

5 January 2018

Zoological Parks Board of New South Wales
C/- Barnson Pty Ltd
Unit 1 36 Darling Street
DUBBO NSW 2830

Dear Mr Sarantzouklis

Premises:	Lot 227 & 196 DP 753233, 6R Obley Road, Dubbo
Development Application:	D2017-501
Proposed Development:	Serviced apartments (10) and alterations and additions to guesthouse

Reference is made to the above Application. Council has completed its assessment of the application and is prepared to recommend its approval to the Joint Regional Planning Panel, being the Consent Authority, subject to your written acceptance of the following draft approval conditions.

Please note that should the Joint Regional Planning Panel recommend any changes to the following draft conditions that you will be notified under separate cover.

CONDITIONS:

- (1) The development shall be undertaken in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

Title/Plan:	Site Plan
Drawn by:	Jackson Teece
Drawing No:	DA-010
Dated:	06/02/16
Issue:	5

Title/Plan:	Floor Plan – The Guest House
Drawn by:	Jackson Teece
Drawing No:	DA-100
Dated:	06/02/16
Issue:	5

Title/Plan: Elevations – The Guest House
 Drawn by: Jackson Teece
 Drawing No: DA-101
 Dated: 06/02/16
 Issue: 3

Title/Plan: Elevations – The Guest House
 Drawn by: Jackson Teece
 Drawing No: DA-102
 Dated: 06/02/16
 Issue: 3

Title/Plan: Typical Family Lodge
 Drawn by: Jackson Teece
 Drawing No: DA-200
 Dated: 05/07/17
 Issue: 3

Title/Plan: Accessible Family Lodge
 Drawn by: Jackson Teece
 Drawing No: DA-250
 Dated: 09/25/17
 Issue: 1

Title/Plan: Typical Elephant View Lodge
 Drawn by: Jackson Teece
 Drawing No: DA-300
 Dated: 06/02/17
 Issue: 3

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- (2) The Applicant/Proponent then shall comply with the 'General Terms of Approval' dated 20 December 2017 from the NSW Rural Fire Service (copy attached).

{Reason: To ensure compliance with the Rural Fires Act 1997 and Section 91 of the EP&A Act 1979}

- (3) The Water Supply headworks contribution of **\$5,196.27** (2.3286 ET's), pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002, shall be paid by the developer prior to issue of the relevant Occupation Certificate.

Such contribution rate per is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2017/18 financial year rate is \$2,231.50 per ET (Camp Road Precinct).

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (4) The Sewerage Services headworks contribution of **\$11,157.30** (5 ET's), pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002, shall be paid by the developer prior to issue of the relevant Occupation Certificate.

Such contribution rate per is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2017/18 financial year rate is \$2,231.46 per ET (Camp Road Precinct).

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (5) Hot water delivered to the outlets of any disabled hand basin, bath and shower fixtures shall not exceed a temperature of 45°C, whilst the remainder of the new hand basin, baths and shower fixtures shall not exceed 50°C.

Note: thermostatic mixing valve(s) are required to be installed to achieve the maximum temperature setting of 45°C.

{Reason: Statutory requirement under the Plumbing and Drainage Act}

- (6) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.

{Reason: Council requirement to prevent pollution of the environment by wind-blown litter}

- (7) All building work must be carried out in accordance with the provisions of the Building Code of Australia unless otherwise varied by the Minister pursuant to section 109R of the Environmental Planning and Assessment Act 1979.

{Reason: Prescribed statutory condition under EP&A Act}

- (8) All excavations associated with the erection of the buildings, moveable dwellings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property.

{Reason: Council requirement for protection of public}

- (9) To facilitate Council's inspection of the sanitary and water plumbing and drainage work associated with the development, a copy of the development's final hydraulic drawing(s)

and floor plan(s) shall be submitted to Council's Planning & Environment Division prior to such works commencing.

{Reason: Council requirement to permit and facilitate the inspection and accurate plotting and subsequent drafting of the installed and inspected sanitary drainage work}

- (10) The following applicable works shall be inspected and passed by an officer of Council prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for the inspection of such works. When requesting an inspection, please telephone Council's Planning and Environment Division on 6801 4612 and quote Council's reference number D2017-501 Part 1.

Advanced notification for an inspection can be made by emailing enviroadmin@dubbo.nsw.gov.au or by telephoning Council's Planning and Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test;
- Water plumbing under hydraulic test; and
- Final inspection of the installed sanitary and water plumbing fixtures upon each building/structure's completion prior to its occupation or use.

{Reason: Statutory provision and Council requirement being the water and sewerage authority}

- (11) Prior to occupation and use of the completed works, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed sanitary drainage and water plumbing installations.

The plumbing and drainage licensee must provide to Council as the delegated Plumbing Regulator, the statutory Notice of Work (NoW), Certificate of Compliance (CoC) and Sewerage Service Diagram (SSD) for the completed sanitary drainage/plumbing and domestic water plumbing works. Such certificates must be submitted prior to or currently with the aforementioned inspection notice.

{Reason: To enable an inspection of the building's plumbing and drainage to determine they have been satisfactorily completed}

- (12) An Erosion and Sedimentation Control Plan is required to be submitted to and approved by Council. This approved Plan shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.

{Reason: Implementation of Council policy to reduce sediment pollution}

- (13) All walls, floors, ceilings, shelves, fittings and furniture shall be constructed of material that is durable, impervious and capable of being easily cleaned.

{Reason: Council requirement to achieve compliance with food safety standards}

- (14) Those portions of the building proposed to be used for the manufacturing, preparing, storing or handling of food shall be constructed and operated in accordance with the requirements of the Food Act, 2003, Food Regulations, 2015 and the Food Standards Code. Prior to the business commencing, the operator shall notify Council and a satisfactory inspection completed.

{Reason: Statutory requirement of the Food Act, 2003}

- (15) All ceilings in food preparation areas shall be lined with plasterboard or similar material having a continuous smooth impervious surface capable of being easily cleaned.

{Reason: Council requirement to achieve compliance with food safety standards}

- (16) Waste construction materials including soil arising from the development must be disposed of at an appropriately licensed waste facility.

{Reason: To ensure environmentally safe disposal}

- (17) Construction work shall only be carried out within the following time:

Monday to Friday: 7 am to 6 pm

Saturday: 8 am to 1 pm

Sunday and public holidays: No construction work permitted

{Reason: Council requirement to reduce the likelihood of noise nuisance}

- (18) A suitably qualified professional shall be present during the removal of trees to assess if any animals are nesting in the subject trees.

If any threatened species as defined under the Biodiversity Conservation Act, 2016 are observed during the operation, work is to cease and the National Parks and Wildlife Service is to be contacted.

{Reason: To protect and preserve the existing native vegetation, conserve the habitat for local flora and fauna and a requirement of the National Parks and Wildlife Service}

- (19) Prior to occupation a Notification of Installation – Manufactured Home, Moveable Dwelling, Rigid Annexe or Associated Structure shall be submitted to and approved by Council.

{Reason: Statutory and Council requirement to require compliance with the Act and Regulation}

- (20) All permanent structures shall be certified as being structurally adequate by an appropriately qualified Structural Engineer.

{Reason: Council requirement to ensure all building works are structurally sound}

- (21) Fire hose reels must be installed so that each camp site in the camping ground can be reached by a fire hose.

The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, *Fire hose reels* and installed in accordance with AS 2441—1988, *Installation of fire hose reels*, as in force on 1 September 2005.

The holder of the approval for the camping ground must cause the Council to be given a

certificate (a *fire hose reel certificate*) in relation to the fire hose reels once every calendar year. If a fire hose reel is newly installed, the certificate must be provided within 7 days of the completion of its installation.

A fire hose reel certificate is to state, in relation to each fire hose reel installed in the camping ground:

(a) that the fire hose reel has been inspected and tested by a person (chosen by the holder of the approval) who is properly qualified to carry out such an inspection and test, and

(b) that, as at the date on which the fire hose reel was inspected and tested, the fire hose reel was found to have been capable of performing to a standard not less than that required by the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

{Reason: Statutory and Council requirement to ensure compliance with the Act and Regulation}

- (22) No part of a camp site or community building within a camping ground may be situated more than 90 metres from a fire hydrant. Any fire hydrant located within a camping ground must be a double-headed pillar-type fire hydrant.

{Reason: Statutory and Council requirement to ensure compliance with the Act and Regulation}

- (23) In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

{Reason: Council and statutory requirement to protect Aboriginal heritage}

- (24) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure that the appropriate regulatory authority (eg Office of Environment and Heritage (OEH), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste.

{Reason: Council requirement to prevent the contamination of the environment}

- (25) All solid waste from construction and operation of the proposed development shall be assessed, classified and disposed of in accordance with the NSW Environment Protection Authority's Waste Classification Guidelines. Whilst recycling and reuse are preferable to landfill disposal, all disposal options (including recycling and reuse) must be undertaken with lawful authority as required under the Protection of the Environment Operations Act, 1997.

{Reason: Council requirement to require compliance with the POEO Act, 1997}

- (26) Proposed swimming pool used by the public shall be continuously disinfected in accordance with the NSW Health Department's guidelines, the Public Health Act 2010 and Public Health Regulation 2012
{Reason: To preserve and protect human health and comply with Public Health Regulations, 2012}
- (27) The proposed landscaping shown on the approved development plans shall be established and maintained to at least the standard specified on the approved development plans.
{Reason: To maintain the aesthetic quality of the development}
- (28) The proposal the subject of this consent shall only operate in conjunction with Taronga Western Plains Zoo.
{Reason: To ensure orderly development}

NOTES:

- (1) It is requested that the Applicant include in the tender documentation for the construction of the proposed development that the successful Principal Contractor (the Builder) will be responsible for the payment of all Council sanitary and water plumbing and drainage inspection fees associated with the development. Alternatively, the Principal Contractor is to ensure that plumbing contractors when quoting on such work are informed to include such Council fees in their quotations.
- (2) Please note that the proposed camping ground and associated structures are required to be constructed and operated in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- (3) A condition of any Section 68 Approval to Operate a Caravan Park or Camping Ground is that an annual inspection of the proposed camping ground shall be conducted by Council to ensure continued compliance with the Act and relevant regulations. Please note inspection fees are charged per site at a rate resolved by Council.
- (4) Offensive noise as defined under the Protection of the Environment Operations Act, 1997 shall not be emitted from the proposed development.

Air impurities as defined under the Protection of the Environment Operations Act, 1997 shall not be released or emitted into the atmosphere in a manner which is prejudicial to the health and safety of occupants, the surrounding inhabitants or the environment.

- (5) The Council Section 94/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from www.dubbo.nsw.gov.au

- (6) The development shall be carried out in accordance with Essential Energy's correspondence dated 25 October 2017 (copy attached).
- (7) An internal road linking to the proposed development appears to be located over lot 196 DP 753233 to the south of the development. As such, it is suggested that lots 227 & 196 DP 753233 both of which are currently owned by Zoological Parks Board are consolidated.

Right of Appeal: Section 176 of the Local Government Act 1993 confers the right for an applicant who is dissatisfied with Council's determination to appeal to the Land and Environment Court within twelve (12) months after the date endorsed on Council's Notice of Determination.

It would be appreciated if you could provide written advice of your acceptance/non-acceptance of the above draft conditions of consent within twenty one (21) days of the date of this letter, following which a notice of determination may be issued accordingly.

Should you have enquiries regarding this matter, please do not hesitate to contact Council's Planner, Josh Smith, during normal office hours on 6801 4000.

Yours faithfully

Stephen Wallace
Manager Building and Development Services