

DATE OF DETERMINATION	20 May 2022
DATE OF PANEL DECISION	16 May 2022
PANEL MEMBERS	Alison McCabe (Chair), Juliet Grant, Sandra Hutton, Anne Sander and Anthony Burke
APOLOGIES	Jay Suvaal
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 14 April 2022.

MATTER DETERMINED

PPSHCC-77 – Cessnock – 8/2021/21158 at 97 & 107 Kesterton Rise and 1864 Wine Country Drive, North Rothbury – seniors housing development (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel has had the benefit of a number of detailed briefings and a site inspection.

Since lodgement, the application has been amended to provide additional information. Prior to determining the matter, the Panel had a further detailed briefing from both the Council and the applicant.

The applicant had requested in writing changes to conditions as outlined in an email dated 21 April 2022. The Panel requested a further supplementary memo from Council addressing these changes to conditions as requested by the applicant and the following matters:

- Boundary adjustment plan.
- Asset protection zone.
- Retaining wall heights between dwellings.
- Requirement for footpath to Wine Country Drive across open space.
- Contamination.
- Flooding impact and consideration of clause 5.21.
- Extent of B4 zoned land.
- Consistency with the overall concept approval.

A further detailed memo and amended conditions were provided to the Panel addressing these matters.

The Panel has considered the additional material and the changes to the conditions.

The Panel understands that the site involves a boundary adjustment and that a plan has now been provided. The Panel is also satisfied that the site has been remediated and is suitable for the proposed use.

The Panel has had regard to the scale of retaining walls between dwellings and has included additional conditions to minimise height of fences.

While the proposal includes the provision of a community bus to meet the access requirements of the SEPP (HSPD) 2004 – the Panel also requested that the applicant explore the opportunity to provide a footpath to Wine Country Drive across lands that are to be dedicated to Council – given the proximity of the site to the Huntlee Town Centre. This footpath is to be delivered before Phase 4 of the project and a condition has been included to require this.

The Panel is satisfied that the proposed development is compatible with the new and evolving town of Huntlee and will provide much needed accommodation meeting a demand for housing for an ageing population.

The Panel considers that the application can be approved subject to the detailed conditions.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* subject to the conditions in Schedule 2.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the following reasons:

- The proposal contributes to housing diversity in a new suburb in an accessible location.
- The impacts of the development are reasonable and can be appropriately mitigated.
- The proposed development is consistent with the Concept Approval and Planning Framework for the area.
- The site is suitable for the scale and form of development.

CONDITIONS

The Development Application was approved subject to the conditions in the Council assessment report with the following amendments by the Panel:

- Addition to Condition 2 – reference plan of subdivision.
- Additional detail to retaining walls to limit height – Condition 12.
- Condition 89 – amended to require footpath to be constructed.
- Additional Condition 95A – reinforcing footpath requirement.
- Revised conditions relating to restriction as to use, dilapidated, street lighting and provision of community bus.

A determination record for this development application was issued on 16 May 2022. On 19 May 2022, Council provided a new memorandum to the Panel explaining that there were issues with the set of conditions provided on 28 April 2022, due to an administrative error.

The Chair reviewed the condition set attached to the memorandum and confirmed that these corrected the administrative error. The Chair therefore approved the decision to be reissued with the correct conditions attached at Schedule 2.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Juliet Grant
 Sandra Hutton	 Anne Sander
 Anthony Burke	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-77 – Cessnock – 8/2021/21158
2	PROPOSED DEVELOPMENT	Construction of a seniors housing development (to occur in 15 phases) comprising 206 self-contained dwellings and associated recreational facilities, boundary adjustment, roads, stormwater infrastructure, landscaping and signage.
3	STREET ADDRESS	97 & 107 Kesterton Rise and 1864 Wine Country Drive, North Rothbury
4	APPLICANT/OWNER	Sencia Holdings Huntlee Pty Ltd c/- DFP Planning / Sencia Holdings Huntlee Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Resilience and Hazards) 2021; ○ State Environmental Planning Policy (Planning Systems) 2021; ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004; ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021; ○ State Environmental Planning Policy (Koala Habitat Protection) 2020 (repealed 17/03/2021); ○ State Environmental Planning Policy (Housing) 2021 – However ○ contains transitional provision for assessment under previous SEPP (Seniors Housing); ○ Environmental Planning and Assessment Regulation 2021 – includes Transitional Savings Provisions; ○ Cessnock Local Environmental Plan 2011 • Draft environmental planning instruments: • Development control plans: ○ Huntlee Development Control Plan • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council Assessment Report: 30 March 2022 • Council memo: 28 April 2022 received 6 May 2022 • Council memo: 19 May 2022

		• Written submissions during public exhibition: nil • Email from applicant dated 21 April 2021 • Letter from applicant dated 22 April 2022
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing: 4 August 2021 ○ <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Bob Pynsent and Anne Sander ○ <u>Council assessment staff</u>: Richard Forbes, Julia Ryl and Janine Maher ○ <u>Department staff</u>: Leanne Harris, Carolyn Hunt and Lisa Foley • Briefing: 8 September 2021 ○ <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Bob Pynsent and Anne Sander ○ <u>Council assessment staff</u>: Julia Ryl, Richard Forbes and Janine Maher ○ <u>Department staff</u>: Leanne Harris, Carolyn Hunt and Lisa Foley ○ <u>Applicant representatives</u>: David Kettle, Michael Carnell, William Singer, Nick Caudry, Scott Pelchen, Damon Douglas and Paul Hamilton • Briefing: 11 November 2021 ○ <u>Panel members</u>: Alison McCabe (Chair), Sandra Hutton and Juliet Grant ○ <u>Council assessment staff</u>: Julia Ryl, Janine Maher and Sarah Hyatt ○ <u>Department staff</u>: Leanne Harris, Carolyn Hunt and Lisa Foley • Site inspections: ○ <u>Alison McCabe</u> (Chair): 7 May 2021 ○ <u>Sandra Hutton</u>: 1 April 2022 ○ <u>Juliet Grant</u>: 7 May 2021 ○ <u>Anne Sander</u>: 14 April 2022 • Final briefing to discuss council's recommendation: 21 April 2022 ○ <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant, Sandra Hutton, Anne Sander and Anthony Burke ○ <u>Council assessment staff</u>: Julia Ryl and Richard Forbes ○ <u>Department staff</u>: Leanne Harris and Carolyn Hunt • Applicant Briefing: 21 April 2022 ○ <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant, Sandra Hutton, Anne Sander and Anthony Burke ○ <u>Council assessment staff</u>: Julia Ryl and Richard Forbes ○ <u>Department staff</u>: Leanne Harris and Carolyn Hunt ○ <u>Applicant representatives</u>: David Kettle, Mike Carnell, William Singer, Scott Pelchen, Felicity Rourke, Nick Caudry and Chris Speak

		<u>Note:</u> Applicant briefing was requested to respond to the recommendation in the council assessment report
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report

SCHEDULE 2

TERMS OF CONSENT

The following Conditions (1 – 68 including Advisory Conditions A – I) apply to **ALL** Phases of the Development granted Consent by 8/2021/21158.
The construction of two-hundred and six (206) self-contained dwellings and community building for the purpose of seniors housing, including landscaping and civil works.

CONDITIONS OF CONSENT

1. General Terms of Approval

All General Terms of Approval issued by NSW Rural Fire Service dated 4 February 2022 shall be complied with prior, during and at the completion of the development, as required.

The General Terms of Approval include the following:

- a) The development is to comply with the subdivision and road layout identified in the document *Development Application Design Response Plan – Proposed Retirement Village – Huntlee – Katherine’s Landing, NSW*, prepared by Jon Friedrich Architects, DA.04, Rev C, dated 14 October 2021.

A copy of the General Terms of Approval is attached to this determination notice.

2. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Architectural		
Drawing Title: Villa Type A0 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.13 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type A0.s Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.14 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type A1 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.15 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type A1.s Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.16 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type B0 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.17 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type B0.s	Jon Friedrich Architects	14/10/2021

Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.18 Revision: C		
Drawing Title: Villa Type B1 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.19 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type B1.s Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.20 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type C0 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.21 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa type C0.s Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.22 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type C1 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.23 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type C1.s Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.24 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type D0 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.25 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Type D0.s Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.26 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Villa Arrangement Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Site Plan, Site Photographs Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.02 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Site Sections Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.28 Revision: C	Jon Friedrich Architects	14/10/2021

Landscaping		
Drawing Title: Landscape Masterplan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-02 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title : Fencing Plan (as amended in red) Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-03 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.01 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.02 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.03 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.04 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.05 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.06 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Typical Enlarged Site Plan (as amended in red) Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-19.07 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Planting Palette	Hamilton Landscape Architects Pty Ltd	15/10/2021

Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-20 Revision: D		
Drawing Title: East Boundary Perspectives Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-21.02 Revision: D (as amended in red)	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: North Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-22.01 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: North Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-22.02 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: West Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-23.01 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: West Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-23.02 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: South Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-24.01 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: South Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-24.02 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: South East Boundary Elevations Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-25.01 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: South East Boundary Elevation	Hamilton Landscape Architects Pty Ltd	15/10/2021

Project Title: Sencia Huntlee Retirement Village Project Number: 20-048 Drawing No.: DA-25.02 Revision: D		
Engineering		
Title: Site Earthworks Plan Project Title: Proposed Retirement Village – Huntlee – Katherine’s Landing, NSW Drawing No.: LC1962-TP03 Issue: B	Lanigan Civil	06/10/21
Title: Site Levels Plan – Sheet 1 of 3 Project Title: Proposed Retirement Village – Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-LEV1 Issue: A	Lanigan Civil	12/10/21
Title: Site Levels Plan – Sheet 2 of 3 Project Title: Proposed Retirement Village – Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-LEV2 Issue: A	Lanigan Civil	12/10/21
Title: Site Levels Plan – Sheet 3 of 3 Project Title: Proposed Retirement Village – Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-LEV3 Issue: A	Lanigan Civil	07/10/21
Plan of Subdivision Lots 1776 DP 1256914 & Lot 490 DP 1212110 Surveyors Ref: 20415B	DALY Smith Surveyors	22 April 2022

Document Title	Prepared By	Dated
Operational Plan of Management (amended in red) Sencia Huntlee Retirement Village Revision: 4	Sencia	13/10/21
Title: Operational Waste Management Plan 97 Kesterton Rise, North Rothbury File Name: 190668WMP001E-F	One Mile Grid Pty Ltd	8 July 2021
Title: Environmental Management Plan for the Huntlee Development – Stage 1 Worley Parsons Services Pty Ltd Reference: ENAUWARA04423AA-R01	Coffey Environments Australia Pty Ltd	25 September 2013
Notice of Requirements for Connection to Services – On Lot Development	Altogether Huntlee Pty Ltd	17 September 2021
Statement of Environmental Effects Proposed Seniors Housing Development 205 Self-Contained Dwellings Project Number: 20972B	DFP Planning Pty Ltd	19 February 2021

As amended by subsequent responses to Requests for Information dated as follows; - 13 July 2021 - 1 September 2021 - 15 October 2021		
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In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

3. Works to be carried out in Sequential Order

The development shall be carried in the numerically consecutive stages as shown on the approved staging plans. Consecutive phases of the development may be constructed concurrently.

4. Restriction on persons occupying

The development may only be used for the accommodation of the following –

- Seniors or people who have a disability.
- People who live within the same household with seniors or people who have a disability,
- Staff employed to assist in the administration of and provision of services to the seniors housing within the development.

A restriction as to user is to be registered against the title of the property to which this consent relates prior to the first resident occupying the development, in accordance with Section 88E of the *Conveyancing Act 1919*, limiting use of any accommodation to the kinds of people referred to above. The restriction as to user is to include the definition of seniors and people with a disability contained within *SEPP (Housing for Seniors or People with a Disability) 2004*.

5. Operational Plan of Management

The Operational Plan of Management is to remain current and enforced whilst the site is operated as a seniors housing development:

- Community Transport (bus) is to be provided from the first resident occupying the site
- The operational plan of management is to set out the day-to-day procedures for the management of the seniors housing development.
- The operational plan of management should ensure that residents are aware that they are not to place garbage bins upon the roadway for collection. This is to ensure that servicing of the site can be undertaken unimpeded.

6. CC, PC & Notice Required

In accordance with the provisions of Section 6.6 and 6.7 (cf previous Section 81A) of the *EP&A Act 1979* construction works approved by this consent must not commence until:

- a) A CC has been issued by a Certifier (being Council or a registered certifier); and
- b) A PC has been appointed by the person having benefit of the development consent; and
- c) If Council is not the PC, notify Council no later than two (2) days before building work commences as to who is the appointed PC; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

7. Requirements of Private Services Authority

The applicant must comply with the requirements specified by the Drinking Water, Recycled Water and Sewerage Supply Authority, Altogether Huntlee Pty Ltd, as detailed within their correspondence dated 17 September 2021, a copy of which is attached to this consent.

8. BCA Compliance

Pursuant to Section 4.17(11) (cf previous s 80A) of the *EP&A Act 1979* all building work must be carried out in accordance with the requirements of the *BCA*.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

9. Compliance with Accessibility Report

Documents and plans for the relevant stage which demonstrate compliance with Schedule 3 of SEPP (Housing for Seniors or People with a Disability) 2004, as referenced in the submitted Amended Disability Access Report prepared by 3D Access Pty Ltd, dated 14/10/2021, is to be detailed in the construction level architectural drawings, and certified by a suitably qualified access consultant, prior to issue of a CC for each stage.

10. Long Service Levy

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more. The Long Service Levy is payable prior to the issue of a CC.

11. Security for Cost of Damage and Completion of Public Work

Prior to issue of a CC authorising the carrying out of any work in accordance with this development consent, the applicant must provide security to the Council for the payment of the cost of the following:

- a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which the consent relates,
- b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent,
- c) remedying any defects in any such public work that arise within six (6) months after the work is completed.

The security is to be for an amount that is the greater of \$5000 or 5% of the estimated cost of carrying out the development and may be provided by way of:

- a) cash deposit with the Council, or
- b) an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred above and on application being made to the Council by the person who provided the security, any balance remaining is to be refunded to, or at the direction of, that person. If no application is made to the Council for a refund of any balance remaining of the security within six (6) years of the date of issue of the OC or SC

for the development the Council may pay the balance to the Chief Commissioner of State Revenue under the *Unclaimed Money Act 1995*.

12. Retaining Walls and Combined Retaining Walls and Fencing

Where a retaining wall is in excess of 600mm in height and/or within 900mm of a property boundary, separate detailed drawings are to be submitted in conjunction with the CC, specifying wall heights, heights of retaining walls, proposed mounding and stabilisation treatment, and landscaping for the elevations of the building.

The following maximum fencing heights will apply to any fence located on top of a retaining wall which is located between adjoining dwellings and where adjoining accesses and pathway linkages:

- For retaining walls less than 1.0m in height the fence height shall be no greater than 1.8m in height.
- For retaining walls greater than 1.0m but less than 1.5m in height the fence height shall be no greater than 1.5m in height.
- For retaining walls greater than 1.5m in height the fence height shall be no greater than 1.2m in height with screen landscaping.

At all points comprising a retaining wall where the wall serves to delineate the entry/exit to adjoining pathways and also where the wall extends along the boundary of a pathway or pedestrian access or communal open space area, enhanced design landscape treatment and materials are to be provided to visually identify these locations.

The Fencing Plan (DA-03 Revision D) prepared by Hamilton Landscape Architects Pty Ltd is to be amended and approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

13. Car Parking

The design of the vehicular access and off street parking facilities must comply with AS 2890.1:2004 *Parking Facilities – Off-Street Car Parking*. Details demonstrating compliance with this Standard are to be included on the plans submitted in association with a CC application.

A design certificate satisfying these requirements is to be issued by a suitably qualified professional engineer and submitted to the Certifier prior to the issue of a CC.

14. Road – Engineering Requirements

All driveways, access corridors and car parking areas are to be designed in accordance with AS2890.1 & AS2890.2 - Parking Facilities.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

15. Stormwater – Construction Management Plan Requirement

A construction management plan shall be submitted with the application for the CC and approved by the Certifier as satisfying the below requirements:

- 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
 - v) Details regarding the provision of facilities for workers associated with the development.

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

16. Stormwater – Detailed Design Requirements

A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property, and connection to the existing drainage system in accordance with Council's 'Engineering Requirements for Development' (available at Council's offices). Such layout shall include existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

17. Flooding – Floor Level (500mm above 1-in-100)

The applicant shall ensure that the floor level of the proposed buildings are at least 500mm above the area of inundation for a 1 in 100 year flood. Evidence to support the determination of the flood level shall be supplied by a suitably qualified professional.

Details submitted in association with the CC application are to demonstrate compliance with this requirement. The details are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

18. Retaining Walls

A structural engineering report and plans that address the proposed works in the vicinity of the northern and southern boundaries, prepared by a qualified practising Structural Engineer, must be provided prior to the issue of a CC. The report and plans must be prepared to make provision for the following:

- a) All components of any retaining walls, including subsoil drainage, must be located entirely within the property boundary.
- b) Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of fifty (50) years.
- c) Provide relevant geotechnical / subsurface conditions of the site, as determined by full geotechnical investigation.

Details submitted in association with the CC application are to demonstrate compliance with this requirement. The details are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

19. Dilapidation Report – Council Property

A dilapidation report on the visible and structural condition of the following public infrastructure must be provided to Council prior to the issue of a CC:

- a) The roadway from *Triton Boulevard* to the site entrance on *Kesterton Rise*

The dilapidation report is to be prepared by a practising Structural / Civil Engineer agreed to by both the applicant and Council. All costs incurred in achieving compliance with this condition shall be borne by the applicant.

The liability of any damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition, will be borne by the applicant.

20. Air Conditioning Units

Any air conditioning unit on the site must be installed and operated at all times so as not to cause “Offensive Noise” as defined by the *Protection of the Environment Operations Act 1997*.

Details demonstrating noise attenuation measures in this regard are to be submitted to the Certifier prior to the issue of a CC.

21. Outdoor Lighting

Prior to the issue of a CC, the Certifier must be satisfied that all outdoor lighting is designed and positioned to minimise any detrimental impact upon the amenity of other premises, adjacent dwellings and the road reserve, and that the outdoor lighting complies with the relevant provisions of *AS 1158.3:2005 Pedestrian area (Category P) lighting – Performance and design requirements* and *AS 4282:1997 Control of the obtrusive effects of outdoor lighting*.

22. Crime Prevention Through Environmental Design

It is recommended that the following Crime Prevention Through Environmental Design (CPTED) principles be incorporated into the development.

- a) Back to base alarm systems
- b) CCTV for entry/exit points, car parks, and the exterior of community buildings shall be considered
- c) ‘Way finding’ signage should be utilised at major interchanges throughout the seniors housing facility

- d) Lighting is required to be designed in accordance with the Australian and New Zealand *Lighting Standard AS 1158*. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant - especially external lighting
- e) Corrugated ramps should be considered to prevent skate boarding activities
- f) Any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details
- g) External boundary proposed solid fencing is to be constructed from a vandal resistant material, and not be constructed of Colorbond or timber materials.

Plans and details submitted in association with the CC application are to reflect this. The plans and details must be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

23. Street Lighting Design

Prior to the issue of a CC, submit to Council for approval plans and specifications for a proposed lighting design prepared by a Level 3 Ausgrid Accredited Service Provider which complies with the following design brief:-

Street lighting standards:-

- Ausgrid's NS119 Street Lighting Design and Construction, and
- AS/NZS 60598.2.3 Particular requirements – Luminaries for road and street lighting.

PRIOR TO COMMENCEMENT OF WORKS

The following conditions are to be complied with prior to the commencement of works on the subject sites

24. Construction and Traffic Management Plan

The applicant must prepare a Construction Management and Traffic Management Plan incorporating the following matters. The plan must be submitted to and approved by the PC as satisfying these matters prior to the commencement of works.

- a) A plan view of the entire site and frontage roadways indicating:
 - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
 - iii) The locations of proposed work zones in the frontage roadways.
 - iv) Location of any proposed crane, concrete pump, truck standing areas on and off the site.
 - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.

- vii) An onsite parking area for employees, tradespersons and construction vehicles as far as possible.
 - viii) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
 - ix) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
 - x) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.
- b) During excavation, demolition and construction phases, noise generated from the site must be controlled.
 - c) All site works must comply with the work health and safety requirements of SafeWork NSW.
 - d) During excavation, demolition and construction phases, toilet facilities are to be provided on site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.
 - e) All traffic control plans must be in accordance with the *TfNSW* publication *Traffic Control Worksite Manual* and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of six (6) weeks prior to the proposed activity being undertaken.

25. PC Signage and Contact Details

Prior to the commencement of works, a sign must be erected in a prominent position on the site on which the proposal is being carried out. The sign must state:

- a) Unauthorised entry to the work site is prohibited
- b) The name of the principal contractor (or person in charge of the site) and a telephone number on which that person may be contacted at any time for business purposes and including outside working hours
- c) The name, address and telephone number of the *PC* for the work

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

26. Soil and Water Management Plan

The applicant must prepare a Soil and Water Management Plan, being compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent and incorporating the following matters. The plan must be submitted to and approved by the *PC* as satisfying these matters prior to the commencement of works.

- a) Minimise the area of soils exposed at any one time
- b) Conservation of top soil

- c) Identify and protect proposed stockpile locations
- d) Preserve existing vegetation. Identify revegetation technique and materials
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner
- f) Control surface water flows through the site in a manner that:
 - i) Diverts clean-runoff around disturbed areas
 - ii) Minimises slope gradient and flow distance within disturbed areas
 - iii) Ensures surface run-off occurs at non erodible velocities
 - iv) Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences
- h) Materials are not tracked onto the road by vehicles entering or leaving the site.
- i) Details of drainage to protect and drain the site during works.

27. Home Building Act Requirements

Pursuant to Section 4.17(11) (cf previous s 80A) of the *EP&A Act 1979*, where the development involves residential building work for which the *Home Building Act 1989* requires a contract on insurance to be in force in accordance with Part 6 of that Act, building work authorised by this consent must not commence until such a contract of insurance has been obtained and is in force.

Residential building work must not be carried out unless the *PC* for the development to which the work relates (not being the council) has given the council written notice of the following information:

- a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - ii) the name of the insurer by which the work is insured under Part 6 of that Act
- b) in the case of work to be done by an owner-builder:
 - i) the name of the owner-builder, and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information required by (a) or (b) becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the updated information.

This condition does not apply in relation to Crown building work that is certified, in accordance with Section 6.28 (cf previous s 109R) of the Act, to comply with the technical provisions of the State's building laws.

28. Public Liability Insurance

Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for

Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.

29. S138 Roads Act Approvals

Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council prior to works commencing.

30. Nominated Location of Waste

The location and facilities for the collection, storage and disposal of waste generated within the premises shall be submitted to the *PC*, prior to the commencement of works.

31. Soil and Water Management Plan Implemented

The requirements of the Soil and Water Management Plan shall be in place prior to the commencement of demolition works and/or construction works and shall be maintained throughout the demolition and/or construction process.

32. Toilet Facilities

Toilet facilities are to be provided prior to works commencing, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be a sewage management facility approved by the NSW Department of Health and/or Council, and operate in an environmentally responsible manner, free of nuisance or offence, and be appropriately serviced.

33. Relocation of Services

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. In the event that existing services are required to be relocated the proprietor shall make application to obtain any necessary approval from the relevant service authority prior to commencement of any works.

DURING WORKS

The following conditions are to be complied with during works.

34. Construction Hours

Excavation, building or subdivision work must be restricted to the hours of 7.00am and 5.00pm on Monday to Saturday inclusive. Work is not to be carried out on Sundays and public holidays.

35. Site is Securely Fenced

The site must be appropriately secured and fenced at all times during works.

36. Approved Plans Kept On Site

A copy of the approved plans must be kept on site for the duration of site works and be made available upon request.

37. Virgin Fill To Be Used

All fill used with the proposal shall be virgin excavated material (such as 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 sulphate ores or soils.

38. Compliance with Environmental Management Plan

The approved *Environmental Management Plan for the Huntlee Development – Stage 1 Project at North Rothbury, NSW* prepared by Coffey Environments Australia Pty Ltd dated 25 September 2013 must be adhered to and a copy made available upon request to an Authorised Officer.

39. Construction Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment and Heritage *Noise Guide for Local Government*.

40. Construction Vehicles

Construction material and vehicles shall not be placed on public footpaths. The use of footpaths or roadways shall be undertaken in accordance with the prevailing kerbside restrictions, the Australian Road Rules and Council's Parking Code.

41. Implementation of Soil and Water Management Plan

The requirements of the Soil and Water Management Plan must be maintained at all times during the works, and any measures required by the Soil and Water Management Plan shall not be removed until the site has been stabilised.

Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day, any dust/dirt or other sediment shall be swept off the road and contained on the site, and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily, and defects or system failures are to be repaired as soon as they are detected.

42. Stormwater Runoff

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

43. Waste Management

Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off site.

44. Building Materials On Site

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

45. BASIX Certificate

Development shall be undertaken strictly in accordance with all commitments specified in the current BASIX certificate.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Principal Certifier, prior to issue of an Occupation Certificate (as specified within the condition):

46. All Services Provided

Certification that all services as required (eg water supply, gas, electricity, telephone, sewer), are available to the site, shall be submitted to the *PC* prior to issue of an *OC*.

47. Second Dilapidation Report

A second Dilapidation Report, including a photographic survey, must be submitted after the completion of works. A copy of this Dilapidation Report, together with the accompanying photographs, must be given to the property owners referred to in this Development Consent. A copy must be lodged with Council and the *PC* prior to the issue of an *OC*.

48. Mechanical Ventilation Systems for Each Dwelling

Appropriate mechanical ventilation systems are to be installed in each residential dwelling to provide adequate ventilation and cooling of habitable areas in accordance with the requirements of the Building Code of Australia and "Development near Rail Corridors and Busy Roads – Interim Guideline" (2008) such that all external doors and windows can be closed to attenuate external noise.

49. Completion of Landscape and Fencing Works

All landscape and fencing works, including the removal of all noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of Development Consent as amended, prior to the issue of an *OC* for each stage.

50. Parking – Completion

Car parking areas shall be completed prior to the issue of an *OC* for each stage.

51. Parking – Loading Facility Requirement

Loading/unloading facilities shall be constructed prior to the issue of an *OC* for the relevant Phase.

52. Visitor Parking – Wheel Stops/Kerb/Dwarf Wall

Wheel stops, kerbing or dwarf walls, having a minimum height of 150mm, shall be constructed along the edge of all garden areas, or lawn areas adjacent to driveways and parking bays, sufficient to discourage the encroachment of vehicles thereon.

Construction shall be completed prior to the issue of an OC for each relevant stage.

53. Road – Access Completion

Construction of all access roads, road works (including the removal and restoration of redundant vehicular crossings, etc), driveways, access corridors, car parking areas and loading bays, including the provision of appropriate line marking and other traffic management devices, are to be completed prior to issue of an OC.

54. New Stormwater System Proposed

Prior to the issue of an OC, the PC must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant AS.

A plan showing pipe locations and diameters of the stormwater drainage system, together with certification by a licensed plumber or qualified practising civil engineer, that the drainage system has been constructed in accordance with the approved design and relevant AS, must be provided to the PC prior to the issue of an OC.

55. Drainage Works

All drainage works required to be undertaken in accordance with this consent shall be completed prior to issue of an OC for the development.

56. Retaining Walls and Drainage

All retaining walls and associated drainage shall be installed and completed prior to issue of an OC in respect of the building.

57. Completion of Dwelling Driveway Access Crossing

The driveway access crossing is to be constructed to each proposed dwelling prior to the issue of an OC.

58. Survey Report for Retaining Wall

The retaining wall is to be set out by a registered surveyor in the position approved by Council. A copy of the final survey report indicating the position of the retaining wall as approved, and wholly contained within the subject lot, is to be submitted to the PC prior to issue of an OC.

ONGOING USE

The following conditions are to be complied with as part of the ongoing use of the premises.

59. Submission of Annual Fire Safety Statement

An annual Fire Safety Statement must be given to Council and the New South Wales Fire Brigade commencing within twelve (12) months after the date on which the initial Interim / Final Fire Safety Certificate is issued.

60. Removal of Graffiti

The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within forty-eight (48) hours of its application.

61. Approved Signage Maintenance

The approved signs must be maintained in a presentable and satisfactory state of repair.

The level of illumination and/or lighting intensity used to illuminate the signs is to be minimised to ensure that excessive light spill or nuisance is not caused to any nearby premises or the road reserve.

62. Outdoor Lighting

All outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and road reserve, and must comply with, where relevant, *AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance and design requirements* and *AS 4282:1997 Control of the obtrusive effects of outdoor lighting*.

63. Driveways to be Maintained

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

64. Maintenance of Landscaping and Fencing

Landscaping and fencing shall be maintained in accordance with the approved plan in a healthy state, and in perpetuity, by the existing or future owners and occupiers of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

65. Ongoing Waste Management

The following ongoing waste management practices are to be incorporated into the ongoing operation of the seniors housing facility:

Community Facilities:

- Commercial waste collection must be carried out at sufficient intervals to ensure that the facility is kept in a safe and healthy condition.
- Commercial waste and recycling associated with the operation of the community building, is to be stored wholly within the dedicated bin storage area.
- All waste and recycling containers are to be clearly and correctly labelled to identify which materials are to be placed in collection container (bin). All Mobile Garbage Bins used on site are to be designed and colour-coded in accordance with the *Australian Standard 4123: Mobile Garbage Containers*.

Residential:

- Waste collection vehicles must be able to enter and exit the site in a forward motion. Vehicles are to service the site with minimal reversing.
- Waste collection points at each residential site are to be level, free of obstructions and with sufficient height clearance to enable safe collection and serving of garbage bins.
- Residential bins are not to be displayed for collection on the internal roadways.
- Problem and bulky waste is to be managed by the proprietor.

ADVISORY NOTES

A. Disability Inclusion Act

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Inclusion Act 2014*. The applicant/owner is responsible for ensuring compliance with this, and other, anti-discrimination legislation. The *Disability Inclusion Act 2014* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references *AS 1428.1 - Design for Access and Mobility*. *AS1428 Parts 2, 3 & 4* provide the most comprehensive technical guidance under the *Disability Inclusion Act 2014* currently available in Australia.

B. "DIAL BEFORE YOU DIG" DIAL 1100

Before any excavation work starts, contractors and others should phone the "Dial Before You Dig" service to access plans/information for underground pipes and cables.
www.dialbeforeyoudig.com.au

C. Dividing Fences

The erection of dividing fences under this consent does not affect the provisions of the *Dividing Fences Act 1991*. Under this Act, all relevant parties must be in agreement prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of, or payment for, the erection of dividing fences. If there is a neighbour dispute about the boundary fence and you are seeking mediation, you may contact the Community Justice Centre, or if legal advice or action is required, you may contact the Chamber Magistrate.

D. Other Approvals and Permits

The applicant shall apply to Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits, and/or any other approvals under *Section 68 (Approvals)* of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

E. Responsibility for Other Consents/Agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

F. Commonwealth Environment Protection and Biodiversity Conservation Act 1999

- a) The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter, or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the *New South Wales Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application in accordance with the Commonwealth legislation. It is the applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need, or otherwise, for Commonwealth approval, and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this

matter. There are severe penalties for non-compliance with the Commonwealth legislation.

G. Site Contamination Issues During Construction

Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, Council must be immediately notified by the applicant, and works must cease. Works must not recommence on site until approval is granted by Council.

H. Impact of Below Ground (Sub-surface) Works – Non-Aboriginal Relics

If any archaeological relics are uncovered during the course of the work, all works shall cease immediately in that area, and the OEH Heritage Branch shall be contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the *NSW Heritage Act 1977*, may be required before further works can continue in that area.

I. Aboriginal Heritage

As required by the *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage Division of the Office of Environment and Heritage (OEH) must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from the Heritage Division of the OEH.

Note: The *National Parks and Wildlife Act 1974* and the *Heritage Act 1977* impose substantial penalty infringements and/or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

The Conditions 69 - 76 apply to **Phase 1** of the development granted consent by 8/2021/21158. The construction of six (6) self-contained dwellings, one of which is to be utilised as an interim community building, landscaping and civil works.

CONDITIONS OF CONSENT

66. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 1 Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: LC1701-ST01 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 1 Plan Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW	Jon Friedrich Architects	14/10/2021

Drawing No.: da.05.1 Revision: C		
Drawing Title: Temporary Community Building Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.27 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 1 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-04 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Stage 1 Landscape Plan (Entry Plan) Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-04.01 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

67. Interim Community Building to Be Operational and Community Bus to be available

The Community Bus and the interim community building is to be constructed and operational prior to the first resident occupying the development.

68. Manager to be Appointed

Prior to the first resident occupying the seniors housing development a Manager for the operation of the development is to be appointed.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

69. Cessnock City Wide Development Contributions Plan – Phase 1

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$4,168.10
Community Facilities	\$761.36	\$1,522.72
Cycleway Facilities	\$1,143.12	\$2,286.24
Roads and Traffic	\$628.96	\$1,257.92
Plan Administration	\$69.29	\$138.58
Total	\$4,686.78	\$9,373.56

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

70. Local Traffic Committee Approval

Any application involving the installation of, or amendment to, regulatory signage, linemarking and/or traffic control devices, will require approval of the Council Local Traffic Committee. Full details shall be submitted to council for approval by the Council Local Traffic Committee, prior to the issue of a CC, and subsequent Section 138 Roads Act Approval.

71. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 1 is to be in accordance with Approved Concept Plan LC1701-ST01 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement and be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

72. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Four (4) visitor parking spaces as indicated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

73. Mail Boxes

A mail collection/sorting room shall be provided at the community facility (interim/clubhouse) within the property boundaries and clearly display individual unit numbers and the required house number.

Details submitted in association with the CC application are to demonstrate compliance with this requirement. The details must be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Principal Certifier, prior to issue of an Occupation Certificate (as specified within the condition):

74. Lots To Be Consolidated

Lots 490 and 491 in DP 1212110 must be consolidated into one allotment. Evidence of registration shall be submitted to Council or the *PC* prior to the issue of an *OC*.

75. Amended Waste Management Plan

Prior to the issue of an OC, an amended waste management plan is to be submitted to Council, that identifies the person who is responsible for ensuring that bins from residential sites, are not placed on the roads and that collection vehicles have a clear access.

The Conditions 77 – 80 apply to **Phase 2** of the development granted consent by 8/2021/21158. The construction of twenty-three (23) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

76. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 2 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST02 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 2 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.2 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 2 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-05 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

77. Cessnock City Wide Development Contributions Plan – Phase 2

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$47,933.15
Community Facilities	\$761.36	\$17,511.28
Cycleway Facilities	\$1,143.12	\$26,291.76
Roads and Traffic	\$628.96	\$14,466.08

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Plan Administration	\$69.29	\$1,593.67
Total	\$4,686.78	\$107,795.94

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

78. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 2 is to be in accordance with Approved Concept Plan LC1701-ST02 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

79. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 81 – 91 apply to **Phase 3** of the development granted consent by 8/2021/21158. The construction of four (4) self-contained dwellings, Community Building (Clubhouse), access footpath, landscaping and civil works.

CONDITIONS OF CONSENT

80. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 3 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST03 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 3 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.3 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Site Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.06 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.07 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Roof Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.08 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Elevations 1 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.09 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Elevations 2 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.10 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Sections Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.11 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Community Centre Outbuildings	Jon Friedrich Architects	14/10/2021

Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.12 Revision: C		
Drawing Title: Stage 3 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-06 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

81. Cessnock City Wide Development Contributions Plan – Phase 3

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$8,336.20
Community Facilities	\$761.36	\$3,045.44
Cycleway Facilities	\$1,143.12	\$4,572.48
Roads and Traffic	\$628.96	\$2,515.84
Plan Administration	\$69.29	\$277.16
Total	\$4,686.78	\$18,747.12

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

82. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 3 is to be in accordance with Approved Concept Plan LC1701-ST03 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

83. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Nine (9) visitor vehicle spaces for the community building,
- c) Seven (7) staff vehicle spaces,
- d) One (1) Community Cart space, and
- e) One (1) mini-bus space.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

84. Disabled Car Parking Spaces

A total of two (2) car parking spaces for use by persons with a disability must be provided as part of the total car parking requirements.

Plans demonstrating compliance with this requirement and the following Australian Standards are to be submitted to, and approved by, the Certifier prior to the issue of a CC.

- AS/NZS 2890.1:2004 Parking Facilities – Off street car parking
- AS/NZS 1428.1:2009 Design for access and mobility – General requirements for access – New building work
- AS/NZS 1428.4.1:2009 Design for access and mobility – Means to assist the orientation of people with vision impairment – Tactile ground surface indicators.

85. Parking – Delivery Vehicles

A separate off-street loading/unloading facility with capacity to accommodate the largest delivery vehicle likely to deliver goods to and from the premises shall be provided for all loading and unloading of vehicles wholly within the property. Such facility shall be constructed clear of the car parking area and driveways.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

86. Bicycle Storage to be Provided

The bicycle storage area must accommodate a minimum of fourteen (14) bicycles and be design in accordance with AS 2890.3:1993 *Parking Facilities – Bicycle parking facilities*.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

87. Mail Boxes

A mail collection/sorting room shall be provided at the community facility (interim/clubhouse) within the property boundaries and clearly display individual unit numbers and the required house number.

Details submitted in association with the CC application are to demonstrate compliance with this requirement. The details must be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

88. Waste Storage Area (Community Building)

The waste storage area associated with the community Building (Clubhouse) is to be constructed to the following:

- Floors must be graded and drained to a sewer with an approved drainage fitting;
- Any floors and walls must be finished to a smooth and impervious surface that enables easy cleaning;
- A supply of hot and cold water mixed through a centralised mixing valve must be available to the bin storage area;
- Must be constructed in a manner to prevent the entry of vermin; and
- Be provided with adequate light and ventilation.

Such details must be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Principal Certifier, prior to issue of an Occupation Certificate (as specified within the condition):

89. Completion of Footpath

Prior to the issue of an OC, the PC must ensure that the footpath to be constructed on the batter to connect the development with public infrastructure as shown on the landscape masterplan DA.02 Revision D has been constructed in accordance with the development consent and relevant Australian Standards. Prior to the issue of a CC for Phase 4, the proposed footpath to be constructed on Lot 1776 DP1256914 is to connect the footpath depicted on the batter land with the existing footpath on Wine Country Drive. The alignment is to be generally consistent with the plan in figure 1 of the DFP letter dated 15 October 2021.

90. Waste Disposal

Prior to the issue of an OC evidence is to be submitted to Council that a commercial waste service contract has been entered into for the collection of all waste streams, generated from the community building.

91. Swimming Pool Registration

Prior to the issue of an OC, the swimming/spa pools are to be registered on the Council's Public Swimming Pool Register by way of completion of Council's *Notification of Public Swimming Pool/Spa form*.

The Conditions 92 – 95 apply to **Phase 4** of the development granted consent by 8/2021/21158.
The construction of twenty-one (21) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

92. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 4 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST04 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 4 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.4 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 4 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-07 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

93. Cessnock City Wide Development Contributions Plan – Phase 4

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$43,765.05
Community Facilities	\$761.36	\$15,988.56
Cycleway Facilities	\$628.96	\$24,005.52
Roads and Traffic	\$628.96	\$13,208.16
Plan Administration	\$69.29	\$1,455.09
Total	\$4,686.78	\$98,422.38

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council’s Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council’s website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

94. Road – Access Construction

The registered proprietor of the land shall construct an internal access road..

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 4 is to be in accordance with Approved Concept Plan LC1701-ST04 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

95. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Six (6) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

95A. Footpath over Lot 1776

The footpath required by Condition 89 is to be constructed and available to pedestrians prior to the release of any CC for Phase 4.

The Conditions 96 – 99 apply to **Phase 5** of the development granted consent by 8/2021/21158.
The construction of thirteen (13) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

96. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 5	Lanigan Civil	14/10/21

Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST05 Revision: A		
Drawing Title: Stage 5 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.5 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 5 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-08 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

97. Cessnock City Wide Development Contributions Plan – Phase 5

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$27,092.65
Community Facilities	\$761.36	\$9,897.68
Cycleway Facilities	\$1,143.12	\$14,860.56
Roads and Traffic	\$628.96	\$8,176.48
Plan Administration	\$69.29	\$900.77
Total	\$4,686.78	\$60,928.14

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council’s Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council’s website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

98. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 5 is to be in accordance with Approved Concept Plan LC1701-ST05 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

99. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Two (2) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 100 – 104 apply to **Phase 6** of the development granted consent by 8/2021/21158.

The construction of ten (10) self-contained dwellings, conversion of the interim community building to a self-contained dwelling, landscaping and civil works.

CONDITIONS OF CONSENT

100. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 6 Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: LC1701-ST06 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 6 Plan Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.05.6 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 6 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-09	Hamilton Landscape Architects Pty Ltd	15/10/2021

Job No.: 20-048 Revision: D		
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In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

101. Community Building (Interim)

The Interim Community Building shall not cease operating until the permanent Community Building (Clubhouse) is issued with an OC and is operational.

The Interim Community Building shall not service more than seventy-seven (77) self-contained dwellings associated with the development. The permanent Community Building (Clubhouse) is required to be operational prior to any additional self-contained dwellings becoming occupiable.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

102. Cessnock City Wide Development Contributions Plan – Phase 6

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$22,924.55
Community Facilities	\$761.36	\$8,374.96
Cycleway Facilities	\$1,143.12	\$12,574.32
Roads and Traffic	\$628.96	\$6,918.56
Plan Administration	\$69.29	\$762.19
Total	\$4,686.78	\$51,554.58

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

103. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 6 is to be in accordance with Approved Concept Plan LC1701-ST06 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

104. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Two (2) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 105 – 108 apply to **Phase 7** of the development granted consent by 8/2021/21158.

The construction of eighteen (18) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

105. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 7 Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: LC1701-ST07 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 7 Plan Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.05.7 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 7 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-10 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

106. Cessnock City Wide Development Contributions Plan – Phase 7

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$37,512.90
Community Facilities	\$761.36	\$13,704.48
Cycleway Facilities	\$1,143.12	\$20,576.16
Roads and Traffic	\$628.96	\$11,321.28
Plan Administration	\$69.29	\$1,247.22
Total	\$4,686.78	\$84,362.04

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

107. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 7 is to be in accordance with Approved Concept Plan LC1701-ST07 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

108. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,

- b) Three (3) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 109 – 112 apply to **Phase 8** of the development granted consent by 8/2021/21158.

The construction of ten (10) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

109. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 8 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST08 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 8 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.8 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 8 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-11 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

110. Cessnock City Wide Development Contributions Plan – Phase 8

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$20,840.50
Community Facilities	\$761.36	\$7,613.60
Cycleway Facilities	\$1,143.12	\$11,431.20
Roads and Traffic	\$628.96	\$6,289.60

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Plan Administration	\$69.29	\$692.90
Total	\$4,686.78	\$46,867.80

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

111. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 8 is to be in accordance with Approved Concept Plan LC1701-ST08 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

112. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 113 – 116 apply to **Phase 9** of the development granted consent by 8/2021/21158.

The construction of eighteen (18) self-contained dwellings, landscaping including community garden and pocket park and civil works.

CONDITIONS OF CONSENT

113. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 9 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST09 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 9 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.9 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 9 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-12 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Stage 9 Landscape Plan (Community Garden Plan) Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-12.01 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Stage 9 Landscape Plan (Pocket Park Plan) Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-12.02 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

114. Cessnock City Wide Development Contributions Plan – Phase 9

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$37,512.90
Community Facilities	\$761.36	\$13,704.48
Cycleway Facilities	\$1,143.12	\$20,576.16
Roads and Traffic	\$628.96	\$11,321.28
Plan Administration	\$69.29	\$1,247.22

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Total	\$4,686.78	\$84,362.04

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

115. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 9 is to be in accordance with Approved Concept Plan LC1701-ST09 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

116. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Twelve (12) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 117 – 120 apply to **Phase 10** of the development granted consent by 8/2021/21158.
The construction of ten (10) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

117. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 10 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1710-ST10 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 10 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.10 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 10 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-13 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

118. Cessnock City Wide Development Contributions Plan – Phase 10

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$20,840.50
Community Facilities	\$761.36	\$7,613.60
Cycleway Facilities	\$1,143.12	\$11,431.20
Roads and Traffic	\$628.96	\$6,289.60
Plan Administration	\$69.29	\$692.90
Total	\$4,686.78	\$46,867.80

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council’s Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council’s website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

119. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 10 is to be in accordance with Approved Concept Plan LC1701-ST10 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

120. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 121 – 124 apply to **Phase 11** of the development granted consent by 8/2021/21158.

The construction of eight (8) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

121. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 11 Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: LC1701-ST11 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 11 Plan Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.05.11 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 11 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-14 Job No.: 20-048	Hamilton Landscape Architects Pty Ltd	15/10/2021

Revision: D		
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In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

122. Cessnock City Wide Development Contributions Plan – Phase 11

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$16,672.40
Community Facilities	\$761.36	\$6,090.88
Cycleway Facilities	\$1,143.12	\$9,144.96
Roads and Traffic	\$628.96	\$5,031.68
Plan Administration	\$69.29	\$554.32
Total	\$4,686.78	\$37,494.24

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

123. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 11 is to be in accordance with Approved Concept Plan LC1701-ST11 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

124. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Three (3) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 125 – 128 apply to **Phase 12** of the development granted consent by 8/2021/21158.
The construction of twelve (12) self-contained dwellings, landscaping including Community Garden and civil works.

CONDITIONS OF CONSENT

125. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 12 Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: LC1701-ST12 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 12 Plan Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.05.12 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 12 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-15 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Stage 12 Landscape Plan (Community Garden Plan) Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-15.01 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

126. Cessnock City Wide Development Contributions Plan – Phase 12

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$25,008.60
Community Facilities	\$761.36	\$9,136.32
Cycleway Facilities	\$1,143.12	\$13,717.44
Roads and Traffic	\$628.96	\$7,547.52
Plan Administration	\$69.29	\$831.48
Total	\$4,686.78	\$56,241.36

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

127. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 12 is to be in accordance with Approved Concept Plan LC1701-ST12 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

128. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Two (2) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 129 – 132 apply to **Phase 13** of the development granted consent by 8/2021/21158.

The construction of ten (10) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

129. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 13 Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST13 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 13 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.13 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 13 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-16 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

130. Cessnock City Wide Development Contributions Plan – Phase 13

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$20,840.50
Community Facilities	\$761.36	\$7,613.60
Cycleway Facilities	\$1,143.12	\$11,431.20
Roads and Traffic	\$628.96	\$6,289.60
Plan Administration	\$69.29	\$692.90
Total	\$4,686.78	\$46,867.80

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

131. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 13 is to be in accordance with Approved Concept Plan LC1701-ST13 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

132. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) One (1) visitor parking space as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 133 – 136 apply to **Phase 14** of the development granted consent by 8/2021/21158.
The construction of twenty-seven (27) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

133. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 14	Lanigan Civil	14/10/21

Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: LC1701-ST14 Revision: A		
Drawing Title: Stage 4 Plan Project Title: Proposed Retirement Village Huntlee – Katherine’s Landing, NSW Drawing No.: da.05.14 Revision: C	Jon Friedrich Architects	14/10/2021
Drawing Title: Stage 14 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-17 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021
Drawing Title: Stage 14 Landscape Plan (Pocket Park Plan) Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-17.01 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

134. Cessnock City Wide Development Contributions Plan – Phase 14

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$56,269.35
Community Facilities	\$761.36	\$20,556.72
Cycleway Facilities	\$1,143.12	\$30,864.24
Roads and Traffic	\$628.96	\$16,981.92
Plan Administration	\$69.29	\$1,870.83
Total	\$4,686.78	\$126,543.06

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council’s Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council’s website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

135. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 14 is to be in accordance with Approved Concept Plan LC1701-ST14 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

136. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling,
- b) Five (5) visitor parking spaces as illustrated on the approved plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

The Conditions 137 – 141 apply to **Phase 15** of the development granted consent by 8/2021/21158.

The construction of sixteen (16) self-contained dwellings, landscaping and civil works.

CONDITIONS OF CONSENT

137. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2021/21158 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Drawing Title: Stage 15 Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: LC1701-ST15 Revision: A	Lanigan Civil	14/10/21
Drawing Title: Stage 15 Plan Project Title: Proposed Retirement Village Huntlee – Katherine's Landing, NSW Drawing No.: da.05.16	Jon Friedrich Architects	14/10/2021

Revision: C		
Drawing Title: Stage 4 Landscape Plan Project Title: Sencia Huntlee Retirement Village Drawing No.: DA-18 Job No.: 20-048 Revision: D	Hamilton Landscape Architects Pty Ltd	15/10/2021

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Certifier, prior to issue of a Construction Certificate.

138. Cessnock City Wide Development Contributions Plan – Phase 15

A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services detailed and for the amount detailed must be made to Council prior to the issue of any CC:

Branxton-Greta District Catchment		
Contribution Type	Per villa	Amount Payable
Open Space and Recreation Facilities	\$2,084.05	\$33,344.80
Community Facilities	\$761.36	\$12,181.76
Cycleway Facilities	\$1,143.12	\$18,289.92
Roads and Traffic	\$628.96	\$10,063.36
Plan Administration	\$69.29	\$1,108.64
Total	\$4,686.78	\$74,988.48

A copy of the *Cessnock City Wide Infrastructure Contributions Plan* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.

139. Local Traffic Committee Approval

Any application involving the installation of, or amendment to, regulatory signage, linemarking and/or traffic control devices, will require approval of the Council Local Traffic Committee. Full details shall be submitted to council for approval by the Council Local Traffic Committee, prior to the issue of a CC, and subsequent Section 138 Roads Act Approval.

140. Road – Access Construction

The registered proprietor of the land shall construct an internal access road.

The roads are to be constructed in accordance with the requirements of *SEPP (Housing for Seniors or People with a Disability) 2004* and the requirements of the NSW Rural Fire Service in accordance with the General Terms of Approval issued on 4 February 2022.

Road lengths constructed are to accommodate the approved phasing and temporary turning head constructed within the continuing phase in accordance with the standards of the NSW RFS.

The construction extent for Stage 15 is to be in accordance with Approved Concept Plan LC1701-ST15 prepared by Lanigan Civil dated 14/10/2021 Revision A.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

141. Parking – Minimum Requirement

Onsite car parking shall be provided and being set out generally in accordance with Council's Development Control Plan.

- a) Two (2) vehicles per proposed self-contained dwelling.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Principal Certifier, prior to issue of an Occupation Certificate (as specified within the condition):

142. Lots To Be Consolidated

All land involved in this proposal including proposed boundary adjustment must be consolidated into one allotment. Evidence of registration shall be submitted to Council or the PC prior to the issue of the final OC for the whole development.