 Commercial units- 8am-6pm
 All car parking spaces – 24 hours

86. The developer is responsible for any costs relating to alterations and extensions of existing roads, drainage and Council services (including water and sewer reticulation) for the development.

87. The proponent shall ensure that dust suppression is undertaken to the satisfaction of Council, in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving within the site does not cause nuisance to surrounding properties.

88. The sealing of all vehicular parking, manoeuvring and loading and unloading areas is to be maintained at all times.

89. The pavement markings of all vehicular parking areas and directional pavement markings is to be maintained at all times.

90. All vehicular movement to and from the site shall be in a forward direction to ensure that the proposed development does not give rise to vehicle reversing movements on or off the public road with consequent traffic accident potential and reduction in road efficiency.
91. To ensure that required car parking spaces, associated driveways and vehicle manoeuvring areas are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and used exclusively for the purposes of car parking and vehicle access and under no circumstances are such areas to be used for the storage of goods or waste materials.
92. Landscaping shall be maintained throughout the life of the development.

At Completion of Works

93. The bond shall be released to the applicant, at the completion of the work, upon the lodgement with Council of:
 - i) a declaration by a registered surveyor, stating that no survey marks as shown on the submitted plan have been disturbed or destroyed; or
 - ii) a plan, prepared by a registered surveyor, and acceptable to the Land Titles Office for registration as a public record plan, showing the positions and values of all survey marks placed by the registered surveyor in lieu of the survey marks shown on the submitted plan which have been destroyed or disturbed during the course of the works.
94. The applicant shall dedicate to Council upon registration of the linen plan of subdivision, at no cost to Council, the New By-Pass Road as a public road. Council will not proceed with arrangements for dedication until it has received an accurate cadastral plan identifying the section of the road to be dedicated.
95. After practical completion of works and services to Council's standards the following will be required prior to the issue of Occupation Certificate:
 - A "Works as Executed" set of drawings prepared in accordance with the requirements of Council's AUSSPEC No. 1 Design Manual. These must be original drawings showing as constructed details of all works and services, suitably endorsed as correct on each sheet by the Superintendent.
 - Maintenance Deposit - Deposit with Council (or a Bank Guarantee) for a period of

twelve months from completion of engineering work of a sum equal to 5% of the cost of Engineering works prior to the issue of a Subdivision Certificate. This security is to be lodged to guarantee the quality of work and to ensure that the contractor carries out all maintenance and repairs required during this period.

- Bonding Policy - Any work to be bonded must be in accordance with Council Policy AUSSPEC No. 1 Design Manual. Generally bonds will only be accepted for final seal or Asphaltic Concrete surfacing. Bonding will be via a cash bond or bank guarantee in the sum of 150% of the current cost of carrying out the work at Council rates. The time limit for such bonds is three (3) months.
- The actual contract values of all assets (roads, stormwater drainage, open space, etc) dedicated to the public are to be submitted with "Works as Executed" drawings on Council's standard form.

PRESCRIBED CONDITIONS

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

97. Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the principal certifying authority for the development:

- a) in the case of work done by a licensee under the Act:
 - (i) has been informed in writing of the licensee's name and contractor license number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR
- b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and ownerbuilder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of the Act,

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either (a) or (b).

NOTE: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.

98. A sign must be erected in a prominent position on any work site on which building work, subdivision work or demolition work is being carried out:

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

Any sign is to be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) building work carried out inside an existing building, or
- b) building work carried out on premises that are to be occupied continuously (both during and outside work hours) while the work is being carried out.

99. The commitments listed in any relevant BASIX Certificate for this development are to be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.

100. If an excavation associated with the erection/demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a) must preserve and protect the building from damage, and
- b) if necessary, must underpin and support the building in an approved method, and
- c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected/demolished.

NOTE 1: The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

NOTE 2: For the purposes of this condition allotment of land includes a public road or any other public place.

101. Pursuant to section 68 of the Local Government Act 1993, the following approvals must be obtained from Council prior to the issue of a Construction Certificate:-

- (i) Carry out water supply works;
- (ii) Carry out sewerage works (if applicable);
- (iii) Carry out onsite sewage management works (if applicable);
- (iv) Carry out stormwater drainage work; and
- (v) Dispose of trade waste into a sewer of the Council (if applicable).

