

Signature Gardens Retirement
Resorts Pty Ltd
CARE Insite Planning
PO Box 93
CESSNOCK NSW 2325

Contact: Mr R Forbes
Our Ref: DA 8/2011/415/1
Your Ref:

Dear Sir/Madam

**NOTICE OF DETERMINATION OF APPLICATION
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)**

Pursuant to Section 81(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) notice is hereby given of the determination by Cessnock City Council of **Development Application Number 8/2011/415/1**, for development on the subject land as described below. The application has been determined by :-

GRANTING OF CONSENT SUBJECT TO CONDITIONS

as specified in **SCHEDULE 1** of this Notice.

Date of Determination: -

Date from which Consent Operates: 21 June 2012

Date from which Consent Lapses:

Description of Development: Demolition of Existing Structures and Construction of a Seniors Housing Development comprising 183 Single-Storey Independent Living Units, 20 Assisted Living Serviced Apartments, An Aged Care Facility Incorporating 40 Rooms, Communal Facilities, Manager's Residence, and Associated Earthworks, Landscaping, Roads and Drainage Infrastructure pursuant to State Environmental Planning Policy (Housing For Seniors or People with a Disability) 2004, to be Constructed over Nineteen (19) Stages

Property Description:	Lot 1, DP 549647 28 Marrowbone Road, Lot 15 DP: 1031577 & Lot 19 DP 251809 69 Oakey Creek Road POKOLBIN
Zoning:	RU4 - Primary Production Small Lot
Applicant:	Signature Gardens Retirement Resorts Pty Ltd
Owner:	Signature Gardens Retirement Resorts Pty Ltd

Your attention is directed to the provisions of Section 95 of the Environmental Planning and Assessment Act 1979 (as amended). Should the development not be substantially commenced within five years of the date of determination of this approval, the approval will lapse and a further application will be required.

Should you consider any conditions of consent unreasonable or inappropriate you may apply to have them reviewed. Council provides an internal review process to consider objections to conditions of development approval. An application pursuant to Section 96 of the Environmental Planning & Assessment Act 1979 (as amended) must be made accompanied by the prescribed fee in accordance with Council's current fees and charges.

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 (as amended) gives you the right of appeal to the Land and Environment Court within six (6) months from the date of determination.

SCHEDULE 1

DEFERRED COMMENCEMENT CONDITIONS

1. Within six (6) months from the date of determination, the applicant shall submit the following information to Council:-

Amended plans (site, landscape and drainage) providing for the following:

- i) establishment of a 10m buffer between the Endangered Ecological Community and the Asset Protection Zone. The buffer is to be planted with local native species (including trees, shrubs and ground-layer species).
 - ii) Provision of a minimum of **three hundred and twenty three** (323) parking spaces and such being set out generally in accordance with Council's Car Parking Code.
- 2 Submission of detailed design drawings outlining the proposed intersection treatments on both Oakey Creek Road and Marrowbone Road. Plans must address the following:
 - i) Geometric design of a single lane circulating roundabout in accordance with Austroads, Roads and Maritime Services and Council's Engineering Requirements for Development.
 - ii) Confirmation that the proposed intersection treatments can be fully contained within the existing road reserves and the subject land. In the event that this cannot be complied with, all required road widening shall be contained within the subject land and the existing roads realigned, as required.

NOTE:

- a) Upon the satisfactory submission of the above information, Council will give notice to the applicant of the date from which this consent operates.
- b) Should the deferred commencement condition not be satisfied within the above Stated time, the approval will lapse and a further application will be required.

SCHEDULE 2**CONDITIONS**

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies:

Stage	Development Works	Condition Reference
All stages		1 - 52
1	Clearing of site, establishment of site perimeter buffer, construction of manager's residence and construction of vehicular access onto Oakey Creek Road.	53 - 75
2	Construction of 19 independent living unit's, one of which is to be used as a temporary central facilities area, pool and cabana, vehicular access onto Marrowbone Road, bulk earthworks, and associated drainage and roads;	76 – 94
3 & 4	Construction of 13 independent living unit's, establishment of bocce green, bulk earthworks and associated drainage and roads;	95 – 96
5	Construction of 14 independent living units, establishment of bowling green, construction of central facilities building, bulk earthworks and associated drainage and roads for stages 5 – 7.	97 – 106
6 & 7	Construction of 12 independent living units, tennis court, cabana and roads.	107 – 108
8 & 9	Construction of 23 independent living units, roads and drainage.	109 – 110
10 & 11	Construction of 20 independent living units, bulk earthworks and associated drainage and roads for Stages 12 -14.	111 – 112

12 & 13	Construction of 28 independent living units, caravan parking area and associated drainage and roads.	113 – 114
14 & 15	Construction of 28 independent living units and associated drainage and roads.	115 – 116
16 & 17	Construction of 26 independent living units and associated drainage and roads.	117 – 118
18	Construction of 20 assisted living serviced apartments and associated buildings.	119 – 127
19	Construction of aged-care facility incorporating 40 rooms and associated buildings.	128 – 136

CONDITIONS:

The following conditions (Conditions 1 to 52) pertain to all stages (Stages 1 to 19) of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

1. The erection of a building in accordance with this development consent shall **not** be commenced until:-
 - (a) detailed plans and specifications of the building verifying compliance with the Building Code of Australia have been endorsed with a **construction certificate** by:-
 - (i) the Cessnock City Council; or
 - (ii) an accredited certifier, and
 - (b) the person having the benefit of the development consent:-
 - (i) has **appointed a principal certifying authority**, (being Cessnock City Council or an accredited certifier) and
 - (ii) has notified Council of the appointment, and
 - (c) the person having the benefit of the development consent has given at least 2 days notice to the Council of their intention to commence erection of the building.

Reason

To clarify and advise the applicant that a Construction Certificate must be issued prior to works commencing as required by the Environmental Planning and Assessment Act 1979 (as amended).

2. The proposed development shall be carried out strictly in accordance with the details set out on the application form and the following plans prepared by Hamilton Hayes Henderson Architects (Project No. 4066), the Statement of Environmental Effects dated July 2011 as amended (including associated appendices), and accompanying documentation and any other information submitted in support of the application, except as modified by any plans submitted in response to the deferred commencement conditions, and by the conditions of this consent:-
 - a. Cover Plan (with notation March 2012 Modification to Development Application Lodged 11 July 2011) and dated December 2011.
 - b. Location Context Plan Numbered DA – 1.01-A dated December 2011.
 - c. Existing Site Survey Plan Numbered DA – 2.01-A dated December 2011.
 - d. Site Analysis Plan Numbered DA 2.02-B dated December 2011.

- e. Concept Site Plans Numbered DA – 2.03-B and DA – 2.04-D dated February 2012.
- f. Private Open Space and Landscape Provisions Diagram Numbered DA 2.06-B dated February 2012.
- g. Proposed Basix Reports Plan Numbered DA 2.07-B dated February 2012.
- h. Proposed Staging of Development Plans Numbered DA -2.08-B to DA -2.19B dated February 2012.
- i. Site Sections/Elevations Plan Numbered DA -2.20 dated February 2012.
- j. Independent Living Unit Floor Plans and Elevations Numbered DA – 3-01-A to 4-06-A dated December 2011.
- k. Central Facilities Precinct Plans (including pool & surrounds) Numbered DA -5.01-B to DA – 5.03-A dated December 2011.
- l. Miscellaneous Structures Plan Numbered DA – 5.07-A dated December 2011.
- m. Workshop and Maintenance Shed Plan Numbered DA – 5.08-A dated December 2011.
- n. Colour Schemes Plan Numbered DA -6.01-A dated December 2011.
- o. Site Plan for Residential High Care & Serviced Apartments Numbered DA – 7.01-B dated February 2012.
- p. Residential High Care Floor & Roof Plans, Elevations/Sections Numbered DA – 7.02-B to DA – 7.04-C dated February 2012.
- q. Residential Care Serviced Apartments Floor & Roof Plans, Elevations/Sections Numbered DA – 8.01-B to DA – 8.03-B dated February 2012.
- r. Manager's Residence Floor Plans and Elevations Numbered DA – 9.01-A and DA – 9.02-A dated December 2011.
- s. Landscape Concept Plans (Sheets 1 – 26) prepared by Terras Landscape Architects (Job No. 8241.5 Revision E) dated February 2012 as amended (clarification of screen mounding vegetation) by correspondence received 16 March 2012.
- t. The Air Quality and Noise Impact Assessment prepared by AECOM dated 29 February 2012 as amended on 12 April 2012.
- u. Draft Management Plan prepared by Signature Gardens Retirement Resorts
- v. Viticultural Soils Analysis prepared by Allybrook Pty Ltd and dated February 2012

- w. Preliminary Water Services Strategy prepared by Martens and Associates as amended 7 March 2012

Note: Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 96 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development Application will have to be submitted to Council.

Reason

To confirm and clarify the terms of Council's approval.

3. All building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

Reason

This is a prescribed condition under Section 80A(11) of the Environmental Planning and Assessment Act, 1979.

4. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates:-
- a. in the case of work for which a principal contractor has been appointed:
 - (i) has been informed in writing of the name and licence number of the principal contractor, and
 - (ii) where required has submitted an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act,
 - b. in the case of work to be done by an owner-builder:
 - (i) has been informed in writing of the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, has submitted a copy of the owner builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause 1 of this condition becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development has been given written notice of the updated information.

Reason

This is a prescribed condition under Section 80A(11) of the Environmental Planning and Assessment Act, 1979.

5. The proposed self-contained dwellings shall be occupied exclusively by “seniors or people with a disability “ as defined under Clauses 8 and 9 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in accordance with Clause 18 of the Policy.

In this regard the applicant is required to register a restriction as to user against the title of the property on which the development is to be carried out, in accordance with section 88E of the Conveyancing Act, 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to in Clauses 8 and 9 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Reason

To confirm the terms of approval and the basis of Council's consideration under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Design Considerations/Building Setbacks

6. Building materials and painting or other external finishes shall be of dark natural tones with low reflective quality, or such other treatment as may be appropriate to ensure that the buildings are not intrusive in the rural setting.

Reason

To minimise the visual impact of building and structures in the landscape.

Building Construction

7. Excavations or filling against boundaries are to be adequately retained by retaining walls.

Reason

To reduce the risk of damage to adjoining properties.

Access, Carparking and Loading Arrangements

8. All access crossings and driveways shall be maintained in good order for the life of the development.

Reason

To ensure that a safe adequate all-weather access is available to the development.

9. All vehicles shall enter and exit the site in a forward direction.

Reason

To comply with Council and Roads and Maritime Services requirements.

Shuttle Bus

10. The shuttle bus required to service the residents of the site shall be provided in perpetuity and shall operate in accordance with the details in the documentation submitted with the development application.

Site Works

11. This consent allows the removal of trees and other vegetation from the site of approved buildings, structures, permanent access ways and car parks. It also allows for the removal or lopping of trees within three (3) metres of approved buildings. No other trees or vegetation shall be removed or lopped except with prior written consent of Council.

Reason

To ensure that only trees and vegetation directly affected by the development are removed from the site, and to grant approval for such removal.

General terms of approval

12. All requirements of the bushfire safety authority outlined in schedule 2 of this consent shall be complied with prior to, during, and at the completion of construction as required.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

General

13. The applicant shall submit to the Principal Certifying Authority evidence that the requirements of Energy Supplier, the Hunter Water Corporation and telecommunications authorities have been met in regard to the provision of services provided by those authorities to the proposed seniors housing development. Such evidence shall be submitted to and approved by Council prior to release of the Construction Certificate.

Reason

To ensure that adequate services are provided to each new lot created.

14. Evidence shall be submitted to the Principal Certifying Authority that the registered proprietors of the land on whose behalf the application was made have complied with the requirements of Section 50 of the Hunter Water Board (Corporatisation) Act 1991. Such evidence shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

Reason

To ensure compliance with the Hunter Water Corporation requirements for the supply of water and sewerage to the new lots created.

15. The provision of a plan of management for any works for the development that impact on any public roads and public land for the construction phase of the development, prior to issue of any Construction Certificate. This plan must be certified by a suitably qualified person prior to issue of the Construction Certificate. All works must be conducted in accordance with this plan. The plan is to include a Traffic Management Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over public areas.

Reason

To ensure the safety of people working on the work site during the construction phase of the development.

16. The development is to be serviced by a private waste collection contractor. Details of the evidence of such contractual arrangements shall be submitted to Cessnock City Council prior to the issue of any Construction Certificate.

Reason

To ensure that adequate provision is made for the servicing of the proposed development.

Design Considerations/Building Setbacks

17. Lighting of the development shall not project glare onto adjoining properties or roadways. Full details of the lighting illustrating compliance with this requirement shall be submitted to and approved by Council prior to release of the Construction Certificate for the building/s.

Reason

To ensure that lighting of the land does not adversely affect the Environmental quality of adjoining land nor create a hazard to motorists.

18. Clothes drying facilities shall be provided to Council's satisfaction either by way of external clothes lines or fixed internal clothes dryers. If external drying facilities are to be provided, such areas must be suitably screened from public areas. Full details shall be submitted to and approved by Council prior to release of the Construction Certificate for the building/s.

Reason

To ensure adequate provision of facilities for occupants while protecting the scenic quality and character of the locality.

19. The collection of domestic garbage and its removal from the site shall be undertaken by a private contractor. All private and communal receptacles used for the collection and storage of domestic waste on the site shall be screened from public view. Details of such storage facilities shall be submitted to and approved by the Development Services Manager prior to release of the construction Certificate for the development.

Reason

To clarify the terms of Council's approval.

20. A group mailbox shall be provided at the street frontage within the property boundaries in accordance with the requirements of Australia Post such to clearly display individual unit numbers and the required house number. Full details shall be submitted to and approved by Council prior to release of the Construction Certificate for the building/s.

Reason

To ensure appropriate and suitably located letterboxes are provided.

21. Access for the disabled is to be provided to all publicly accessible areas of the proposed community buildings in accordance with *State Environmental Planning Policy (Housing for Seniors or People Living with a Disability) 2004* and the *Building Code of Australia(BCA)*. Full details, plans and specifications are to form part of the Construction Certificate documentation.

Reason

To ensure that equitable access is provided for disabled persons using the buildings as required by the State Environmental Planning Policy (Housing for Seniors or People Living with a Disability) 2004, the BCA and the Disability Discrimination Act. To ensure compliance with, and to enable the builders to be sufficiently informed to build the development in accordance with the abovementioned legislation.

22. Access for the disabled is to be provided to all civil works/publicly accessible areas outside of the buildings in accordance with *State Environmental Planning Policy (Housing for Seniors or People Living with a Disability) 2004* and the *Building Code of Australia(BCA)*. Full details, plans and specifications are to form part of the Construction Certificate documentation.

Reason

To ensure that equitable access is provided for disabled persons using the buildings as required by the State Environmental Planning Policy (Housing for Seniors or People Living with a Disability) 2004, the BCA and the Disability Discrimination Act. To ensure compliance with, and to enable the builders to be sufficiently informed to build the development in accordance with the abovementioned legislation.

23. All relevant buildings shall be provided with access and facilities for the disabled in accordance with AS14281.1. Full details shall be submitted to and approved by the Principal Certifying Authority prior to the release of the construction certificate for the buildings.

Building Construction

24. Plans showing the extent of excavation and/or filling together with details of the method of retaining, draining and stabilising the disturbed areas shall be submitted to and approved by the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason

To determine that satisfactory arrangements have been made to reduce Environmental and building damage.

Access, Carparking and Loading Arrangements

25. Separate approval from Council as the Roads Authority must be obtained under Section 138 of the Roads Act 1993 prior to the issue of any Construction Certificate which includes any works within a Council road reserve. For any such works, detailed engineering design plans must be submitted to Council for approval prior to issue of any Construction Certificate.

Reason

Required under the Roads Act 1993

26. The developer shall arrange for detailed engineering design plans to be submitted to the Certifying Authority for approval detailing proposed internal road network. The plans shall include a minimum sealed formation / minimum carriageway width of 6 metres plus roadside drainage / table drains in accordance with Council's Engineering Requirements for Development. The internal road network shall be designed for the largest expected service / delivery vehicle and swept path assessments for this vehicle are to be provided. The plans shall also include details of the proposed internal footpath network in accordance with Council Requirements and relevant Australian Standards. All footpaths within the proposed development shall be wide enough to allow two (2) motorized scooters to pass each other.

Reason

To provide an appropriate standard of vehicle and pedestrian access to the development and to accommodate the traffic likely to be generated by the development.

27. A construction management plan shall be submitted with the application for the Construction Certificate. The management plan shall include:
- a. Details of sedimentation and erosion control
 - b. Details of provision of truck and machinery wash down areas. Note: All trucks and machinery must be free from all foreign material where such material is likely to cause pollution. An area must be set aside for the cleaning of concrete agitator trucks.
 - c. Details of dust mitigation on building sites and access roads
 - d. Location and phone number of the site office
 - e. Details regarding provision of areas set aside for the storage/stockpiling of:
 - i. Construction refuse
 - ii. Construction materials
 - iii. Raw materials such as sand, soil, mulch and the like
 - iv. Details regarding the provision of facilities for workers associated with the development.

Note: All protection and control of earthworks shall be carried out in accordance with Council's "Engineering Requirements for Development", Department of Conservation and Land Management's 'Urban Erosion and Sediment Control' requirements and the Department of Housing 'Soil and Water Management for Urban Developments'.

Drainage and Flooding

28. Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties. Full details of existing and proposed surface levels shall be submitted to and approved by the Certifying Authority prior to release of the Construction Certificate.

Reason

To ensure that such alterations to surface levels do not disrupt existing stormwater flows in the vicinity.

29. The registered proprietor of the land is to provide a stormwater detention facility within the boundaries of the site to reduce the peak stormwater discharge from the developed lot to that of the peak stormwater discharged from the undeveloped lot for all storm events from the 1 in 1 year to the 1 in 100 year Average Recurrence Interval (ARI) storm event. A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property. Details of on-site storage and the method of controlled release from the site and connection to an approved drainage system in accordance with Council's 'Engineering Requirements for Development'.

The basin embankment shall be 500mm above the 1% AEP flood level.

Grassed internal batters shall be no steeper than 1 in 4.

The maximum depth during the 1% AEP event shall be 1.2m

Dwelling floor levels shall be not less than 500mm above detention basin and overland flow path top water levels

The basin spillway shall be designed to cater for the 1% AEP flow through the basin in the event of a blockage of the outlet pipe.

The detailed plans, specifications and copies of the calculations, including existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development prepared by an engineer suitably qualified and experienced in the field of hydrology and hydraulics. Full details shall be submitted to and approved by the Certifying Authority prior to release of the Construction Certificate

Note: Construction shall be completed prior to the release of the Occupation Certificate.

Reason

To ensure that the development is adequately drained and will not increase the flood hazard or flood damage to other properties or adversely affect flood behaviour.

DURING CONSTRUCTION

General

30. If the soil conditions require it:-
- a. retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
 - b. adequate provision must be made for drainage.

Reason

To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

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

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

Reason

This is a prescribed condition under Section 80A(11) of the Environmental Planning and Assessment Act, 1979.

32. Toilet facilities are to be provided prior to works commencing, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, 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 sewage management facility approved by the NSW Department of Health and/or Council and operate in an Environmentally responsible manner, free of nuisance or offence, and be appropriately serviced.

Reasons

To ensure that suitable and Environmentally sustainable toilet facilities are provided for all persons employed or visiting the site.

To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

33. Construction, demolition and associated work shall be carried out only between the times Stated as follows:-

Mondays to Fridays	7.00a.m. to 6.00p.m.
Saturdays	8.00a.m. to 1.00p.m.
Sundays & Public Holidays	No construction work to take place.

Reason

To ensure that the Environmental quality of adjoining land is not adversely affected, such as by the generation of excessive noise levels.

34. A container of at least one (1) cubic metre capacity shall be provided and maintained from the commencement of operations until the completion of the building for the reception and storage of waste generated by the construction of the building and associated waste.

Reason

To ensure that waste generated by the building works is contained and does not pollute the surrounding environment.

35. All building materials, plant and equipment is to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves etc.

Reason

To ensure pedestrian and vehicular access is not restricted in public places.

Site Works

36. The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's "Engineering Requirements for Development", and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

Reason

To ensure protection of the environment by minimising water pollution, erosion and sedimentation.

Scheduling of Inspections

37. The applicant is to advise Subdivision and Engineering Co-Ordinator at least 48 hours prior to commencement of any construction works on site or associated with the site, together with the approved contractor's name and address.

Reason

To enable orderly scheduling of inspections

PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE

General

38. Prior to the issue of an Occupation Certificate the applicant shall provide Council with appropriate certification to confirm that all of the building, other works and associated development have been constructed strictly in accordance with the provisions of the Development Consent and Construction Certificate.

Reason

To ensure that the building and other works have been constructed in accordance with the Development consent and Construction Certificate prior to the issue of the Occupation Certificate and use of the building.

Building Construction

39. The excavated and/or filled areas of the site are to be stabilised and drained to prevent scouring onto adjacent buildings, private or public property. The finished ground around the perimeter of each building is to be graded to prevent ponding of water and to ensure the free flow of water away from the building and adjoining buildings and properties.

Reason

To reduce the risk of Environmental and building damage.

Access, Carparking and Loading Arrangements

40. The proposed visitor parking bays shall be clearly indicated by means of signs and/or pavement markings for the life of the development. All required parking and associated facilities shall be provided on site in accordance with the approved plan.

Reason

To encourage the use of the proposed on-site car parking facilities and thereby minimise kerbside parking in the adjacent public road as a result of the proposed development.

41. Rover coaches shall be consulted to ascertain whether the existing bus service can be modified to enable servicing of the site. Proof of consultation shall be submitted to the Principal Certifying Authority.

BASIX

42. All Basix commitments shown on the approved plans shall be implemented.

Drainage and Flooding

43. The registered proprietor of the land shall submit a report and a works-as-executed (WAE) drawing of the stormwater detention basin(s) and stormwater drainage system. The WAE drawings shall be prepared by a registered surveyor and shall indicate the following as applicable:
- a. invert levels of tanks, pits, pipes and orifice plates
 - b. surface levels of pits and surrounding ground levels
 - c. levels of spillways and surrounding kerb
 - d. floor levels of buildings, including garages
 - e. top of kerb levels at the front of the lot
 - f. dimensions of stormwater basins and extent of inundation
 - g. calculation of actual detention storage volume provided

The plan shall be accompanied by a report from the designer stating the conformance or otherwise of the as constructed basins in relation to the approved design.

The WAE plan and report shall be submitted to and approved by the Certifying Authority prior to issue of the Occupation Certificate.

Reason

To ensure the stormwater detention system has been constructed in accordance with the design plans.

44. The registered proprietors of the whole of the land shall, prior to endorsement and release of the Occupation Certificate at their costs and expense, enter a positive covenant over all of the land comprised in the development providing as follows:-

a. *Covenanting with the Council (the prescribed Authority) to at all times at their costs maintain, repair and keep the on-site stormwater detention facilities in a good and safe condition and State of repair in accordance with the approved design to the reasonable satisfaction at all times of the said Council having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and*

b. *Providing that the liability under the said Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and*

c) *Providing that the Cessnock City Council (the prescribed Authority) will be the person entitled to release or modify the Covenant.*

All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner on whose behalf the applicant has lodged the application.

Reason

To ensure that on-site stormwater detention facilities are maintained to an appropriate standard.

45. The registered proprietor of the land shall prepare a Plan of Management for the on-site stormwater detention facilities within the development. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance. The plan shall be submitted to and approved by Council for approval prior to the issue of an Occupation Certificate.

Reason

To ensure the on-going maintenance and operation of the on-site stormwater detention facilities in accordance with the approved design.

46. The implementation of noise mitigation measures as recommended in the Air Quality and Noise Impact review prepared by AECOM dated 29 February 2012 as amended 12 April 2012 to be certified by an appropriately qualified person.
47. The applicant is to provide evidence to Council that facilities and services in accordance with Clauses 42 – 44 of the State Environmental Planning Policy are available to residents upon the completion of building works.

Vegetation

48. All recommendations contained in the Ecological Assessment prepared by Peak Land Management, dated July 2011, shall be complied with.
49. Ongoing monitoring of the Endangered Ecological Community (EEC), shall occur through a Vegetation Management Plan, which is to include ongoing bush regeneration by qualified bush regenerators.
50. Staff should be educated as to the importance of the EEC.
51. The impact of the APZ should be mitigated through the removal of exotic species from the edges of the fire trail and from within the 10m bushland buffer on a regular basis by qualified bush regenerators.
52. The 'suggested plant palette' provided in the Landscape Architecture Report should use native species of local provenance of Lower Hunter Spotted Gum – Ironbark Forest, rather than nursery developed varieties.

ADVICE

- a. The approval of the proposed development being development for the purposes of housing for seniors or people with a disability is to be undertaken in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and shall comply with Schedule 3 of the State Environmental Planning Policy with respect to the standards concerning accessibility and usability for hostels and self-contained dwellings.
- b. The applicant shall lodge payment of fees and contributions associated with the roadwork's within Oakey Creek and Marrowbone Roads. Final fee and bond amounts will be levied on accurate dimensions contained within the engineering plans.
 - i. Road fees - engineering plan checking and supervision fees in accordance with Council's Fees and Charges current at the time of payment.
 - ii. A performance bond of a minimum of \$1000 or 5% of the contract construction costs, whichever is greater (transferable).
 - iii. A road maintenance bond of a minimum of \$1000 or 5% of the contract construction costs, whichever is greater (refundable).

It will be necessary for the applicant to submit evidence of the contract price of all construction works in order for Council to assess accurate bond amounts. If no contract price is submitted, Council will estimate the value of construction works.

The fees and bonds shall be payable prior to release of the Construction Certificate for the Civil Works and/or release of the Subdivision Certificate and shall be in accordance with Council's adopted fees and charges current at the time of payment.

Reason

To meet costs associated with the approval of engineering plans and inspection of construction works.

- c. Where Council is the PCA, the applicant shall pay Detention Basin(s) engineering checking and site supervision fees in accordance with Council's adopted fees and charges prior to release of a Construction Certificate. Final fee amounts will be levied on accurate dimensions contained within the engineering plans and in accordance with Council's adopted fees and charges current at the time of payment.

Reason

To ensure that the developer meets all costs associated with the approval of engineering plans and the inspection of detention basin works associated with the development.

SCHEDULE 2

Integrated Approvals

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

- i. At the issue of consent approval and in perpetuity the entire property shall be managed as an asset protection zone (APZ) as detailed in the Bushfire Threat Assessment Report prepared by Peak Land Management dated July 2011 for the site and as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

- i. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

- i. Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

- i. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- i. New construction shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

Landscaping

- i. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

The following conditions (Conditions 53 to 75) pertain only to Stage 1 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

53. Stage 1 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.09-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.
54. The provision of the vegetation barrier as recommended in the Air Quality and Noise Impact review prepared by AECOM dated 29 February 2012 as amended 12 April 2012. Such vegetation barrier is to be maintained for the life of the development.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

55. The applicant shall develop an Affordable Housing Policy and submit the policy to Council for endorsement.

BASIX

56. An amended BASIX Certificate that accurately reflects the approved plans, shall be submitted to the Principal Certifying Authority.

Access, Carparking and Loading Arrangements

57. Prior to the preparation of any engineering design plans for the roadworks in Marrowbone and Oakey Creek Roads, the consultant preparing the design plans will need to contact Council to discuss the extent and scope of all works and details required on the design plans. Some of the issues to be discussed and incorporated in the design plans include the following:

- Location of roundabouts.
- Safe intersection sight distance.
- Pavement standards
- Carriageway and lane widths.
- Vehicle access locations.
- Road widening.
- Traffic control details.

Reason

To ensure appropriate levels of works and engineering design details are satisfactorily addressed.

Building Construction

58. All redundant vehicular accesses shall be removed and the footpath, road shoulders and kerb and gutter, where applicable, restored to match existing conditions at no cost to Council prior to use of the building or issue of an Occupation Certificate for the building.

Reason

To ensure that vehicular access to the development occurs efficiently and safely in accordance with approved plans and unnecessary accesses are restored at no cost to Council.

DURING CONSTRUCTION

Demolition of Existing Structures

59. All demolition works are to be carried out in accordance with Australian Standard AS 2601-2001 "Demolition of Structures", with all waste being removed from the site. Hazardous waste such as asbestos cement sheeting etc, being handled, conveyed and disposed of in accordance with guidelines and requirements from NSW Workcover Authority. Disposal of asbestos material at Council's Waste Depot requires prior arrangement for immediate landfilling.

Reason

To ensure that all wastes including asbestos waste is handled and disposed of safely and in an appropriate manner.

60. Where the demolition of a building involves the removal of asbestos material, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" shall be erected in a visually prominent area.

The sign is to be erected prior to the commencement of any demolition work and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

Reason

To advise the public that a hazardous material is in the process of being removed.

61. A 1.8m high security fence must be provided around the perimeter of the demolition site prior to the commencement of any works. The fence shall be maintained throughout the duration of the work and must not be removed until such time as all waste has been removed from the site.

Reason

To prevent unauthorised entry of persons to a dangerous and/or hazardous area.

62. Demolition involving the removal of asbestos material shall only be carried out between the times Stated below:-

Monday to Friday	7.00a.m. to 5.00 p.m.
Weekends & Public Holidays	No asbestos removal work to take place.

Reason

To ensure the health and amenity of the community is maintained and to ensure the availability of regulatory authorities to enforce compliance.

63. Within twenty-one (21) days of the completion of demolition works the applicant shall provide Council or the Certifying Authority with an asbestos clearance certificate prepared by a NATA accredited Occupational Hygienist.

Reason

To ensure all asbestos material has been removed from the demolition site.

Swimming Pools

64. Swimming pools and safety fences and gates shall be installed in accordance with the approved plans and specifications and the Swimming Pools act 1992, as amended.

Reason

To restrict access to the swimming pool by unsupervised persons.

65. The swimming pool shall at all times be surrounded by a child resistant barrier:
- a. that separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises; and
 - b. that is designed, constructed, installed and maintained in accordance with the standards prescribed by the Swimming Pools regulation and AS1926-1986 titled "Fences and Gates for Private Swimming Pools".

Reason

To restrict access to the swimming pool by unsupervised persons.

66. Waste water from the swimming pool shall be disposed of so as not to create a nuisance to surrounding properties or to pollute the environment. Where the Hunter water Corporations sewer is available wastewater shall be drained or pumped to the sewer.

Reason

To ensure that water from the swimming pool is disposed of in a manner which does not create a nuisance.

67. Separate approval from Council as the Roads Authority must be obtained under Section 138 of the Roads Act 1993 prior to the issue of any Construction Certificate which includes any works within a Council road reserve. For any such works, detailed engineering design plans must be submitted to Council for approval prior to issue of any Construction Certificate.

Reason

Required under the Roads Act 1993

68. The registered proprietor of the land shall construct the following works along the property frontage to Oakey Creek Road in accordance with Council's 'Engineering Requirements for Development' and relevant AUSTROADS standards. The design is to be submitted on a set of plans, four (4) copies of which shall be submitted to and approved by Council prior to release of the S138 Roads Act Approval.
- i. Construct concrete kerb and gutter.
 - ii. Construct and gravel road shoulders.
 - iii. Place AC / 2 coat bitumen seal on road shoulders.
 - iv. Construct drainage works where necessary.
 - v. Construct a 2.0m wide concrete footpath from the proposed intersection on Oakey Creek Road to the existing roundabout on Marrowbone Road.
 - vi. Construct a 2.0m wide concrete footpath from the existing roundabout at the intersection of Oakey Creek Road and Marrowbone Road to the existing footpath on the north side of Mount View Road at the intersection of O'Shea Circuit.
 - vii. Construct a single lane reinforced concrete roundabout at the proposed intersection on Oakey Creek Road designed for the existing signposted road speed environment.
 - viii. Provide road widening as required to accommodate the proposed roundabout.

Reason

To ensure that adequate provision is made for vehicular and pedestrian movements to meet expected demand generated by the development, in accordance with current Council requirements.

69. Following the removal of the existing vines and once site clearing has been carried out, appropriately qualified archaeological representatives are to be engaged to undertake a field assessment of the site. Should any archaeological sites be uncovered as a result of site clearing work, all work shall cease and the National Parks and Wildlife Service shall be consulted for their requirements.

Reason

To ensure any potential archaeological sites are not destroyed.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

70. A plan of consolidation of all lots included within the bounds of the development shall be submitted to Council prior to release of the Occupation Certificate, and shall be registered at the Land Titles office, Sydney, prior to commencement of occupation or use of the premises.

Reason

To ensure that the proposed development is managed as a single entity by the owner or owners.

71. The provision of a bus shelter in compliance with the Building Code of Australia and Disability Discrimination Act, 1992, in a location acceptable to Council.

Reason

To ensure adequate facilities are available to residents of the seniors housing development.

Fencing

72. All permitter/boundary fencing shall be constructed in accordance with the approved plans.
73. Fencing along the western boundary of the site (where it adjoins the identified EEC), shall be constructed in accordance, with the landscape architect report prepared by Terras Landscape Architect, dated June 2011, Job No 8241.5, Revision B.

Site Remediation

74. The applicant is to provide evidence that all measures associated with the remediation of the site have been undertaken in compliance with the Preliminary Environmental Site Assessment (PSEA) report conducted by Martens Consulting Engineers dated July 2011 and in accordance with State Environmental Planning Policy 55 – Remediation of Land.

Vegetation

75. The area of Lower Hunter Spotted Gum Ironbark Forest on the site is to be placed into a Conservation Agreement in perpetuity under Section 69 of the National Parks and Wildlife Act 1974 to ensure its maintenance and protection.

The following conditions (Conditions 76 to 94) pertain only to Stage 2 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

76. Stage 2 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.10-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

77. Prior to the preparation of any engineering design plans for the roadworks in Marrowbone and Oakey Creek Roads, the consultant preparing the design plans will need to contact Council to discuss the extent and scope of all works and details required on the design plans. Some of the issues to be discussed and incorporated in the design plans include the following:
- i. Location of roundabouts.
 - ii. Safe intersection sight distance.
 - iii. Pavement standards
 - iv. Carriageway and lane widths.
 - v. Vehicle access locations.
 - vi. Road widening.
 - vii. Traffic control details.

Reason

To ensure appropriate levels of works and engineering design details are satisfactorily addressed.

78. The registered proprietor of the land shall construct the following works along the property frontage to Marrowbone Road in accordance with Council's 'Engineering Requirements for Development' and relevant AUSTROADS standards. The design is to be submitted on a set of plans, four (4) copies of which shall be submitted to and approved by Council prior to release of the S138 Roads Act Approval.

- i) Construct concrete kerb and gutter.
- ii) Construct and gravel road shoulders.
- iii) Place AC / 2 coat bitumen seal on road shoulders.
- iv) Construct drainage works where necessary.
- v) Construct a 2.0m wide concrete footpath from the proposed intersection on Marrowbone to the existing roundabout on Oakey Creek Road.
- vi) Construct a single lane reinforced concrete roundabout at the proposed intersection on Marrowbone Road designed for the existing signposted road speed environment.
- vii) Provide road widening as required to accommodate the proposed roundabout.

Reason

To ensure that adequate provision is made for vehicular and pedestrian movements to meet expected demand generated by the development, in accordance with current Council requirements.

79. The development is to be serviced by a shuttle bus. Full details of the proposed shuttle bus service and evidence of such contractual arrangements shall be submitted to Cessnock City Council prior to the issue of any Construction Certificate.

Reason

To ensure that adequate provision is made for the servicing of the proposed development.

80. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$16, 302.00
District Community Facilities (Halls)	\$ 9, 975.00
District Community Facilities (Libraries)	\$ 2, 679.00
District Community Facilities (Bushfire)	\$ 760.00
District Roads – Rural Areas	\$16, 426.00
Studies (Plan Preparation)	\$ 931.00
Plan Administration	\$ 3, 572.00

At this time the total contribution required is \$46, 645.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website:

www.cessnock.nsw.gov.au

b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

Food Surveillance

81. All premises which are used for the sale, storage, preparation and serving of food for human consumption shall comply with the provisions of the “Food Act, 2003”, the “Regulations” thereunder and Australian Standard 4674-2004, “Design, construction and fit-out of food premises”.

Please note: A detailed plan of the layout and a schedule of equipment to be installed for the kitchen area, shall be submitted to Council with the Construction Certificate.”

Reason

Any premises in which food is handled for sale must be constructed so that food, equipment, appliances, fittings and packaging materials on the premises are protected from likely contamination and so as to permit the premises to be easily cleaned.

DURING CONSTRUCTION

Swimming Pools

82. Swimming pools and safety fences and gates shall be installed in accordance with the approved plans and specifications and the Swimming Pools act 1992, as amended.

Reason

To restrict access to the swimming pool by unsupervised persons.

83. The swimming pool shall at all times be surrounded by a child resistant barrier:
- c. that separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises; and
 - d. that is designed, constructed, installed and maintained in accordance with the standards prescribed by the Swimming Pools regulation and AS1926-1986 titled “Fences and Gates for Private Swimming Pools”.

Reason

To restrict access to the swimming pool by unsupervised persons.

84. Waste water from the swimming pool shall be disposed of so as not to create a nuisance to surrounding properties or to pollute the environment. Where the Hunter water Corporations sewer is available wastewater shall be drained or pumped to the sewer.

Reason

To ensure that water from the swimming pool is disposed of in a manner which does not create a nuisance.

Food Surveillance

85. All walls of the food premises shall be of solid construction.

Reason

To prevent access and harbourage of vermin in voids or cavities within the wall frame.

86. Hand washing facilities/hand washing basins shall be provided in sufficient numbers in close proximity to where food is prepared; with a permanent supply of warm running potable water delivered through a single outlet provided to each, together with a sufficient supply of soap and hand drying facilities.

Reason

To ensure adequate hand washing facilities are available for food handlers to wash hands.

87. Where any proposed cooking or heating equipment being considered for installation, has a combined capacity exceeding 8 kilowatts or 29 megajoules/hour, then an approved mechanical exhaust ventilation (M.E.V.) system will be required.

Such equipment which is specifically designed to cater for the removal of odours, vapours or emissions from such area and equipment, shall comply with the requirements of the relevant Australian Standard No. 1668 Part 2. Detailed plans and specifications of the equipment as proposed are to be submitted to Council for approval with the construction certificate.

Reason

The equipment upon installed in such a manner as not to cause danger or a nuisance to occupants of the building or the surrounding residential area must fully meet and perform to the requirements of Australian Standard No. 1668. Part 2.

88. Any refrigerated or cooling chamber which is of a sufficient size for a person to enter, is required to meet the requirements of the Building Code of Australia and must have :-
- i a door which is capable of being opened by hand from inside without a key; and
 - ii internal lighting controlled only by a switch which is located adjacent to the entrance doorway inside the chamber; and
 - iii an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
 - iv an alarm that is:-
located outside but controllable only from within the chamber; and
able to achieve a sound pressure level outside the chamber of 90 dB(A) when measured 3m from the sounding device.

The door required by (i) above must have a doorway with a clear width of not less than 600mm and a clear height not less than 1.5m.

Reason

To protect the safety of persons and to ensure the chamber complies with the requirements of the Building Code of Australia.

89. The routine cleaning and sanitising of all common areas and facilities and the laundering of all linen is to be carried out strictly in accordance with recommended industry guidelines using approved occupational health and safety practices.

Reason

To minimise the health and safety risks from possible cross contamination sources for patrons and staff alike.

90. Upon commencement of trading, as part of Council's Regulated Premises audit program, all business involved in the sale of food at this site are required to be listed on Council's Regulated Premises Register and will be subject to an annual registration/renewal fee each financial year and inspections fees when inspections are conducted by Councils Environmental Health Officers.

Reason

To ensure compliance with the provisions of the Public Health Act of 1991, Food Act 2003 and Food Regulation 2004, Food Standards Code and broadly that all public health, food handling and safety practices, and Environmental issues are being addressed.

91. The proposed community centre and all central facilities shall be provided with access and facilities for the disabled in accordance with AS 14281.1. Full details shall be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate for the buildings.

Reason

To ensure there is adequate access and facilities for the disabled.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

92. The provision of a shuttle/mini bus service to pick up and drop off residents to a local centre in accordance with Clause 43 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Reason

to ensure compliance with the relevant State Environmental Planning Policy.

93. The provision of a bus shelter in compliance with the Building Code of Australia and Disability Discrimination Act, 1992, in a location acceptable to Council.

Reason

To ensure adequate facilities are available to residents of the seniors housing development.

94. All redundant vehicular accesses shall be removed and the footpath, road shoulders and kerb and gutter, where applicable, restored to match existing conditions at no cost to Council prior to use of the building or issue of an Occupation Certificate for the building.

Reason

To ensure that vehicular access to the development occurs efficiently and safely in accordance with approved plans and unnecessary accesses are restored at no cost to Council.

The following conditions (Conditions 95 to 96) pertain only to Stages 3 and 4 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

95. Stages 3 and 4 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.11-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

96. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$11, 154.00
District Community Facilities (Halls)	\$ 6, 825.00
District Community Facilities (Libraries)	\$ 1, 833.00
District Community Facilities (Bushfire)	\$ 520.00
District Roads – Rural Areas	\$ 8, 502.00
Studies (Plan Preparation)	\$ 637.00
Plan Administration	\$ 2, 444.00

At this time the total contribution required is \$31, 915.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 97 to 106) pertain only to Stage 5 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

97. Stage 5 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.12-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

98. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$12, 012.00
District Community Facilities (Halls)	\$ 7, 350.00
District Community Facilities (Libraries)	\$ 1, 974.00
District Community Facilities (Bushfire)	\$ 560.00
District Roads – Rural Areas	\$ 9, 156.00
Studies (Plan Preparation)	\$ 686.00
Plan Administration	\$ 2, 632.00

At this time the total contribution required is \$34, 370.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

Food Surveillance

99. All premises which are used for the sale, storage, preparation and serving of food for human consumption shall comply with the provisions of the "Food Act, 2003", the "Regulations" thereunder and Australian Standard 4674-2004, "Design, construction and fit-out of food premises".

Please note: A detailed plan of the layout and a schedule of equipment to be installed for the kitchen area, shall be submitted to Council with the Construction Certificate."

Reason

Any premises in which food is handled for sale must be constructed so that food, equipment, appliances, fittings and packaging materials on the premises are protected from likely contamination and so as to permit the premises to be easily cleaned.

DURING CONSTRUCTION

100. All walls of the food premises shall be of solid construction.

Reason

To prevent access and harbourage of vermin in voids or cavities within the wall frame.

101. Hand washing facilities/hand washing basins shall be provided in sufficient numbers in close proximity to where food is prepared; with a permanent supply of warm running potable water delivered through a single outlet provided to each, together with a sufficient supply of soap and hand drying facilities.

Reason

To ensure adequate hand washing facilities are available for food handlers to wash hands.

102. Where any proposed cooking or heating equipment being considered for installation, has a combined capacity exceeding 8 kilowatts or 29 megajoules/hour, then an approved mechanical exhaust ventilation (M.E.V.) system will be required.

Such equipment which is specifically designed to cater for the removal of odours, vapours or emissions from such area and equipment, shall comply with the requirements of the relevant Australian Standard No. 1668 Part 2. Detailed plans and specifications of the equipment as proposed are to be submitted to Council for approval with the construction certificate.

Reason

The equipment upon installed in such a manner as not to cause danger or a nuisance to occupants of the building or the surrounding residential area must fully meet and perform to the requirements of Australian Standard No. 1668. Part 2.

103. Any refrigerated or cooling chamber which is of a sufficient size for a person to enter, is required to meet the requirements of the Building Code of Australia and must have :-
- i a door which is capable of being opened by hand from inside without a key; and
 - ii internal lighting controlled only by a switch which is located adjacent to the entrance doorway inside the chamber; and
 - iii an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
 - iv an alarm that is:-
located outside but controllable only from within the chamber; and
able to achieve a sound pressure level outside the chamber of 90 dB(A) when measured 3m from the sounding device.

The door required by (i) above must have a doorway with a clear width of not less than 600mm and a clear height not less than 1.5m.

Reason

To protect the safety of persons and to ensure the chamber complies with the requirements of the Building Code of Australia.

104. The routine cleaning and sanitising of all common areas and facilities and the laundering of all linen is to be carried out strictly in accordance with recommended industry guidelines using approved occupational health and safety practices.

Reason

To minimise the health and safety risks from possible cross contamination sources for patrons and staff alike.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

105. Upon commencement of trading, as part of Council's Regulated Premises audit program, all business involved in the sale of food at this site are required to be listed on Council's Regulated Premises Register and will be subject to an annual registration/renewal fee each financial year and inspections fees when inspections are conducted by Councils Environmental Health Officers.

Reason

To ensure compliance with the provisions of the Public Health Act of 1991, Food Act 2003 and Food Regulation 2004, Food Standards Code and broadly that all public health, food handling and safety practices, and Environmental issues are being addressed.

106. The proposed community centre and all central facilities shall be provided with access and facilities for the disabled in accordance with AS 14281.1. Full details shall be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate for the buildings.

Reason

To ensure there is adequate access and facilities for the disabled.

The following conditions (Conditions 107 to 108) pertain only to Stage 6 and 7 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

107. Stages 6 and 7 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.13-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

108. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$10, 296.00
District Community Facilities (Halls)	\$ 6, 300.00
District Community Facilities (Libraries)	\$ 1, 692.00
District Community Facilities (Bushfire)	\$ 480.00
District Roads – Rural Areas	\$ 7, 848.00
Studies (Plan Preparation)	\$ 588.00
Plan Administration	\$ 2, 256.00

At this time the total contribution required is \$29, 460.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 109 to 110) pertain only to Stages 8 and 9 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

109. Stages 8 and 9 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.14-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

110. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$19, 734.00
District Community Facilities (Halls)	\$12, 075.00
District Community Facilities (Libraries)	\$ 3, 243.00
District Community Facilities (Bushfire)	\$ 920.00
District Roads – Rural Areas	\$15, 042.00
Studies (Plan Preparation)	\$ 1, 127.00
Plan Administration	\$ 4, 324.00

At this time the total contribution required is \$56, 465.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 111 to 112) pertain only to Stages 10 and 11 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

111. Stages 10 and 11 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.15-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

112. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$17, 160.00
District Community Facilities (Halls)	\$10, 500.00
District Community Facilities (Libraries)	\$ 2, 820.00
District Community Facilities (Bushfire)	\$ 800.00
District Roads – Rural Areas	\$13, 080.00
Studies (Plan Preparation)	\$ 980.00
Plan Administration	\$ 3, 760.00

At this time the total contribution required is \$49, 100.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 113 to 114) pertain only to Stages 12 and 13 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

113. Stages 12 and 13 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.16-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

114. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$24, 024.00
District Community Facilities (Halls)	\$14, 700.00
District Community Facilities (Libraries)	\$ 3, 948.00
District Community Facilities (Bushfire)	\$ 1, 120.00
District Roads – Rural Areas	\$18, 312.00
Studies (Plan Preparation)	\$ 1, 372.00
Plan Administration	\$ 5, 264.00

At this time the total contribution required is \$68, 740.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 115 to 116) pertain only to Stages 14 and 15 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

115. Stages 14 and 15 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.17-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

116. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$24, 024.00
District Community Facilities (Halls)	\$14, 700.00
District Community Facilities (Libraries)	\$ 3, 948.00
District Community Facilities (Bushfire)	\$ 1, 120.00
District Roads – Rural Areas	\$18, 312.00
Studies (Plan Preparation)	\$ 1, 372.00
Plan Administration	\$ 5, 264.00

At this time the total contribution required is \$68, 740.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 117 to 118) pertain only to Stages 16 and 17 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

117. Stages 16 and 17 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.18-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

118. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 towards the provision of public amenities and public services in the contribution types below.

CONTRIBUTION TYPE	\$
District Open Space	\$22, 308.00
District Community Facilities (Halls)	\$13, 650.00
District Community Facilities (Libraries)	\$ 3, 666.00
District Community Facilities (Bushfire)	\$ 1, 040.00
District Roads – Rural Areas	\$17, 004.00
Studies (Plan Preparation)	\$ 1, 274.00
Plan Administration	\$ 4, 888.00

At this time the total contribution required is \$63, 830.00 and is to be paid prior to the release of the Construction Certificate.

NOTE:

- a) A copy of the Residential Section 94 Contributions Plan may be inspected at Council's Customer Services Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website: www.cessnock.nsw.gov.au
- b) The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index – All Groups – Sydney. Indexation of contributions for payment occurs quarterly, on the first working day of December, March, June and September.

Reason

To assist the Council in meeting the expected increased demand for public facilities and services arising as a consequence of the proposed development, and to ensure that the real value of contributions is not deflated by price movements.

The following conditions (Conditions 119 to 127) pertain only to Stage 18 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

119. Stage 18 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.19-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

Food Surveillance

120. All premises which are used for the sale, storage, preparation and serving of food for human consumption shall comply with the provisions of the "Food Act, 2003", the "Regulations" thereunder and Australian Standard 4674-2004, "Design, construction and fit-out of food premises".

Please note: A detailed plan of the layout and a schedule of equipment to be installed for the kitchen area, shall be submitted to Council with the Construction Certificate."

Reason

Any premises in which food is handled for sale must be constructed so that food, equipment, appliances, fittings and packaging materials on the premises are protected from likely contamination and so as to permit the premises to be easily cleaned.

DURING CONSTRUCTION

121. All walls of the food premises shall be of solid construction.

Reason

To prevent access and harbourage of vermin in voids or cavities within the wall frame.

122. Hand washing facilities/hand washing basins shall be provided in sufficient numbers in close proximity to where food is prepared; with a permanent supply of warm running potable water delivered through a single outlet provided to each, together with a sufficient supply of soap and hand drying facilities.

Reason

To ensure adequate hand washing facilities are available for food handlers to wash hands.

123. Where any proposed cooking or heating equipment being considered for installation, has a combined capacity exceeding 8 kilowatts or 29 megajoules/hour, then an approved mechanical exhaust ventilation (M.E.V.) system will be required.

Such equipment which is specifically designed to cater for the removal of odours, vapours or emissions from such area and equipment, shall comply with the requirements of the relevant Australian Standard No. 1668 Part 2. Detailed plans and specifications of the equipment as proposed are to be submitted to Council for approval with the construction certificate.

Reason

The equipment upon installed in such a manner as not to cause danger or a nuisance to occupants of the building or the surrounding residential area must fully meet and perform to the requirements of Australian Standard No. 1668. Part 2.

124. Any refrigerated or cooling chamber which is of a sufficient size for a person to enter, is required to meet the requirements of the Building Code of Australia and must have :-
- i a door which is capable of being opened by hand from inside without a key; and
 - ii internal lighting controlled only by a switch which is located adjacent to the entrance doorway inside the chamber; and
 - iii an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
 - iv an alarm that is:-
located outside but controllable only from within the chamber; and
able to achieve a sound pressure level outside the chamber of 90 dB(A) when measured 3m from the sounding device.

The door required by (i) above must have a doorway with a clear width of not less than 600mm and a clear height not less than 1.5m.

Reason

To protect the safety of persons and to ensure the chamber complies with the requirements of the Building Code of Australia.

125. The routine cleaning and sanitising of all common areas and facilities and the laundering of all linen is to be carried out strictly in accordance with recommended industry guidelines using approved occupational health and safety practices.

Reason

To minimise the health and safety risks from possible cross contamination sources for patrons and staff alike.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

126. Upon commencement of trading, as part of Council's Regulated Premises audit program, all business involved in the sale of food at this site are required to be listed on Council's Regulated Premises Register and will be subject to an annual registration/renewal fee each financial year and inspections fees when inspections are conducted by Councils Environmental Health Officers.

Reason

To ensure compliance with the provisions of the Public Health Act of 1991, Food Act 2003 and Food Regulation 2004, Food Standards Code and broadly that all public health, food handling and safety practices, and Environmental issues are being addressed.

127. The proposed community centre and all central facilities shall be provided with access and facilities for the disabled in accordance with AS 14281.1. Full details shall be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate for the buildings.

Reason

To ensure there is adequate access and facilities for the disabled.

The following conditions (Conditions 128 to 136 pertain only to Stage 19 of the development:

THE DEVELOPMENT

The following conditions have been imposed to achieve the objectives of the relevant Planning instruments and policies.

GENERAL

128. Stage 19 development works (including all engineering and landscaping works) are to be constructed in accordance with the approved staging plan prepared by Hamilton Hayes Henderson Architects Project 4066 drawing number DA-2.19-B dated February 2012 and plans approved in accordance with condition 2 of this development consent.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

Food Surveillance

129. All premises which are used for the sale, storage, preparation and serving of food for human consumption shall comply with the provisions of the "Food Act, 2003", the "Regulations" thereunder and Australian Standard 4674-2004, "Design, construction and fit-out of food premises".

Please note: A detailed plan of the layout and a schedule of equipment to be installed for the kitchen area, shall be submitted to Council with the Construction Certificate."

Reason

Any premises in which food is handled for sale must be constructed so that food, equipment, appliances, fittings and packaging materials on the premises are protected from likely contamination and so as to permit the premises to be easily cleaned.

DURING CONSTRUCTION

130. All walls of the food premises shall be of solid construction.

Reason

To prevent access and harbourage of vermin in voids or cavities within the wall frame.

131. Hand washing facilities/hand washing basins shall be provided in sufficient numbers in close proximity to where food is prepared; with a permanent supply of warm running potable water delivered through a single outlet provided to each, together with a sufficient supply of soap and hand drying facilities.

Reason

To ensure adequate hand washing facilities are available for food handlers to wash hands.

132. Where any proposed cooking or heating equipment being considered for installation, has a combined capacity exceeding 8 kilowatts or 29 megajoules/hour, then an approved mechanical exhaust ventilation (M.E.V.) system will be required.

Such equipment which is specifically designed to cater for the removal of odours, vapours or emissions from such area and equipment, shall comply with the requirements of the relevant Australian Standard No. 1668 Part 2. Detailed plans and specifications of the equipment as proposed are to be submitted to Council for approval with the construction certificate.

Reason

The equipment upon installed in such a manner as not to cause danger or a nuisance to occupants of the building or the surrounding residential area must fully meet and perform to the requirements of Australian Standard No. 1668. Part 2.

133. Any refrigerated or cooling chamber which is of a sufficient size for a person to enter, is required to meet the requirements of the Building Code of Australia and must have :-
- i a door which is capable of being opened by hand from inside without a key; and
 - ii internal lighting controlled only by a switch which is located adjacent to the entrance doorway inside the chamber; and
 - iii an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
 - iv an alarm that is:-
located outside but controllable only from within the chamber; and
able to achieve a sound pressure level outside the chamber of 90 dB(A) when measured 3m from the sounding device.

The door required by (i) above must have a doorway with a clear width of not less than 600mm and a clear height not less than 1.5m.

Reason

To protect the safety of persons and to ensure the chamber complies with the requirements of the Building Code of Australia.

134. The routine cleaning and sanitising of all common areas and facilities and the laundering of all linen is to be carried out strictly in accordance with recommended industry guidelines using approved occupational health and safety practices.

Reason

To minimise the health and safety risks from possible cross contamination sources for patrons and staff alike.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

135. Upon commencement of trading, as part of Council's Regulated Premises audit program, all business involved in the sale of food at this site are required to be listed on Council's Regulated Premises Register and will be subject to an annual registration/renewal fee each financial year and inspections fees when inspections are conducted by Councils Environmental Health Officers.

Reason

To ensure compliance with the provisions of the Public Health Act of 1991, Food Act 2003 and Food Regulation 2004, Food Standards Code and broadly that all public health, food handling and safety practices, and Environmental issues are being addressed.

136. The proposed community centre and all central facilities shall be provided with access and facilities for the disabled in accordance with AS 14281.1. Full details shall be submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate for the buildings.

Reason

To ensure there is adequate access and facilities for the disabled.

If you have any further enquiries regarding this approval, please contact Council's Built and Natural Environment Department on (02) 4993 4100.

Yours faithfully

GARETH CURTIS

RJS