

DA 111/2019 – Recommended Conditions of Consent

SCHEDULE A

In accordance with section 4.16(3) of the Act the consent will not operate until the applicant has provided information to the satisfaction of the Council that the following condition can be complied with. Upon receipt of written information from the applicant in relation to the condition in this schedule the Council will advise in writing whether the information is satisfactory and, if so, will nominate the effective date for the commencement of the consent.

1. This consent does not operate until the applicant submits a Crime Risk Assessment report prepared in accordance with Crime Prevention through Environmental Design guidelines (CPTED) to the Consent Authority for approval.

In accordance with Clause 95(3) of the regulation, a twenty four (24) month period is given from the date of the “deferred commencement” notice to lodge plans and evidence that satisfactorily address the required details. If not, then the “deferred commencement” will lapse and a new development application will be required.

SCHEDULE B

A. CONDITIONS THAT IDENTIFY APPROVED PLANS

1. The development being carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated **04 September 2019** except where amended by the conditions of consent.

JOB REFERENCE NO	SHEET NO	REVISION NO	DRAWN BY	DATE
8322	A00-01	6	Stea Astute	23/08/2019
8322	A00-02	6	Architecture	23/08/2019
8322	A00-03	6	Stea Astute	23/08/2019
8322	A00-04	6	Architecture	23/08/2019
8322	A00-05	6	Stea Astute	23/08/2019
8322	A00-03	6	Architecture	23/08/2019
8322	A00-04	6	Stea Astute	23/08/2019
8322	A00-05	6	Architecture	23/08/2019
8322	A01-02	6	Stea Astute	23/08/2019
8322	A01-21	6	Architecture	23/08/2019
8322	A01-22	6	Stea Astute	23/08/2019
8322	A06-01	6	Architecture	23/08/2019
8322	A07-01	6	Stea Astute	23/08/2019
	A07-02		Architecture	23/08/2019
	A07-03		pdt Landscape	10-09-18
			pdt Landscape	10-09-18

	A07-04		pdt Landscape	10-09-18
			pdt Landscape	10-09-18
			pdt Landscape	10-09-18
			pdt Landscape	10-09-18
			pdt Landscape	10-09-18

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

OPERATIONAL CONDITIONS IMPOSED UNDER EP&A ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

BUILDING CODE OF AUSTRALIA

2. All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

GENERAL OPERATIONAL CONDITIONS

Event Management Plan

3. Prior to the site's first major event an event management plan is to be endorsed by Council and adopted by the operators of the airport and the event organisers. The plan shall include but will not necessarily be limited to:
 - i). Traffic management and parking
 - ii). Provision of alternative transport options
 - iii). Roll in/roll out of event operators
 - iv). Community consultation and complaint handling
 - v). Waste management
 - vi). Management of environmental impacts (e.g. noise, dust, fumes, waste)
 - vii). Security arrangements and safety
 - viii). Crowd number management (e.g. ticketing)
 - ix). First aid and medical support
 - x). Emergency procedures

CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

CONSTRUCTION MANAGEMENT PLAN

4. A Construction Management Program must be prepared and submitted to and approved in writing by the Council prior to the issue of any Construction Certificate. The program shall include (but not necessarily be limited to) such matters as:
 - (a) a Safe Work Method Statement;
 - (b) the proposed method of access to and egress from the site for construction vehicles, including access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;
 - (c) the proposed phases of construction works on the site, and the expected duration of each construction phase;
 - (d) the proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken;
 - (e) the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
 - (f) the proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site;
 - (g) the proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
 - (h) the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
 - (i) 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 and certified by an appropriately qualified and practising structural engineer, or equivalent;
 - (j) proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of "B" class hoardings and fans over footpaths and laneways;

- (k) the location and operation of any on site crane;
- (l) the location of any Construction Zone (if required) approved by Council's Traffic Committee, including a copy of that approval; and
- (m) location, identification, treatment and disposal of all hazardous materials.

All work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Program and any conditions attached to the approved plan. A copy of the approved Construction Management Plan, and any conditions imposed on that plan, shall be kept on the site at all times and made available to any officer of Council upon request.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

FOUNDATIONS ADJACENT TO SEWER AND DRAINAGE EASEMENTS

- 5. The foundations for building structures and walls adjacent to the sewer and stormwater drainage easement are to be constructed in such a manner that does not affect the integrity of the sewer and stormwater main drainage lines. Locations of foundations shall be in accordance with Council's policy for *building near water and sewer services*. Details demonstrating compliance with this condition shall be submitted to, and approved by, the Principal Certifier prior to the release of the Construction Certificate.

(Reason: To allow maintenance to vital infrastructure without affecting the integrity of the adjacent structure and public assets)

STRUCTURAL ENGINEER'S PLANS AND DETAILS – PROPOSED WORKS

Water Infrastructure

- 7. The water main shall be relocated in accordance with the requirements of the Upper Hunter Shire Council's Water and Waste Division. The applicant shall liaise with Council's Water and Waste Division regarding the submission of design and construction details for all works

associated with the water main relocation. The work shall comply with AS/NZS 3500, *Plumbing and Drainage Standards*, and Council's Engineering Guidelines for Subdivision and Development. All required works shall be undertaken at full cost to the applicant.

Plans and design details demonstrating compliance with the requirements of the Water and Waste Division shall be submitted to, and approved by the Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure satisfactory arrangements are in place for the provision of a reticulated water supply.)

Sewer Infrastructure

8. The sewer main shall be relocated in accordance with the requirements of the Upper Hunter Shire Council's Water and Waste Division. The applicant shall liaise with Council's Water and Waste Division regarding the submission of design and construction details for all works associated with the sewer main relocation. The work shall comply with AS/NZS 3500, *Plumbing and Drainage Standards*, and Council's Engineering Guidelines for Subdivision and Development. All required works shall be undertaken at full cost to the applicant.

Plans and design details demonstrating compliance with the requirements of the Water and Waste Division shall be submitted to, and approved by the Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure satisfactory arrangements are in place for the disposal of sewage.)

ROAD WORKS

9. The applicant must reconstruct/construct the carriageway shoulder 1,000 mm wide for the full frontage of the site to Bunnan Road. The works shall be designed and constructed in compliance with the following:

- (a) all elements of the works within the road reserve are to be constructed as a minimum in accordance with Council's Engineering guidelines for subdivisions and Developments and Council's Standard Drawings.

A certificate and detailed drawings prepared by an appropriately qualified and practising Civil Engineer, shall be submitted to, and approved by the Principal Certifier prior to the commencement of any site works.

Note: Approval under Section 138 of the Roads Act 1993 is required prior to the commencement of any works within the road reserve.

(Reason: To facilitate suitable vehicular access to private sites, without disruption to pedestrian and vehicular traffic and to ensure appropriate access and infrastructure protection that is integral with infrastructure on surrounding sites)

PARKING FOR PEOPLE WITH DISABILITIES

10.A total of two (2) car-parking spaces for use by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads shall be clearly shown on the plans which shall be submitted to, and approved by the Principal Certifier prior to the release of the Construction Certificate.

All details shall be prepared in consideration of, and construction completed in accordance with Australian Standard AS2890.1 to achieve compliance with the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

(Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)

OFF STREET CAR PARKING

11.A total of seventy (70) off-street car-parking spaces, together with access driveways, shall be constructed, paved, line marked and signposted in accordance with the approved development plans, Australian Standard AS2890 and industry best practice as appropriate. The plans shall also nominate the allocation of parking spaces for specific purposes as required by conditions of this consent.

Detailed drawings prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement shall be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate.

(Reason: To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles)

ROOFING & EXTERNAL CLADDING MATERIALS - REFLECTIVITY

12. Roofing materials shall be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The Principal Certifier shall undertake an assessment in relation to the proposed roofing material to determine the potential for glare nuisance or excessive reflectivity to adjoining or nearby properties, relative to the chosen roofing material. The Principal Certifier shall be provided with certification accompanying the Construction Certificate that the selected roofing material will not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties

(Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)

ACCESS FOR PEOPLE WITH DISABILITIES

13. Access for people with disabilities is to be provided for the development (the approved building

and the surrounding public realm). Consideration must be given to the means of dignified and equitable access from public places and accessible car parking, to adjacent buildings and to other areas within the building. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate.

All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Building Code of Australia *Disability (Access to Premises-Buildings) Standards 2010*, and the relevant provisions of AS1428.

Prior to release of an Occupation Certificate, an audit shall be undertaken by a suitably qualified and practising professional confirming that all necessary access requirements have been complied with.

(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)

WASTE MANAGEMENT PLAN

14. Prior to the issue of any Construction Certificate the person acting on this consent shall submit a Waste Management Plan to the Certifying Authority for approval.

The Waste Management Plan shall include details of the handling of waste materials generated from any demolition works, construction and on-going operation regarding:

- the location of waste management facilities proposed both during demolition and construction.
- volume and type of waste and recyclables to be generated
- storage and treatment of waste and recyclables on site
- disposal of residual waste and recyclables

(Reason: To waste generated from the development is stored and disposed of in a way that does not impact on the environment.)

Lighting Plan

15. Prior to the issue of any Construction Certificate a lighting plan must be submitted to the Certifying Authority for approval. The plans must show and include specifications that:

- a) lighting is provided to pedestrian paths, side and rear laneways and building entries, that ensures a clear line of sight along pedestrian routes and that does not adversely affect the residential amenity of neighbours.
- b) Lighting fixtures are of low energy design, integrated in the building walls, and readily maintained by the owner. Sensor spotlights are not to be used for the lighting of pedestrian areas.
- c) Comply with *Australian Standard 4282-1997 - Control of the obtrusive effects of outdoor lighting* and *AS/NZS1158 Lighting for roads and public spaces*

(Reason: To ensure there is adequate lighting for the safety of users which does not adversely impact on the amenity of adjoining residents.)

ENGINEER DESIGNED STORMWATER

16. The stormwater system shall be constructed to an appropriate standard in compliance with the Council's *Engineering Guidelines for Subdivisions and Developments*.

Detailed engineering drawings of the proposed stormwater drainage system for each stage of the development including the detention basin / tanks and connections for irrigation of landscape areas shall be submitted to an approved by the Certifying Authority prior to the release of any Construction Certificate.

(Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties and public infrastructure)

ON-SITE STORMWATER DETENTION

17. On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped site, which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the site for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to an approved drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 later re published in a modified form in 1997.

Engineering calculations, design and certification shall be certified by an appropriately qualified and practising Hydraulic Engineer and submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure that public infrastructure in Council's care and control is not overloaded)

CLEANLINESS AND MAINTENANCE OF FOOD PREPARATION AREAS

18. To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all building work in connection with the occupation or use of the premises for the preparation and storage of food shall be designed and carried out in accordance with the requirements of:-

(a) The Food Act (as amended)

(b) The Food Regulation (as in force);

- (c) AS4674 (Design, Construction and Fit-Out of Food Premises);
- (d) The Clean Air (Plant and Equipment) Regulation;
- (e) AS 1668 Part 2;
- (f) The Protection of the Environment Operations Act; and
- (g) The National Construction Code Series;

The relevant matters to be taken into account under this approval relate to:-

- i. construction, materials and finishes;
- ii. installation of fixtures, fittings and equipment;
- iii. washing facilities, other facilities and special requirements;
- iv. mechanical ventilation and exhaust discharges; and
- v. temperature control

Detailed plans and specification of work demonstrating that these design requirements have been met shall be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate.

(Reason: To ensure compliance with acceptable standards for the construction of food premises established under environmental health and safety legislation)

TRADE WASTE AGREEMENT

19. The Owner of the property shall enter into a trade waste agreement with Upper Hunter Shire for the disposal of all trade waste generated by the development. Documentary evidence demonstrating compliance with this condition shall be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate.

Note: This includes food premises which will require a grease trap or a grease arrestor.

(Reason: To protect the environment from contamination)

NOISE CONTROL

20. Prior to the issue of a Construction Certificate, plans demonstrating compliance with the following requirements shall be submitted to the Certifying Authority:
- External glazing facades to achieve minimum acoustic rating of Rw 36. Glazing with typical thickness of 10.38mm laminated with acoustic seals are capable to achieve these requirements.
 - The external wall is to achieve a minimum acoustic rating of Rw 58. The proposed 190mm concrete block work is expected to achieve the required acoustic rating;
 - The ceiling/roof construction is to achieve a minimum acoustic rating of Rw 42. 1 layer of 13mm plasterboard + 100mm air gap with cavity insulation + 1 layer of 13mm plasterboard is expected to achieve the required acoustic rating.

(Reason: Prescribed by legislation.)

GEOTECHNICAL INVESTIGATIONS

21. Prior to the release of a Construction Certificate, a geotechnical report prepared by a suitably qualified and practising professional is to be submitted confirming that the design is appropriate for the site's conditions.

(Reason: to ensure the design of the building and associated structures is suitable for the soil conditions.)

Water and Sewer Contributions

22. A contribution pursuant to the provisions of Section 64 of the Local Government Act, 1993 as specified hereunder for the services detailed in column A and, for the amount detailed in column B shall be made to Council.

Contribution type (a)	Amount per ET (\$)	ET	Total (C)(\$)
Sewerage	8,535.20	(0.05ET)	426.76
Water	7,374.66	(0.03ET)	221.24
Total contribution			\$648.00

Documentary evidence shall be submitted to the Principal Certifier confirming that the contribution has been paid prior to determination of the application for Construction Certificate, where applicable.

The level of contributions shall be in accordance with Council's Fees and Charges at the time of payment.

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

Section 94A Contributions

23. Prior to the issue of any Construction Certificate for Stage 1 and 2, pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of **\$82,422.55** is required to be paid to Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

(Reason: To ensure that the proposed development makes an appropriate contribution to facilities in the Upper Hunter Local Government Area)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

SEDIMENT AND EROSION CONTROL

24. All erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

SITE FACILITIES

25. Site facilities

- (a) If the development involves building work or demolition work it is recommended that the work site be fully enclosed by a temporary security fence (or hoarding) before work commences. Any such hoarding or fence is to be removed when the work has been completed.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees.
- (c) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (d) Adequate toilet facilities must be provided on the work site. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or an approved temporary chemical closet.

The provision of toilet facilities must be completed before any other work is commenced.

The installation of the site facilities shall be approved by the Principal Certifier prior to further

commencement of site works and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

SITE SIGN

26. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited;
- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifier for the work.

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

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: Statutory requirement)

WATER METER

27. A water meter as issued and installed by Upper Hunter Shire Water & Waste department must be connected to the town's reticulated water supply prior to any commencement.

The installation is to be confirmed by the Principal Certifier prior to further commencement of site works.

(Reason: To ensure an adequate supply of potable water is provided to the site)

CONSTRUCTION CERTIFICATE REQUIREMENT

28. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the

works being undertaken onsite.

(Reason: Prescribed – Statutory)

PROGRESS SURVEY - MAJOR DEVELOPMENT

29. In order to ensure compliance with approved plans, a Survey Certificate, prepared to Australian Height Datum, shall be prepared by a Registered Surveyor showing the following:

- (a) at the completion of excavation, prior to the placement of any footings, showing the completed level of the excavation and its relationship to the boundaries;
- (b) prior to placement of concrete at the ground floor level, showing the level of the form work and its relationship to boundaries including relevant footpath and roadway levels;
- (c) prior to placement of concrete at each subsequent floor level showing the principal level of the formwork and the intended relationship of the completed works to the boundary;
- (d) prior to roofing, or completion of the highest point of the building showing the anticipated level of the completed work and its relationship to the boundary;
- (e) at completion, works showing the relationship of the building to the boundary and showing the maximum height of the overall works and the height of the principal roof elements.

Progress certifications in response to points (a) through to (e) shall be provided to the Principal Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveals discrepancies between the approved plans and the proposed works.

(Reason: To ensure compliance with approved plans)

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION & BUILDING WORK

DUST EMISSION AND AIR QUALITY

30. Any person acting on this consent must ensure that:-

- (a) materials must not be burnt on the site.
- (b) vehicles entering and leaving the site with soil or fill material must be covered.
- (c) dust suppression measures must be carried out to minimise wind-borne emissions in addition odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To protect the environment and the amenity of the surrounding area)

NO WORK ON PUBLIC OPEN SPACE

31. The applicant shall not enter or undertake any work within adjoining public lands (i.e. Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction Management Plan.

(Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land)

CONSTRUCTION HOURS

32. Any person acting on this consent shall ensure that:-

- (a) building construction activities are only carried out during the following hours:
 - i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
 - ii. on a Saturday—8.00am to 5.00pm,
 - iii. on a Sunday-9.00am to 5.00pm
- (b) building construction activities must not be carried out on a Sunday or a public holiday unless prior approval has been obtained
- (c) demolition and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

PROHIBITION ON USE OF PAVEMENTS

33. Building materials and equipment must be stored wholly within the work site, unless prior written

approval has been obtained from Council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(Reason: To ensure public safety and amenity on public land)

EXCAVATION

34. Any person acting on this consent must ensure that:-

- (a) all excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (b) all excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c) demolition work must be undertaken in accordance with the provisions of AS2601-Demolition of Structures.
- (d) the builder is to ensure that persons working on the site comply with the WorkCover Authority's requirements.

(Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

Aboriginal Artefacts

35. In the event that any artefacts of cultural heritage significance are unearthed outside or within the immediate areas during construction, site works must cease and the NSW Office of Environment and Heritage (OEH) EnviroLine (phone 131 555), must be informed immediately. The site is to be recorded and management strategies put in place for protection before any further work can commence in the area.

(Reason: To ensure that measures are in the event that items of Aboriginal cultural significance are unearthed.)

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

Intersection

36. The intersection of Satur Road/Bunnan Road (MR62) and Walter Pye Avenue shall be designed and constructed in accordance with the current Austroads Guide to Road Design and Roads and Maritime supplements, to the satisfaction of Roads and Maritime and Council. The works should be generally in accordance with Drawing Number C301, Rev C dated 23 September 2018.

Note: All works associated with the proposed development should be carried out at full cost to the developer and at no cost to Roads and Maritime or Council (as the Consent Authority) and to Roads and Maritime and Council requirements.

(Reason: To comply with the requirements of the NSW Road and Maritime Services.)

Rural Property Access

37. Prior to the issue of any Occupation Certificate the access to Lots 2, 3, 4 and 5 DP 864939 and Lot 51 DP 1081052 shall be constructed in accordance with Council's Rural Property Access specifications (as detailed on Council's Standard Drawing No. RPA-001 (as amended)).

Note: a separate approval under Section 138 of the Roads Act 1993 will be required prior to the commencement of any work within a road reserve.

(Reason: To ensure that appropriate access is provided to the lot.)

REINSTATEMENT

38. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of any Occupation Certificate.

(Reason: To facilitate vehicular access to sites, without disruption to pedestrian and vehicular traffic, and the preservation of on street parking spaces)

CERTIFICATION – CIVIL WORKS

39. Certification of Civil works:

- (a) An appropriately qualified and practising Civil Engineer shall certify to the Principal Certifier that the stormwater drainage system has been constructed in accordance with this consent and the provisions of AS3500. The applicant shall, upon completion of the development works and prior to the issue of any Occupation Certificate, submit to Council a copy of the aforementioned letter of certification.
- (b) An appropriately qualified and practicing Civil Engineer shall certify to the Principal Certifying Authority that the vehicular crossing and associated works and road works were constructed in accordance with this consent. The applicant shall, upon completion of the development works and prior to the issue of any Occupation Certificate, submit to Council a copy of the aforementioned letter of certification.

(Reason: To ensure compliance with the conditions of consent)

Civil Engineering Drawings

40. Prior to the issue of any Occupation Certificate, the applicant shall submit to Council one set of electronic files in both Portable Document Format (.pdf) and in CAD Drawing (.dwg) format (MGA co-ordinates), with each of the services on a separate layer eg separate out water, sewer, storm water to their own layers) and one set of paper copies of the works as executed plans for the infrastructure details including roads, water and sewer infrastructure.

Each sheet is to include a bar scale or scales adjacent to the title block showing the scale (the works as executed plan is to be scaled at 1:500) and each sheet is to be properly signed and dated by the person responsible for the carrying out of those works. Further, the works are to comply with Upper Hunter Shire Council's *Engineering Guidelines for Subdivision and Development*.

NOTE: The provision of a table on the works as executed plan which details: the distance from the centre of the downstream manhole to each sideline, house connection, and dead end; the depths to invert; and the length of such sidelines.

(REASON: So that Council may ensure that the construction is in accordance with Council's requirements, and so that a permanent record of the design as constructed may be held by Council, to assist in future maintenance, or for the information of the emergency services. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.)

WORKS AS EXECUTED DRAWINGS AND VIDEO – STORMWATER (MAJOR DEVELOPMENT)

41. The applicant shall, upon completion of the development works, submit to the Principal Certifier the works-as-executed drawing (W.A.E.) and certification from a practicing civil engineer or registered surveyor that the works have been executed in accordance with AS3500, prior to the release of any Occupation Certificate.

The W.A.E. drawing shall show the alignment, depth and grade of the stormwater drainage pipelines, easement and associated structures. A CCTV inspection survey must be undertaken of the completed drainage works that are to revert to Council's care and control, and a DVD forwarded to Council to support the certification.

(Reason: to demonstrate works have been carried out in accordance with the consent)

MECHANICAL EXHAUST VENTILATION

42. The mechanical exhaust system shall be installed in accordance with AS1668, and be operated in such a way so as to minimise/prevent the creation of odours, fumes and excessive noise which may adversely affect the amenity, or interfere unreasonably with the comfort or repose of occupants of the building and adjoining premises.

Certification, from an appropriately qualified and practising Mechanical Engineer, is to be submitted to the Principal Certifier, detailing that the exhaust ventilation system has been installed in accordance with AS1668, prior to completion and the issuing of any Occupation Certificate.

(Reason: To ensure compliance with acceptable standards for the construction and operation of mechanical plant)

DISPOSAL INFORMATION

43. Upon completion of works and prior to the issue of any Occupation Certificate the person entitled to act on this consent shall provide to Council the following information;

- (a) the total tonnage of all waste and excavated material disposed of from the site;
- (b) the disposal points and methods used; and
- (c) a copy of all disposal receipts are to be provided

(Reason: To ensure responsible disposal of waste material.)

IDENTIFICATION OF NON-POTABLE WATER

44. Prior to the issue of any Occupation Certificate signage in accordance with AS3500.1 shall be installed to all taps that supplied by the rainwater tank where mains reticulated water supply is provided to the site.

(Reason: To ensure non-reticulated water supplies are identified.)

CONNECTION TO SEWER

45. The premises shall be connected to the sewer system in accordance with the Australian Standard 3500. A works as executed plan on Department of Fair Trading Sewer Service Diagram is to be submitted to Council within seven (7) days following the final drainage inspection and prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with the Australian Standard & Local Authority requirements.)

ALLOCATION OF PARKING AREAS

46. All required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas shall fully constructed, sealed, line marked, sign posted, numbered and in accordance with the consent prior to the issue of any Occupation Certificate.

(Reason: To ensure that adequate facilities to service the development are provided on site.)

OCCUPATION

47. The building is not to be used or occupied until a final inspection has been carried out and any Occupation Certificate has been obtained from the Certifying Authority.

(Reason: Prescribed - Statutory.)

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

48. Prior to the release of any Occupation Certificate, the following requirements are to be satisfied:

- i). all easements associated with redundant utility installations are to be extinguished;
- ii). formal closure of the decommissioned section of Walter Pye Avenue is to be completed.

(Reason: To ensure proper management of land)

REDUNDANT VEHICLE CROSSINGS

49. Where a redundant layback will occur at the frontage of the property, a new concrete kerb and gutter must be constructed to replace the redundant layback prior to the issue of any Occupation Certificate.

(Reason: To enhance the streetscape.)

CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

IMPACT ON AMENITY OF SURROUNDING AREA

50. At all times the implementation and intensity of this development shall not adversely affect the amenity of the neighbourhood by reason of excessive levels of illumination (internal or external), solar glare arising from the building materials utilised in any construction processes or fit-out, the emission of noises, noxious fumes, odours and waste.

(Reason: To ensure that the amenity of the surrounding locality is not adversely affected by the nature of the approved activity.)

LOADING WITHIN SITE

51. At all time all loading and unloading operations shall be carried out wholly within the confines of the site and within loading bays designated on the approved plans.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity.)

LANDSCAPING

52. At all times the landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan.

(Reason: To ensure the visual amenity of the streetscape is maintained.)

Hours of Operation

53. The function centre component of the development is limited to the following hours of operation:

- Sunday to Wednesday: 6:00am to 12:00am (midnight)
- Thursday, Friday and Saturday: 6:00am to 2:00am

(Reason: To retain an appropriate level of amenity to surrounding residential properties.)