

Prior to Work Commencing (all stages)

1. The approved development which is the subject of this development consent must not be commenced until:
 - a) A construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited Certifier, and
 - b) The person having the benefit of the development consent has;
 - i) Appointed a Principal Certifying Authority for the building work, and
 - ii) Notified the Principal Certifying Authority that the person will carry out the building work as an owner-builder, if that is the case, and;
 - c) The principal certifying authority has, no later than 2 days before the building work commences;
 - i) Notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - ii) Notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - d) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has
 - i) Appointed a principal contractor for the building work who must be the holder of a contractor license if any residential building work is involved, and
 - ii) Notified the Principal Certifying Authority of any such appointment, and
 - iii) Unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - iv) Give at least 2 days notice to the council of the person's intention to commence the erection of the building.
2. Toilet facilities are to be provided, 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:
 - a) Must be a standard flushing toilet, and
 - b) Must be connected to a public sewer, or
 - c) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

3. The applicant must ensure that a sign containing the following information is erected in a prominent position and maintained on the site at all times:
 - a) The name, address and telephone number of the principal certifying authority for the work, and
 - b) 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) A statement that unauthorised entry to the work site is prohibited.

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

4. The contractors engaged to undertake development on public land and infrastructure must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
5. Erosion and sediment control measures that will minimise damage to and avoid pollution of the environment are required for this development. An erosion and sediment control plan (ESCP) is to be prepared in accordance with the "Blue Book" Managing Urban Stormwater –Soils and Construction (Landcom 2004). THE ESCP is to be implemented prior to the commencement of any construction works.
6. A Traffic Management Plan detailing how movements in and out of the site during construction will be adequately managed so as not to adversely impact the safe operation of the road network (this is inclusive of pedestrian management plan and the Traffic Management Plan) shall be submitted to the Roads Authority for approval.
7. Traffic Control Plans (TCP) are to be prepared by a person with the applicable certification from Roads and Maritime Services (RMS) in accordance with AS1742.3-1996 and the RMS current version of the "Traffic Control at Worksites" manual. All TCP are to be submitted to the Roads Authority for approval and implemented prior to the commencement of any works undertaken within the road reserve.
8. It is the responsibility of the developer to ensure discussions are held with the adjoining property owners along all common boundaries in relation to the installation of temporary/permanent fencing and other access requirements, before demolition occurs and/or the commencement of work.
9. Pursuant to section 68 of the Local Government Act 1993, the following approvals must be obtained:
 - a) Carry out water supply work;
 - b) Carry out sewer work;
 - c) Carry out stormwater work; and
 - d) Dispose of waste into the sewer of Council (trade waste).

Prior to the release of a Construction Certificate (all stages)

10. A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority) prior to the issue of an Occupation Certificate. Council requires the following to be undertaken prior to the issue of a Compliance Certificate. The following contribution payments must be made prior to issue of any Construction Certificate.

Headworks

Self contained dwellings - 57 (2 brm) units in total

- Water - 34.2 ET x \$11,176 = \$382,219
- Sewer - 42.7 ET x \$4,349 = \$185,702

Residential Assisted Care Facility RACF - 62 beds in total

- Water - 31.0 ET x \$11,176 = \$346,456
- Sewer - 46.5 ET x \$4,349 = \$202,228

Community Centre

- Water - 2.7 ET x \$11,176 = \$30,175
- Sewer - 2.7 ET x \$4,349 = \$11,742

Advisory Note: *The above headworks contributions have been adopted under the 2017/2018 Council Annual Operation Plan. Revised rates adopted in subsequent Annual Operation Plans will apply to Headworks Contributions paid in later financial years*

11. A Section 138 Approval from Council as the Roads Authority under the Roads Act 1993 to undertake works within Moore Creek Road and Browns Lane road reserve for this development is required. Detailed construction plans shall be provided to the Roads Authority for approval.
12. All design drawings for works in the Moore Creek Road and Browns Lane road reserve associated with this development shall be approved by the Roads Authority.
13. Certification being provided in accordance with Annexure A of Councils current version of the Engineering Design Guidelines for Subdivisions and Developments.
14. Detailed engineering drawings and construction specifications, specific to the works, prepared in accordance with Council's Engineering Design Guidelines for Subdivisions and Developments, are required. Completed 'Information to be shown on drawings' and 'Checklists' contained within Councils Engineering Design Guidelines for Subdivisions and Developments shall be submitted to Council to ensure all works are designed and constructed in accordance with recognised and accepted standards and guidelines for the following at minimum:-
- (i) Stormwater infrastructure for the development including provision of drainage within Moore Creek Road and Browns Lane;
 - (ii) Detention system including access provisions;
 - (iii) Internal road design being constructed with a base course of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers;
 - (iv) Road design for intersection treatments on Moore Creek Road and Browns Lane including a pavement design report;

- (v) A safety in design report in line with section 1.4.2 of the current version of Council's Engineering Design Guidelines for Subdivisions and for all external works; and
- (vi) A Maintenance and Management Plan for the detention basin and stormwater system.

All plans are to include details of the location of all existing utility services.

The engineering drawings shall be submitted to the Roads Authority for approval prior to the issue of a Construction Certificate.

Advisory Note: Any line marking and/or regulatory signage shown on any plan is required to be reviewed by the Local Traffic Committee prior to approval of the plan(s).

Stormwater

15. A stormwater servicing strategy for the development site shall be prepared and submitted to the Roads Authority for approval in accordance with the requirements of Part 3 of Council's current version of the Engineering Design Guidelines for Subdivisions and Developments.

The stormwater servicing strategy for this development must also include calculations, design drawings and associated commentary for the following at a minimum:-

- (i) Stormwater detention for the range of 1:1 To 1:100 year ARI event(s) to reduce the developed flow rate to the pre-developed flow rate
- (ii) The drainage channel (+25% freeboard) through the unnamed watercourse and the transition with any existing or proposed upstream drainage channel
- (iii) Minor stormwater network
- (iv) Any other Q100 overland flow paths

The stormwater servicing strategy to be approved by the Roads Authority shall be used to address the required stormwater drainage design for the development site.

16. An Inspection Test Plan (ITP) for the construction of roads and drainage infrastructure required for the development shall be submitted to Council's Manager Transport & Assets for approval to ensure the quality of construction meets the design criteria.
17. The Developer shall submit to Council a copy of the Controlled Activity Approval issued by the Office of Water with respect to any Controlled Activity Works, as required by the General Terms of Approval issued by the Office of Water for this development.
SEE ATTACHMENT A – DPI WATER General Terms of Approval
18. Electrical reticulation construction plans stamped and approved by Essential Energy shall be provided to ensure no Lots are burdened by existing overhead power lines, street lights are installed in accordance with Australian Standards and Council's Guidelines and satisfactory arrangements have been made for the provision of electricity to all Lots.
19. Where retaining walls are to be constructed as part of this development, certification of the design of the retaining wall(s) on affected lots by a suitably qualified Structural Engineer holding Chartered Professional Engineering status shall be submitted to Council prior to the release of the Construction Certificate

General

20. Development shall take place in accordance with the attached endorsed plans:
- i. Statement of Environmental Effects prepared by Brown and Krippner, Ref No. L1924.3, Revision 3 dated 28/11/2017;
 - ii. Architectural Plans prepared by Kennedy Associates Architects, Project No 1633, Drawing No's DA00B and DA05B to DA79B all dated 09/03/2018 and DA01C to DA04C all dated 11/04/2018;
 - iii. Landscape Plans prepared by Taylor Brammer Landscape Architects Pty Ltd, Job No. 17-088S, Drawing No. LA01, LA02, LA03, LA07 all Revision C, dated 07/03/2018 and LA08 LA10, LA11 all revision B dated 07/03/2018;
 - iv. Threatened Species Assessment prepared by Environmental Engineering & Energy, Report Version: Final 20183.170908v2 dated September 2017;
 - v. Access Compliance Report prepared by Vista Access Architects, Project No. 17180;
 - vi. Electrical Services Return Brief prepared by Northrop Consulting Engineers, Ref No. SY170912, Revision 2 dated 13/09/2017;
 - vii. Turning Path Plans prepared by The Transport Planning Partnership, Project No. 17058, Figures 1 and 2 both Revision A dated 11/9/2017; and
 - viii. Civil Design Plans prepared by Northrop Job No. 170912
 - o Drawing No's DA1.01, DA2.21, DA3.01, DA3.02, DA3.03, DA3.04, DA3.05, DA3.06, DA3.24, DA3.25, DA3.31, Revision 4 dated 11/04/2018
 - o Drawing No's DA1.11, DA2.01, DA2.11, DA3.21, DA3.22, DA3.23, DA4.01 Revision 3 dated 09/03/2018
 - o Drawing No's DA3.25 Revision 2 dated 09/03/2018
 - o Drawing No's DA5.01, DA5.02, Revision 2 dated 14/09/2017
 - o Drawing No.DA6.01 Revision 3 dated 11/04/2018
21. Staging of the development is permitted provided that continuity in the installation of utility services and any civil infrastructure required is not compromised by the staging.
22. The Applicant shall consult with, as required:
- a) Essential Energy;
 - b) Natural gas company; and
 - c) A telecommunications carrier
- regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the proposed works, either on site or on the adjacent public road(s).
23. Council's kerb side waste collection will not be provided to this development which is to be serviced by a contractor arranged and engaged by the developer.
24. The development must be carried out in accordance with the Development Application and accompanying plans, drawings and other documents unless otherwise as amended

by conditions of this consent. Any amendment to the development or to these conditions will require the consent of the Council

25. All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent shall be completed prior to occupation of the premises to ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979.
26. All infrastructure built as part of this development, with the exception of any approved vehicle access/egress points and intersection treatments within Browns Lane and Moore Creek Road, must be contained fully within the development site. This includes but is not limited to any batter slopes and the electrical substation and associated footings.

Advisory Note: the 5m road reserve widening on Browns Lane and Moore Creek Road does not form part of the development site.

27. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
28. All building work must be carried out in accordance with the provisions of the disability (Access to Premises - Buildings) Standards 2010.

RACF Food Conditions

29. The fit-out of a food premises must comply with Standard 3.2.3 of the Food Safety Standards and the Food Act 2003. The Australian Standard AS4674- 2004: Design, construction and fit-out of food premises may be used as a guide to achieving compliance. In addition, any mechanical ventilation system to be installed must comply with the Australian Standard AS1668- 2002: The use of ventilation and air-conditioning in buildings (Parts 1 and 2).
30. *Hand Wash Basin-* A separate hand wash basin will be required additional to any food preparation sink and required to be used only for the purpose of hand washing. Hand basins must be provided in accessible and convenient locations. The basins must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and long enough tap handle to facilitate hands free operation will be acceptable. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand basin.
31. *Display Units* - All food display units must be enclosed to prevent the possibility of food contamination from food handlers or environmental factors such as flies, dirt, dust or debris.
32. *Fixtures and Fittings-* All fixtures and fittings must be designed, constructed, located and installed to ensure the following:
 - They will not cause any food contamination
 - They are able to be easily and effectively cleaned
 - They do not provide harbourage for pests where practicable.
 - They must be located to ensure adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned. They may be supported on:

- *Legs*: Legs for fittings and fixtures must be constructed of non-corrosive, smooth metal or moulded plastic, and have a clearance space between the floor and underside of the fitting of at least 150mm.
 - *Plinths*: If fixtures are built into the walls and floors and cannot be moved for cleaning then plinths must be an integral component of the design. They must be constructed of materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be sealed to plinths to ensure there are no gaps, cracks or crevices.
33. *Mechanical Exhaust Ventilation* - must be provided above cooking appliances and constructed in accordance with Australian Standard 1668.2 - 1991 - 'The use of mechanical ventilation and air conditioning in buildings - Part 2: Mechanical ventilation for acceptable indoor-air quality'.
34. *Flooring* -The floor construction in a food premises must be finished to a smooth and non-slip surface. Recessed coving must be provided at all intersections of the floor with the walls within all food preparation areas. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface
35. *Lighting* - The premises must provide sufficient natural or artificial light for the activities conducted at the premises. Lighting in food preparation and display areas must be provided with covers, or have shatterproof bulbs to prevent food contamination in case of a breakage.
36. *Storage of Garbage and Recyclable Matter* - The premises must have facilities for the storage of waste and recyclable matter which adequately contain the volume of waste generated, and enclose waste to prevent access by pests and animals. Waste receptacles must also be designed to ensure they are easily cleaned and sanitised.
37. *Storage Facilities* - The premises must provide adequate storage facilities for chemicals, clothing and personal belongings. These storage areas must be separate from food contact surfaces to avoid contamination of food.
38. *Pest Control*- The premises must be designed in such a way that all practicable measures have been taken to prevent the entry and harbourage of pests and vermin within the premises. This means ensuring there are no gaps, cracks or crevices for pests to access and harbour within providing screens for doors and windows where practical, and weather strips to the bottom of doors.
39. *Water* - The premises must have connection to an adequate supply of hot and cold potable water in compliance to, where water is to be used for activities conducted at the food premises.
40. *Sewage and Wastewater Disposal* - The premises must have a sewage and wastewater system which effectively disposes waste without the possibility of contaminating the premises water supply or food.

Hair Dressing Salon

41. The structural and hygiene requirements of the hair and beauty salon must comply with the Local Government (General) Regulation 2005- Schedule 2:
- Part 2 Standards for hairdressers shops; and

- Part 3 Standards for beauty salons.

The operation requirements of the hair and beauty salon must comply with the Public Health (Part 4 Control of Skin Penetration Procedures) Regulation 2012:

- Division 2 Requirements for premises where skin penetration procedures are carried out; and
- Division 3 Requirements for carrying out skin penetration procedures.

Advisory Note: *Prior to operations commencing, an inspection must be completed by a Tamworth Regional Council Environmental Health Officer to ensure that the premise complies with the conditions of approval.*

42. The recommendations of the Threatened Species Assessment Report prepared by Environmental Engineering & Energy, Report Version: Final 20183.170908v2 dated September 2017 are to be implemented.

During Construction or Works

43. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal.
44. The applicant must maintain the installed water pollution, erosion and sedimentation controls in accordance with the "Managing Urban Stormwater - Soils and Construction" published by the NSW Department of Housing ("The Blue Book").
45. If an item suspected to be a relic, as defined by the Heritage Act 1977, is discovered on the site, all work must cease immediately and the Heritage Council notified as to the location of the relic. Work cannot proceed until the requirements of the Heritage Council have been fulfilled.
46. The applicant must ensure that all waste storage containers, including but not limited to skip bins, must be stored within the site unless;
- a) An approval has been issued by Council to place the waste storage container in a public place;
 - b) Where located on the road, it is located only in a position where a vehicle may lawfully park in accordance with the Australian Road Rules to the extent they are adopted under the Road Transport (Safety and Traffic Management)(Road Rules) Regulation 1999.
47. Work on the project shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-

Monday to Friday - 7.00am to 5.00pm;

Saturday - 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.

The applicant shall be responsible to instruct and control any sub-contractors regarding the hours of work.

48. In the event that any contamination (a concentration of substances above that naturally present that poses, or is likely to pose an immediate or long term risk to human health or environment) is discovered work must immediately cease and the Councils Manager Regulatory Services must be contacted to arrange an inspection

In accordance with State Environmental Planning Policy No. 55 - Remediation of Land, the following documentation should be submitted to council for approval:-

- Contamination of land,
 - Proposed Remediation works
 - A Validation Report.
49. To the extent that this consent permits filling of the site such fill must be virgin excavated natural material ("VENM").
50. VENM includes clay, gravel, sand, soil and rock that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with human-made chemicals as a result of industrial, commercial, mining or agricultural activities and which do not contain sulphidic ores or soils.
51. The approved Traffic Management Plan shall be maintained at all times.
52. The approved Traffic Control Plans (TCP) shall be maintained at all times when work is undertaken within a dedicated road reserve.
53. If the work involved in the construction of the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the closure of a public place, approval from Council's Transport & Assets Division is required.
54. Any damage caused to Council infrastructure during in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of Council's infrastructure.
55. Any spillage of materials onto Council infrastructure, as a result of delivery or handling for this development, must be removed as soon as practicable by the developer and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment
56. The Developer shall ensure that dust suppression is undertaken to ensure there is no visible dust emitted due to any works associated with the works associated with the development. This can be in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving in, out or within the development site does not cause a nuisance to surrounding properties.

External Roads – Moore Creek Road and Browns Lane

57. At full cost to the developer a "CHR" and "AUL" type intersection treatment shall be constructed at the new intersection on Moore Creek Road. The intersection shall be designed for an 80km/h speed limit in accordance with the Austroads (2009) Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections. The treatment shall include a 1 metre shoulder, a 2 coat bitumen seal, sign posted, line marked and include provision for necessary drainage. The developer is responsible in undertaking any measures to acquire land associated with fulfilling this condition (if required). In the event

a speed zone review is undertaken and approved for Moore Creek Road the intersection treatment may be amended to suit the new speed zone, revised plans will need to be submitted to and approved by the Roads Authority prior to works commencing.

Plans shall be submitted to the Roads Authority for approval prior to issue of a Construction Certificate for any stage.

Notwithstanding any approved staging of the development, these works are required to have been completed prior to the first Occupation Certificate being released for any building within the development.

58. At full cost to the developer a “CHR” and “AUL” type intersection treatment shall be constructed at the new intersection on Browns Lane. The intersection shall be designed for an 80km/h speed limit in accordance with the Austroads (2009) Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections. The treatment shall include a 1 metre shoulder, a 2 coat bitumen seal, sign posted, line marked and include provision for necessary drainage. The developer is responsible in undertaking any measures to acquire land associated with fulfilling this condition (if required). In the event a speed zone review is undertaken and approved for Browns Lane the intersection treatment may be amended to suit the new speed zone, revised plans will need to be submitted to and approved by the Roads Authority prior to works commencing.

Plans shall be submitted to the Roads Authority for approval prior to issue of a Construction Certificate for any stage.

If it can be demonstrated to the Roads Authority (via Austroads warrants) that a lesser intersection treatment is required, the lesser treatment can be designed and constructed in lieu of a “CHR” and “AUL” type intersection treatment.

Notwithstanding any approved staging of the development, these works are required to have been completed prior to the first Occupation Certificate being released for any building within the development.

59. Street lighting shall be installed at the intersection(s) with Moore Creek Road and Browns Lane. All street lighting shall comply with the requirements of AS/NZS1158 (as amended) to the following classification:
- Moore Creek Road - V5 – Discussion with the Roads Authority shall be undertaken regarding appropriate lamps for this purpose.
 - Browns Lane – P3 – LED Lamps

Advisory Note: No electricity lines shall traverse any residential allotment.

60. Should any works within the Moore Creek Road or Browns Lane road reserve necessitate installation/extension/removal/disposal/reinstatement of any existing infrastructure or materials, all works and costs will be at the developer's expense.
61. Road widening of 5.00 metres shall be dedicated to Council on the Moore Creek Road and Browns Lane frontage to Lot 1 DP868365.

Stormwater

62. An on-site stormwater detention system shall be provided to ensure that the post developed flow rate does not exceed the pre-developed flow rate discharging from the

site. Flows shall be controlled across the range of 1:1 year ARI to 1:100 year ARI events for the entire site prior to release to the approved point of discharge.

63. All hardstand runoff discharging from the proposed development site, buildings and works must be conveyed to the approved point of discharge by underground pipe drains complying with AS3500.3 (as amended) and in accordance with the current version of the Engineering Design Guidelines for Subdivisions and Developments. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system
64. Additionally, the stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:-
 - (i) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage;
 - (ii) Temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties;
 - (iii) All overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development. A system to prevent overland flows discharging onto adjoining properties shall be implemented.
 - (iv) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted.

All overflow from rainwater tanks shall be collected and piped to the approved point of discharge;

65. The approved point of discharge for the development site is defined as the existing unnamed watercourse on the eastern boundary of the development site (following detention of developed flows).
66. The onsite detention and stormwater systems shall be designed in accordance with Councils current version of the Engineering Design Guidelines for Subdivisions and Developments. If the required stormwater infrastructure can not be designed accordingly and be contained wholly within its site allocation the road and/or building layout shall be altered in order to accommodate the appropriately sized infrastructure.
67. Trees and/or shrubs shall only be planted above the freeboard design level for any drainage channels and shall not be planted within the drainage channels.
68. Any land associated with the proposed stormwater system within the development site shall be dedicated to Council as Drainage Reserve with the exception of the detention system and any drainage infrastructure directly associated with the development site (including any required interallotment drainage).

Advisory Note: Maintenance of the drainage reserve shall be undertaken by the proponent or their nominated representative.

69. The stormwater strategy shall include appropriate protection measures from upstream flows.
70. The detention basin shall be turf lined to prevent scour of the batters;

71. All open channels (including table drains) shall be turf lined on the floor of the channel and 0.5m above the floor level on the edge batters in accordance with Section 3.15.1.3 of the Engineering Design Guidelines for Subdivisions and Developments
72. Concrete drainage culverts (pipe culverts or box culverts) shall be provided under the Moore Creek Road and Browns Lane accesses to the site. The culverts shall be appropriately sized to cater for the calculated volume of stormwater in the respective roadside channels.

Finished Floor Levels

73. The finished floor level of any buildings for this development shall not be lower than the 1 in 100 year ARI overland flow level plus 0.5m. This level shall be determined by a suitably qualified Civil Engineer and be submitted to the roads authority for approval prior to the issue of the construction certificate.

Traffic and Parking

74. The internal driveways and parking areas are to be constructed with a base course of adequate depth to accommodate the anticipated vehicle loadings over its design life (including construction traffic) and shall be sealed with either asphaltic concrete, concrete or interlocking pavers.
75. All internal parking areas shall be designed to comply with Australian Standard 2890.1-2004 'Off-street car parking'. In this regard it shall be demonstrated that the B99 design vehicle can manoeuvre from internal parking spaces and enter and exit the property (onto the community title access road) in a forward direction.
76. To provide for the safety and security of employees and users of the facility, outdoor lighting in accordance with AS1158.3.1 Pedestrian Area (Category P) Lighting shall be provided to all off-street parking areas. The lighting installed must comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting
77. The new vehicle access/egress points from Moore Creek Road and Browns Lane to the development shall be constructed in accordance with Council's Engineering Design Guidelines for Subdivisions and Developments, at the location shown on the drawings provided with the Development Application and shall comply with the following:-
 - (i) The alignment of the vehicle accesses/egresses across any road reserve shall each be at right angles to Moore Creek Road or Browns Lane;
 - (ii) The vehicle accesses/egresses shall have satisfactory clearance to any power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer's expense;
 - (iii) The vehicle crossover shall be of adequate thickness to accommodate heavy vehicle loading; and
 - (iv) The vehicle crossover shall be provided with a non-slip finish.

Advisory Note: *The installation of the vehicle crossing is an approved structure in accordance with Section 138 of the Roads Act 1993. The ongoing maintenance and/or repair of the vehicle crossing is the responsibility of the adjoining owner in accordance with Section 142 of the Roads Act 1993.*

Landscaping

78. Street trees shall be provided in accordance with Council's Engineering Design guidelines for Subdivisions and Developments and the endorsed Landscape Plans.

Allotment Filling

79. All allotment filling that is required for the development site shall meet the requirements of AS3798 (as amended) – Guidelines on Earthworks for Commercial and Residential Developments.

Certification of the allotment filling shall be provided by a geotechnical testing authority registered under NATA. The testing authority shall be required to certify whether the fill complies with the requirements of AS2870.1 (as amended) – Residential Slabs and Footings – Construction, as “controlled fill”.

Inspections

80. It is required that a Principal Certifying Authority (PCA) be appointed to undertake all critical stage inspections as prescribed under the Environmental Planning and Assessment Regulations, 2000. The owner may appoint either the Council or an accredited certifier to be the PCA.
81. Inspections are required to be carried out by the Roads Authority for works as specified below:-
- (i) Pavement testing and construction of stormwater infrastructure within Moore Creek Road and Browns Lane
 - (ii) Placement of formwork and reinforcement prior to the pouring of concrete if required in Moore Creek Road and Browns Lane road reserves
 - (iii) Any works within the unnamed watercourse and the detention system infrastructure including any outlets and overflow points
 - (v) Stringline/ set out of all line marking required for intersection turning treatments to be installed on Moore Creek Road and Browns lane.

Advisory Note: that Council requires a minimum of 48 hours notice for inspections.

Prior to Occupation Certificate

82. The occupation or use of the whole or any part of a new building must not commence unless any occupation certificate has been issued in relation to the building or part.

Prior to the release of an Occupation Certificate (all stages)

83. A Compliance Certificate under Section 306 of the Water Management Act 2000 must be obtained from the Council (as the Local Water Supply Authority) prior to the issue of an Occupation Certificate. Council requires the following to be undertaken prior to the issue of a Compliance Certificate.

Water

- A single water service with appropriate backflow prevention device shall be provided to service the development
- The proposed water service is to be connected to the existing DN300mm main within Moore Creek Road, adjacent to the North Western corner of the property

- The developer will be responsible to engage a hydraulic engineer to determine the fire fighting and domestic demands and determine an appropriate water service size for the development
- Works shall be undertaken in accordance with Council's Engineering Design Guidelines for Subdivisions and Developments
- Work on live water mains is to be undertaken by Council at full cost to developer

Sewer

- A single sewer service shall be provided to service the development
 - Connection to the existing sewer traversing the property is to be at an existing sewer manhole located on the Eastern side of the property
 - Works shall be undertaken in accordance with Council's Engineering Design Guidelines for Subdivisions and Developments
 - Work on live sewer mains is to be undertaken by Council at full cost to developer
84. To ensure that the required fire safety measures are provided in accordance with the building's use and operate in accordance with the appropriate standards, the owner must cause a copy of a Fire Safety Certificate to be given to the Council and the Commissioner of the NSW Fire Brigades prior to occupation in relation to the fire safety measures required by the Building Code of Australia.
85. To ensure that the building design facilitates suitable entry, movement and sanitary facilities for people with a disability, disabled access and facilities are to be provided in accordance with the Building Code of Australia, Australian Standards and the Premises Standard. Details of compliance must be nominated on the plans prepared to accompany a Construction Certificate
86. All works as required by these conditions of consent shall be complete.
87. Certification being provided that street lighting design and installation complies with the requirements of AS1158 (as amended).
88. For developments where allotment filling has been undertaken, a copy of the NATA testing authority certification for compliance to the requirements of AS2870.1 (as amended) – Residential Slabs and Footings – Construction shall be provided to Council.
89. A Maintenance Bond in accordance with Section 1.5.3 of the current version of Council's Engineering Design Guidelines for Subdivisions and Developments shall be paid to Council for all external works.
90. One set of approved construction drawings shall be amended to show the "Work-as-Executed" and be certified by a Registered Surveyor or a Chartered Professional Civil Engineer.
- One A1 hard copy, a scanned electronic 'PDF version and an AutoCad 'dwg' version of the signed "Work-as-Executed" plans shall be submitted to Council to ensure that adequate records are maintained of community infrastructure.
91. All test results, material certificates, non-conformance reports and signed off Hold/Witness Points as required by the Inspection and Test Plan (ITP) shall be submitted for the review of Council to verify the Quality of the completed product.

92. Road widening of 5.00 metres shall be dedicated to Council on the Moore Creek Road and Browns Lane frontage for Lot 1 DP868365 and shall be registered with the Land Registry Services prior to issue of the first Occupation Certificate.
93. Easements for utilities and services, including stormwater and sewer, in favour of the lots benefiting and/or Council shall be provided where services are located on private properties and/or overland flows traverse private property
94. Certification shall be provided that compliance with the requirements of The State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 has been achieved and shall be provided to the Principal Certifying Authority. This includes details of a fire sprinkler system for the RACF.
95. The owner of the development must ensure a private bus is available for use by the residents of the development to provide access to necessary facilities on a daily basis in accordance with the requirements of The State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. Satisfactory evidence confirming the private bus service will be available to residents shall be provided to Council prior to issue of any Occupation Certificate.

Ongoing Requirements

96. Offensive noise should not be generated from the continuing operation of this development activity. Offensive noise is defined in the Protection of the Environment Operations Act 1997 as noise that by reason of its level, nature, character or quality, or the time at which the noise is made can be considered offensive or unreasonably interferes with the comfort or repose of a person who is outside of the premises from which the noise is emitted.
97. The applicant shall take all responsible measures to ensure that the use of the land permitted by this consent does not cause injury to the amenity of the neighbourhood by reason of noise, unruly behaviour, disruptions to pedestrian activity, excessive lighting or the like. In this regard such measures shall include but not be limited to:
 - a) Security arrangements
 - b) Noise Control
 - c) Site Lighting; and
 - d) Waste/Waste disposal.
98. The landscaped area of the development is to be maintained at all times.
99. The sealing of vehicle crossovers, internal roads and all vehicular parking areas are to be maintained at all times.
100. Vehicles shall be loaded or unloaded, standing wholly within the development site and within loading zones designated on the submitted plans with the development application, or as otherwise provided in accordance with the conditions of this consent, to ensure that the proposed development does not give rise to street loading or unloading operations with consequential accident potential and reduction in road efficiency. Under no circumstances are vehicles to be loaded or unloaded at the kerb side or across the public footpath.
101. All vehicle movements into and out of the premises development site shall be in a forward direction.

102. To ensure that the required parking, associated driveways and manoeuvring areas are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and be used exclusively for the purposes of car parking and vehicle access and under no circumstances are such areas to be used for the storage of goods or waste material.
103. The on-site stormwater systems including the detention basin shall be maintained at all times so as to ensure their effective operation for their intended purpose.
104. There will be no household bins placed on the kerbside of Moore Creek Road and Browns Lane. All bins must be collected onsite by a private contractor.

Advice

NSW Food Standards

- Facilities in the vulnerable persons sector need to have a written food safety management program that effectively controls the hazards of serving food to vulnerable persons. Facilities in the vulnerable persons sector need to have a written food safety management program that effectively controls the hazards of serving food to vulnerable persons. The requirements are set out in Food Standards Code Standard 3.2.1 Food Safety Programs and information can be obtained on this link: <http://www.foodauthority.nsw.gov.au/industry/vulnerable-persons>

NSW Police Referral Comments

- Security, access and safety measures are encouraged to be implemented as per the NSW Police – Oxley Police District Referral in **ATTACHMENT B**.

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ATTACHMENT A – DPI WATER General Terms of Approval

ATTACHMENT B – NSW Police – Oxley Police District – Referral Comments