

APPENDIX B – CONDITIONS OF CONSENT

(1) APPROVAL IN ACCORDANCE WITH THE PLANS

The development will be carried out in accordance with the development application DA215/2014, submitted on 30 October 2014, and accompanied by plans and documents described as follows, except as modified by the conditions of the development consent:

- Cover Sheet, prepared by Facility Design Group, and dated 7 October 2014
- Demolition Plan, prepared by Facility Design Group, dated 7 October 2014
- Proposed Ground Floor and Site Plan, prepared by Facility Design Group, dated 7 October 2014
- Proposed Roof Plan, prepared by Facility Design Group, dated 7 October 2014
- Sections, prepared by Facility Design Group, dated 7 October 2014
- Elevations, prepared by Facility Design Group, dated 7 October 2014
- Stormwater Concept, prepared by *GR Consulting Engineers Pty Ltd*, and dated 17 October 2014
- Stormwater Drainage Strategy Plan, prepared by Facility Design Group, dated 7 October 2014
- Landscaping Plan, prepared by Facility Design Group, dated 7 October 2014
- Materials Board, prepared by Facility Design Group, dated 7 October 2014

Notes:

Any alterations to the drawings and/or documentation, as approved by Council, will require further Council consent as per Section 96 of the *Environmental Planning and Assessment Act*.

No other works or activities, other than those approved by this consent notice, will be carried out without prior consent from Council.

(2) HOURS OF OPERATION

Following commencement of occupation, the premises will operate or trade only between the times stated as follows:

	Winter	Summer
Mondays- Thursdays	5:00am to 9:00pm	5:00am to 9:00pm

Fridays	5:00am to 8:00pm	5:00am to 8:00pm
Saturdays	10:00am to 6:00pm	6:00am to 6:00pm
Sundays	6:00am to 4:00pm	10:00am to 4:00pm

This condition will be complied with for the term of this consent.

(3) BICYCLE PARKING PROVISION

A total of eighteen (18) bicycle rack spaces are to be provided at the main entrance to the recreational facility.

(4) EXTERNAL LIGHTING

The entryways, area along the front facade and car park shall be lit by suitably located security lights to enhance visibility. Sensor lights may be suitable.

The lighting shall be of a design suitable for the purpose and shall be maintained in good working order for the life of the development.

No lighting on the subject land shall project obtrusive glare onto adjoining properties or roadways. Details of the location of lights and light spill shall be submitted to Council prior to the issue of the Construction Certificate.

(5) STORMWATER DRAINAGE PIPES AND COLLECTOR PITS

- a) The existing stormwater pipe that is located underneath the slab of the gymnasium, as illustrated in red on the approved drawing titled Stormwater Drainage Strategy, prepared by Facility Design Group, dated 7 October 2014, is to be replaced with a reinforced concrete stormwater pipe with a resistance “class 4” level (or similar). Specifications of the pipe are to be provided to Council’s Development Engineer for approval prior to the issue of a Construction Certificate.**
- b) The suitability and size of the stormwater collector pit and existing connecting pipe at Civic Avenue, as illustrated in red on the approved drawing titled Stormwater Drainage Strategy, prepared by Facility Design Group, dated 7 October 2014, is to be investigated by a suitably qualified drainage engineer to determine whether the pit and pipe should be upgraded as a result of the total stormwater discharge expected as a result of the approved development. A report addressing the suitability is to be provided to Council’s Development Engineer for consideration and approval prior to the issue of a Construction Certificate.**
- c) Prior to the installation/restoration of any stormwater pipes or pits, all on-street works shall be required to comply with Council’s Development Engineering Specifications. Random audits may be**

undertaken to ensure compliance with these standards. Any defect found shall be rectified at the applicant's expense.

At the completion of works, the site shall be subject to an inspection by Development Engineering Unit to ensure civil works are of a suitable standard. Any works deemed unsatisfactory shall be corrected to the satisfaction of Development Engineering Personnel.

- d) All persons working in the road reserve must have appropriate third party current liability insurance for the minimum amount of \$10,000,000.00 and work with due regard to workplace health and safety practices appropriate to construction related activity.

(6) STORMWATER DRAINAGE

- a) A work-as-executed stormwater drainage plan, drawn to scale, indicating down pipe locations, tank location(s) (if applicable) and discharge points must be forwarded to Council with the Occupation Certificate.
- b) Works-As-Executed drawings are to be provided for the drainage and stormwater structures, indicating the following are to be submitted to and approved by Council
 - i. RCP's and pits, including diameter, USIL and DSIL, location, connections and levels for both the stormwater pipe/pit and the building/road/ground.
 - ii. Water & Sewer, including diameter, hydrants, valves, PCB's USIL and DSIL, location, connections and levels for the pipes, MH's and the building/road/ground.

This information is to be supplied in hard and electronic copies (drawings corrected by handwriting are not accepted); using "AutoCAD" Software and submitted in DWG format only. The Applicant shall ensure that when lodging AutoCAD drawing files they are 2014 version. No drawing sheets or title blocks shall be used on the file.

(7) AMENDED GEOTECHNICAL REPORT

An amended Geotechnical Investigation Report is to be prepared and submitted to Council for approval prior to the issue of a construction certificate. The report shall include information on tests carried out for samples from boreholes 1, 4, 5 and 6 which were identified within the report prepared by Douglas Partners (Project 81592) dated October 2014 to identify the following:

- a) Geotechnical risk (if any) and recommendations;
- b) Estimated site settlements be presented in a table;
- c) Reactive soil movements;
- d) Footings recommendations (i.e., depth, construction methods, etc.);

- e) Plasticity index;
- f) Linear shrinkage;
- g) Expansion index; and,
- h) Potential geotechnical issues based on soil/site classification and possible actions to minimise impact.

(8) ENGINEERS CERTIFICATION

The applicant shall submit a Structural Engineers Report prepared by a suitably qualified and experienced engineer in respect of the approved development, verifying that:-

- a) any damage to the approved development sustained in a flood will not generate debris capable of causing damage to downstream buildings or property;
- b) the building will be able to withstand the force of flood waters (including buoyancy forces) and the impact of debris;
- c) all finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of flood waters.

Note: The report shall be submitted to and approved by Council prior to release of the Construction Certificate for the buildings.

(9) ACCESS FOR PEOPLE WITH DISABILITIES

The proposed building shall be provided with access and facilities for people with disabilities in accordance with AS 14281.1. Specific attention shall be given to the following:

- a) In accordance with AS1428.1 Clause 6.3 all internal access ways shall have a minimum width of 1000mm.
- b) All floors, particularly around the approved hydrotherapy pool, are to be firm, slip resistant and easily traversable by a wheelchair consistent with AS1428.1 Clause 7.
- c) Any internal doors that are not automatic, must be able to be unlocked and opened using one hand (i.e. D or D lever handles) at the required height and built to the specifications outlined in AS1428.1 clause 13.5.
- d) In accordance with the Access to Premises Standard (APS) Clause D3.2, an accessible pathway leading users from the designated accessible parking bay to the building entrance must be in place.
- e) All pathways are to be a minimum width of 1000mm consistent with AS1428.1 clause 6.3.
- f) In accordance with APS – A1.1 and AS1428.1 clause 4.6/6 an alternative accessible entrance is to be provided as an alternate

route through the turnstile.

- g) All doors or doorframes have a minimum luminance contrast of 30% to their adjacent surfaces consistent with AS1428.1 clause 13.1.
- h) Accessible toilet and shower facilities must meet the specifications in AS1428.1 clause 13 and relevant sub points clause 15 and relevant sub points.
- i) As there is more than one unisex accessible toilet, the number of left and right handed facilities, must be provided as evenly as possible (consistent with APS clause F2.4 (g)).
- j) Signage for toilets must include the International Symbol of Access; the separate Male and Female symbols; and whether the facilities is suitable for left or right and use; and be located on the wall between 1200 – 1600mm high on the latch side of the doorway consistent with APS – D3.6 (c) / D4 and AS1428 clause 8.1
- k) It is strongly recommended that the reception counter provide a wheelchair accessible section at a height of 830 – 870mm with leg clearance at a height of 800 – 840mm underneath for a minimum length of 900mm consistent with AS1428.2 clause 24.1.1
- l) The kitchen area is to have appropriate circulation space to enable a user ease of use for all facilities consistent with APS 2.2 (4) and AS1428.1 clause 6.
- m) Ensure appropriate illumination of signage for day and night use consistent with APS – 4.5
- n) Signage displayed where directional decision are made is to be clear and appropriate with raised tactile information on those signs placed between 1200mm and 1600mm high consistent with APS – DP1 (b); APS – D3.6 (b) / D4; AS1428.1 clause 8.1 / 8.2.
- o) All glass doors are to have a solid, non-transparent contrasting strip across the full width of the glass and side partitions consistent with AS 1428.1 clause 6.6.

The above specific standards must be completed to the satisfaction of the certifier prior to the issue of any Occupation Certificate.

(10) ACCESS FOR PEOPLE WITH DISABILITIES

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992* (DDA).

Note: Disability (Access to Premises-Buildings) Standards 2010 - as of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the DDA.

(11) ACCESSIBLE FACILITIES

Accessible facilities for people with disabilities must be provided in accordance with the Building Code of Australia, relevant Australian Standards and have regard to the *Disability Discrimination Act 1992* (DDA).

Plans and specifications must demonstrate compliance with the relevant legislation and Standards.

The plans must be approved by the Council or Accredited Certifier prior to the issue of any Construction Certificate.

(12) COMPLIANCE WITH FOOD ACTS AND REGULATION FOR CONSTRUCTION CERTIFICATE

The kitchen and food storage areas including the construction and fit-out shall comply with the *Food Act 2003, Food Regulation 2010, Food Standards Code* and the *Australian Standard 4674-2004 – Design, construction and fit-out of food premises*. Details of compliance are to be included in the plans and specifications for the construction certificate to the satisfaction of the certifying authority.

(13) WASTE WATER DISPOSAL

Where items of waste are discharged from equipment ensure connection to a sewage system via a tundish to prevent back flow of odours and liquid wastes.

(14) VENTILATION – MECHANICAL EXHAUST REQUIRED

If the total maximum power electrical input of the proposed cooking appliance exceeds 8kw or a total gas power input exceeding 29 MJ/h then approved method of local exhaust shall be provided in accordance with AS 1668. Details of the cooking equipment inputs to be submitted to certifying authority with the construction certificate application.

(15) VENTILATION – EXHAUST SYSTEM CERTIFICATION

A certificate being submitted at the completion of the installation from a practising Mechanical Engineer certifying that construction, installation and operation of the exhaust hood ventilation system meets the requirements of AS 1668.1 and/or AS 1668.2. The certificate shall be submitted to Council with the accompanying occupation certificate.

(16) WALLS – SOLID CONTRUCTION

Walls of the food preparation areas, kitchen sculleries, food displays, food servery's and food storage areas shall be of solid construction e.g. brick, concrete, concrete block, or other similar approved homogenous material. Walls which allow for voids or cavities are not permitted such as stud walls.

(17) HAND WASH FACILITIES

Hand wash basins to be provided:

- i. Where open food is handled.**
- ii. At the staff entrance to food handling area.**
- iii. Where utensil/equipment are washed.**
- iv. In toilets.**

Hand wash basins to be located:

- i. So they are not obstructed**
- ii. At bench height, either fixed to wall or set in a bench-top**
- iii. Clearly designated for the sole purpose of washing hands, arms and face.**
- iv. Within five (5) metres of any area where open food is handled.**

Hand wash basin to be provided with:

- i. Permanent supply of warm, running, potable water delivered through a single outlet**
- ii. Hands free taps**
- iii. Towel dispenser that dispenses a single-use paper or cloth towel or other effective method of drying that prevents the spread of pathogens.**
- iv. Liquid soap.**

(18) EQUIPMENT FOR CLEANING AND SANITISING

Equipment provided for cleaning and sanitising shall be appropriate for the level of food processing performed. Refer to Table 4.1 and 4.2 AS 4674-2004.

(19) STABILISATION

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

(20) STORMWATER RUNOFF

All stormwater run-off from trafficable areas subject to contamination shall be disposed of by means which do not pollute waters. The applicant will provide detailed plans, prior to the issue of the Construction Certificate, specifying control methods to prevent pollutants from leaving the site with stormwater runoff.

(21) STORMWATER COLLECTION

The registered proprietor of the land shall collect all roof and stormwater runoff from the site and discharge it to Council's stormwater collection pit in Civic Avenue Street in accordance with Council's Development Engineering Specifications (available at Council's Offices). Full details shall be submitted to and approved by Council prior to release of the Construction Certificate for the building/s.

(22) SERVICE RELOCATIONS

The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

(23) WASTE REMOVAL

Waste will be collected for disposal at appropriate locations and removed at regular intervals and must not under any circumstances be allowed to accumulate on site.

Waste handling facilities will be provided so that:

- stored waste does not create offence by emission of dust, leachate, odour, unsightliness or an environment suitable for vermin;
- putrescible waste is stored in shaded, ventilated, waterproof and vermin-proof conditions;
- storage containers will be conveniently located both for the user and the waste collector;
- storage containers will be readily manoeuvred from the waste storage area to the collection vehicle;
- lids for the storage containers will prevent entry of water and be of light weight material or such construction as to be readily operated by the user.

This condition will be complied with for the term of this consent.

(24) LANDSCAPED AREAS

Landscaped areas will be kept free of parked vehicles, stored goods, garbage or waste material.

This condition will be complied with for the term of this consent.

(25) LANDSCAPE MAINTENANCE

Landscaping will be kept trimmed and in a tidy condition. Undergrowth will be kept to a minimum.

This condition will be complied with for the term of the approval.

(26) GRAFFITI & VANDALISM

Any vandalism and graffiti are to be removed from premises at the earliest possible time.

This condition will be complied with for the term of the approval.

(27) SECURITY ALARM

Any security alarm system installed on the subject land shall be a “back-to-base” type system.

This condition will be complied with for the term of the approval.

(28) EQUIPMENT NOISE

The use and occupation of the site including construction plant and equipment installed thereon, shall not give rise to any offensive noise or vibration within the meaning of the *Protection of the Environment Operations Act, 1997*.

This condition will be complied with for the term of this consent.

(29) MECHANICAL VENTILATION/AIR CONDITIONER NOISE

Any proposed mechanical ventilation and/or air conditioning systems, or other mechanical services, shall be operated in a manner which does not give rise to “offensive noise” as defined under the *Protection of the Environment Operations Act 1997*.

This condition will be complied with for the term of this consent.

(30) CONSTRUCTION CERTIFICATE – PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION WORK

Where demolition is associated with the erection of a new structure, or an altered portion of or an extension to an existing building, the demolition of any part of a building is “commencement of erection of a building” pursuant to section 81A(2) of the *Environmental Planning and Assessment Act 1979*. In such circumstances all conditions of this consent (where applicable) must be satisfied prior to any demolition work. This includes but is not limited to, the issue of a Construction Certificate, appointment of a PCA and Notice of Commencement under the *Environmental Planning and Assessment Act 1979*.

(31) APPLICATION FOR A CONSTRUCTION CERTIFICATE

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

- a) Architectural plans and specifications complying with the *Building Code of Australia (BCA)*, relevant Australian Standards and the

development consent conditions.

- b) If Council issues the Construction Certificate, engineering details must be submitted for approval for all structural elements, including but not limited to, piers, footings, reinforced concrete slab and framing specifications. The details must be prepared and certified by a practising consulting structural engineer.
- c) Geotechnical report for the site (where applicable).
- d) Plan of essential fire safety measures outlining the existing and proposed fire safety measures.
- e) Disabled access and facilities provisions complying with AS1428 and the *Access to Premises Standards 2010*.
- f) Part J compliance report attesting to the energy efficiency of the proposed development.
- g) A report and hydraulic calculations from a suitably qualified person with respect to the installation of hydrants, hose reels and any other fire safety measure requiring an emergency water supply.
- h) If an alternative solution to the “deemed to satisfy” provisions of the BCA is proposed, the following details must be lodged:
 - i. Performance requirements that the alternative solution intends to meet;
 - ii. Assessment methods used to determine compliance with the performance requirements, including if and how each performance objective impacts on other requirements of the BCA; and
 - iii. A statement about the person who prepared the alternate solution, indicating qualifications, experience, insurance details and membership of an approved accreditation body.

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

(32) SITE SAFETY FENCING

Site fencing must be erected to a minimum height of 1.8 metres complying with WorkCover guidelines to exclude public access to the site throughout the demolition and building work. The fencing must be erected before the commencement of any demolition work and be maintained.

The site must be secured in accordance with Clause 146 of the *Environmental Planning and Assessment Regulation 2000*. The site must be maintained in a clean and orderly condition during demolition works.

If applicable, a separate application for hoarding must be made with Council under the *Roads Act 1993* for any fence erected on or adjacent a public footpath or roadway.

(33) TRAFFIC/PEDESTRIAN MANAGEMENT PLAN

A Traffic/Pedestrian Management Plan in accordance with the RMS Traffic Control at Work Sites – Version 4 June 2010, is to be prepared and endorsed by a suitably qualified Traffic Controller and submitted to Council for approval, and then it will need to be held on site. The Traffic/Pedestrian Management Plan is to be established prior to any alterations to ensure the safety of the normal flow of traffic on the road or deviation of pedestrians.

The selection or design and implementation of TCPs must only be undertaken by person/persons who are qualified, authorised and have passed RMS approved training courses (Holding a Current Red or Orange Card). The TCP must include the name and certificate number of the accredited person. The TCP is to include the different stages of these works (i.e., demolition, RCP's extension and installation, pavement restoration, pits construction, etc.).

(34) CONSTRUCTION WORKS SIGNAGE

A sign displaying the following information is to be erected adjacent to the access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:

- a) A general plan of the project.
- b) A warning note: "Unauthorised access to the site is prohibited".
- c) The owner of the site.
- d) The person/company carrying out the site works and telephone number, and email address (including 24 hour 7 days emergency numbers).

(35) NOTIFICATION OF CONSTRUCTION

Advisory Signage & letter drops all adjoining and adjacent land owners affected by the works are to occur at least 5 days prior to construction commencing, and a signage identifying the location of the project, general allotment layout, contact numbers (including out of office hours emergency numbers) must be provided at all entrance points to the development. All signage must be appropriately positioned, prior to the commencement of any works on the site.

(36) DEMOLITION REQUIREMENTS

All demolition works must comply with the requirements of AS 2601 “Demolition of Structures” Code.

A Demolition Plan (in accordance with the AS 2601-2001 – The Demolition of Structures) is to be submitted for consideration and approval by Council’s Development Engineer. The Demolition Plan shall include, inter alia, the following information:

- a) Demolition method
- b) Materials handling
- c) Proposed sequence
- d) Protective measures
- e) Exclusion demolition zone (if any)
- f) Traffic Management
- g) Environmental Management Plan (including dusty control measures, noise control measures)

Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover “Demolition License” AND a current WorkCover “Class 2 (Restricted) Asbestos License”.

The removal of asbestos must comply with “WorkCover’s Guide to Working with Asbestos”.

Note: A copy of this publication can be obtained from WorkCover Authority’s website www.workcover.nsw.gov.au.

(37) PROTECTION AGAINST DAMAGE TO INFRASTRUCTURE

Any existing infrastructure damaged due to the proposed works including, but not limited to, (kerb, concrete pipes, headwalls, pits, channels, pavement, etc.) is to be repaired or replaced at the applicant’s expense prior to the commencement of use. The Applicant must notify Singleton Council Water and Waste or Development Engineering immediately when the structure is damaged.

(38) EARTHWORKS

Should soil be brought or removed from site, the applicant/contractor is to prepare a Road Condition Report, identifying the final stockpile location/source and all existing problems with the roadway along the

identified haul route (excluding State Controlled Roads). On completion, the haul route shall be subject to a joint inspection by the applicant and Council Officers to identify any further damage that has occurred. If any additional damage has occurred, all rectification works shall be at the applicant's expense, to the satisfaction of the Chief Executive Officer. The report is to contain (but not limited to): location of existing deficiencies of the roadway and site photos of the route especially at areas where turning movements will occur.

All earthworks are to be constructed in accordance with Australian Standard 3798-2007, Guidelines on Earthworks for Commercial and Residential Developments.

(39) WASTE MATERIAL FROM DEMOLITION WORKS

The applicant must ensure that all waste material generated from the work is adequately stored and is removed from the site during demolition and clean up works.

All waste materials must be removed to an approved waste disposal facility in accordance with the appropriate WorkCover requirements. In the case of asbestos, prior arrangements may need to be made with the operator of the facility.

Any excess fill created as a result of the approved earthworks is to be disposed of at an approved waste disposal or recycling facility.

(40) CLAUSE 94 – FIRE SAFETY UPGRADE (REBUILDING, ALTERATIONS OR ADDITIONS TO AN EXISTING BUILDING)

Council considers, pursuant to clause 94 of the *Environmental Planning and Assessment Regulation 2000*, that it is appropriate to require the existing building to be upgraded to total or partial conformity with the BCA.

The Construction Certificate plans and specifications required to be submitted to the Certifying Authority pursuant to Clause 139 of the *Environmental Planning and Assessment Regulation 2000* must detail building upgrade works required for the approved use.

The Certifying Authority must be satisfied that such work, to be implemented as part of the development, will upgrade the building to bring it into compliance with the following provisions of the BCA in force at the date of issue of the Construction Certificate:

Note: The Certifying Authority if not the Council, has no power to remove the requirement to upgrade the existing building as required by this condition. Where this condition specifies compliance with performance requirements of the BCA, the Certifying Authority (subject to their level of accreditation) must be satisfied of such matters. Where this condition specifies compliance with prescriptive (deemed to satisfy)

provisions of the BCA, these prescriptive requirements must be satisfied and cannot be varied unless this condition is reviewed under section 82A or amended under section 96 of the *Environmental Planning and Assessment Act 1979*.

(41) FILLING AND NATURAL DRAINAGE

Filling shall not be placed in such a manner that natural drainage from adjoining land will be obstructed.

(42) FILLING AND SURFACE WATER

Filling shall not be placed on land in such a manner that surface water will be diverted to adjoining land.

(43) CONSTRUCTION MANAGEMENT PLAN

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 *Development Engineering Specifications, 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*'.

(44) CONTROL OF WASTE

Suitable provision for the containment of building waste materials generated by the building process, shall be provided within the boundaries of the building site prior to any construction work being commenced above natural or excavated ground level, as follows:-

- a) Such containment measures are to be either by means of a screened area of silt stop fabric or shade cloth, having dimensions of 1.8 x 1.8 x 1.2 metre high area OR equivalent size waste disposal bin.
- b) The provision of a suitable enclosure or bin shall be maintained for the term of the construction to the completion of the project.
- c) The enclosure or bin shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
- d) Building waste shall be disposed of at an approved waste disposal or recycling facility. Building waste shall not be disposed of by burning on site.

(45) PREVENTION AGAINST POLLUTION

- a) All reasonable and practicable measures must be taken to prevent pollution of any stormwater system as a result of silt run-off, oil and grease spills from any machinery. Wastewater for cleaning equipment must not be discharged direct or in-directly to any stormwater system. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage.
- b) All reasonable and practical measures must be taken to minimise environmental nuisance to neighbours. All issues/complaints brought to the attention of the contractor by neighbours, that relate to work being undertaken (i.e., nuisance to any person, danger to any person or property, create a potential danger to public safety for any road and footpath user), are to be reported to Development Engineering at the earliest opportunity in the following week. (If the complaint is resolved by the Contractor on-site, there is no need to contact Council).
- c) The contractor must implement a suitable Dust Management Strategy to minimise dust nuisance on adjacent properties. Details of the dust management strategy must be incorporated into the erosion & sediment control strategy and be noted on the contractor's ESC plan. Dust control measures, e.g. vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.

(46) INSPECTION REQUIREMENTS

Prior to the issue of any Occupation Certificate for the building the applicant shall ensure that Council, being the regulatory authority under the *Local Government Act 1993* for the sewerage system, has been requested to and carried out inspection of the development at the following stages of construction:

- A) Internal drainage lines before the floor is laid or concrete placed.
- B) External drainage lines before backfilling of the trenches.

Requests for inspections may be made either by telephone (02) 6578 7290 or in person at the Customer Services Counter.

Inspection requests are subject to the following:-

- 1) Applicants are required to nominate the relevant development application number and location prior to the inspection request being granted.
- 2) Clerical staff only will receive all requests for inspections.
- 3) Where work is not prepared, ready for inspection, applicants will be required to re-book inspections through the Customer Service Centre for the next available day and a re-inspection fee may be charged.
- 4) Inspections must be received before 3.30 pm on the working day prior to when the inspection is required.
- 5) Inspections within the township of Singleton will generally be carried out as AM or PM inspections.
- 6) Where Council has been appointed as the PCA, inspection requests will not be accepted if evidence of payment of building insurance under the *Home Building Act, 1989* or evidence of an owner builders permit has not been received by Council.

(47) INSPECTIONS BY PRINCIPAL CERTIFYING AUTHORITY

The applicant shall ensure arrangements are made for inspections to be carried out during the course of construction and as required by the Principal Certifying Authority.

(48) OCCUPATION CERTIFICATE – PRINCIPAL CERTIFYING AUTHORITY

The building shall not be occupied or used until an Occupation Certificate has been issued by the Principal Certifying Authority.

Please be advised that Section 109H (1B) of the *Environmental Planning and Assessment Act, 1979* prevents the Principal Certifying Authority from issuing an occupation certificate until all pre-determined conditions of development consent have been completed.

(49) HOURS OF WORK

Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:

- 7.00am to 6.00pm, Monday to Friday;
- 7.00am to 1.00pm Saturdays;
- No work is permitted on Sundays or Public Holidays.

Any variations to the above working hours must be authorised by the Chief Executive Officer, prior to the commencement of such works.

(50) TEMPORARY CLOSET REQUIREMENTS

A temporary closet shall be provided on site from the commencement of building work. No inspections will be made until the closet is installed.

A temporary closet shall be a chemical closet supplied by a contractor approved by Council.

(51) REGISTERED SURVEYORS REPORT

The building is to be set out by a Registered Surveyor in the position approved by Council.

(52) SEDIMENT AND EROSION CONTROL

Prior to the commencement of work, erosion and sediment control barriers shall be installed in accordance with *Council's Guidelines for Erosion and Sediment Control from Building Sites* as follows:-

- a) A dish shaped diversion drain or similar structure will be constructed above the proposed building site to divert run-off to a stable discharge area such as rock outcrop or area with a dense ground cover. This diversion drain to be lined with turf or otherwise stabilised.
- b) Silt fence consisting of driven pickets at 3metre maximum centres, Geotextile filter fabric securely attached to the pickets with the base of the fabric buried a minimum 150mm below undisturbed ground surface and/or straw bales fixed in a 100mm deep trench and held in position with stakes driven 600mm into the ground.
- c) The site entrance/exit shall be constructed at a minimum width of 3 metres with a surface of compacted chitter, gravel or a sealed surface. A diversion drain shall be installed to minimise runoff via the access to the road.
- d) Provision of a blue metal filled groin adjacent to the kerb inlet. The groin shall be 900mm long by 200mm diameter to be filled with 10-18mm blue or crushed rock.
- e) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
- f) Top soil from the construction site will be stripped and stockpiled in a location where it will not be eroded from the site.
- g) Both cut and fill, will be topsoiled using the stored material, or purchased top soil if required, and vegetated on a temporary basis until final landscaping is undertaken.

- h) Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development.

These controls are to be effectively maintained throughout the building phase. Failure to comply with these requirements may lead to Council instituting legal proceedings under the *Protection of the Environment Operations Act 1997*. Should any soil or sediment escape from the building site (for example from an access or vehicle tyres) it is to be cleaned off the roadway or gutter immediately to ensure it cannot enter the drainage system. Any nearby drainage pit must be protected with blue metal sausages.

(53) TERMITE PROOFING

The building must be protected and maintained against attack from subterranean termites in accordance with AS 3660.1.

(54) DISCONNECTION OF EXISTING SERVICES

Prior to the demolition and/or removal of existing structures on site, where required, all existing services are to be disconnected, sealed and made safe. Disconnection of any sewer and/or water services not required for continued use of the site, are to be disconnected by a licensed plumber and drainer. Council must certify that necessary works have been satisfactorily undertaken.

(55) EXISTING PLUMBING AND DRAINAGE

Existing plumbing and drainage fixtures, affected by the building works shall be modified or relocated by a Licensed Plumber in accordance with the requirements of Singleton Council and the *National Plumbing and Drainage Code, AS3500*.

(56) NEW PLUMBING AND DRAINAGE WORK

All plumbing and drainage works shall be carried out by a licensed plumber in accordance with the provisions of the *National Plumbing and Drainage Code AS 3500*, and Singleton Council where applicable.

(57) FIRE SAFETY MEASURES (GENERAL)

Prior to the issue of any Occupation Certificate for the building, the applicant shall submit to Council a Final Fire Safety Certificate in respect of each essential fire safety measures installed in the building indicating that:

- a) the measure has been inspected and tested by a person (chosen by the owner of the building) who is competent to carry out such an inspection and test; and
- b) the measure was or was not (as at the date on which it was inspected or tested) found to have been designed and installed, and to be

capable of operating, to a standard not less than that required by or under the *Environmental Planning and Assessment Regulation 2000* or by the Council.

The building owner shall cause Council to be given a Fire Safety Statement every 12 months after the first Fire Safety Statement is supplied, certifying that the fire safety measures have been maintained in an operable condition.

The Fire Safety Statement shall be in a form approved by Council. One copy shall be displayed in a prominent position on the premises, one copy being submitted to Council and one copy to the NSW Fire Brigade.

(58) SECURE THE SITE

All works must be suitably fenced off and protected during the duration of the works. The maintenance, safety and security of the site is to remain the responsibility of the applicant and appointed representatives and contractors until such time as the road reserve is reinstated to its former state, or to a condition identified in this approval.