**Recommended Conditions**

**1.0 - General Conditions of Consent**

The following conditions of consent are general conditions applying to the development.

(1) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

**New South Wales Rural Fire Service, D19/2984, dated 27th September 2019**

Asset Protection Measures

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works, or the issue of a subdivision certificate (whichever comes first), and in perpetuity, the area around the proposed aged care and child care facilities shall be managed as outlined within section 4.1.3 and Appendix 5 of ‘Planning for Bush Fire Protection 2006’ and the NSW Rural Fire Service’s document ‘Standards for asset protection zones’ as follows:

* North: Inner Protection Area (IPA) for a distance of 50 metres to the edge of the E2 Environmental Conservation Zone: and
* All other directions: IPA to the property boundaries.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

1. The provision of water, electricity and gas shall comply with section 4.1.3 and 4.2.7 of ‘Planning for Bush Fire Protection 2006’.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

1. Public road access shall comply with section 4.1.3 (1) of ‘Planning for Bush Fire Protection 2006’.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

1. A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with ‘Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014’ and Australian Standard AS3745 2010 ‘Planning for Emergencies in Facilities’.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

1. Construction of the aged care and child care facilities shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 ‘ Construction of buildings in bush fire-prone areas’ or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014’ as appropriate and section A3.7 Addendum 3 of ‘Planning for Bush Fire Protection 2006’.

Landscaping

1. Landscaping to the site is to comply with the principles of Appendix 5 of ‘Planning for Bush Fire Protection 2006’.

**Endeavour Energy correspondence dated 6th September 2019**

* Network Capacity Connection

In due course the applicant for the proposed development will need to submit an application for connection of load via Endeavour Energy’s Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment of the assessment, any required padmount or indoor substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy’s Mains Design Instruction MDI 0044 ‘Easements and Property Tenure Rights’. Further details are available by contacting Endeavour Energy’s Network Connections Branchy via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am – 5.30pm or on Endeavour Energy’s website under ‘Home> Residential and business > Connecting to our network’ via the following link:

<http://www.endeavourenergy.com.au/>

As the applicant has already made an application under Endeavour Energy Ref: Urban Commercial Subdivision UCS0546 – 2019/01230/001 Customer Ref: 181741 and received a Connection Offer dated 18 July 2019, the applicant and their Accredited Service Provider (ASP) should continue to work with Endeavour Energy’s Network Connections Branch who are responsible for managing the conditions of supply for the proposed subdivision / development.

* Urban Network Design

Endeavour Energy’s Company Policy 9.2.5 ‘Network Asset Design’, includes the following requirements for electricity connections to new urban subdivision / development:

5.11 Reticulation Policy

5.11.1 Distribution reticulation

In order to improve the reliability performance of and to reduce the operating expenditure on the network over the long term the company has adopted the strategy of requiring new lines to be either underground cables or where overhead is permitted, to be predominately of covered or insulated construction. Notwithstanding this strategy, bare wire overhead construction is appropriate and permitted in some situations as detailed below:

In areas with the potential for significant overhanging foliage, CCT is used to provide increased reliability as it is less susceptible to outages from wind-blown branches and debris than bare conductors. CCT must only be used in treed areas as the probability of a direct lightening strike is low. In open areas where the line is not shielded from a direct lightening strike, bare conductors must generally be used for 11kV and 22kV reticulation.

Non-metallic Screened High Voltage Aerial Bundled Cable (NMSHVABC) must be used in areas which are heavily treed and where it is not practicable to maintain a tree clearing envelope around the conductors.

5.11.1.1 Urban Areas

Reticulation of new residential subdivisions will be underground. In areas of low bushfire consequences, new lines within existing overhead areas can be overhead, unless underground lines are cost justified or required by either environmental or local council requirements.

Where underground reticulation is required on a feeder that supplies a mixture of industrial, commercial and / or residential loads, the standard of underground construction will apply to all types of load within that development.

Where ducting is used, adequate spare ducts and easements must be provided at the outset to cover the final load requirements of the entire development plan.

Extensions to the existing overhead 11kV/22kV network must generally be underground. Bare wire will be used for conductor replacements and augmentations except in treed areas where CCT or NMSHVABC must be used. Extensions to the existing overhead LV network and augmentations must either be underground or ABC. Conductor replacements greater than 100m in route length must utilise aerial bundled cable.

* Bushfire

The network required to service the proposed development must be fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy’s risk assessment associated with the implementation and use of the network connection / infrastructure for a bushfire prone site.

* Subdivision of Easements

Where a subdivision does result in the incorporation of Endeavour Energy’s easement into multiple lots, the easements, rights and restrictions, covenants etc. be retained over the effected lots and in accordance with the requirements of NSW Land Registry Services (LRS).

* Easement Management / Network Access

The following is a summary of the usual / main terms of Endeavour Energy’s electrical easements requiring that the land owner:

* Not install or permit to be installed any services or structures within the easement site.
* Not alter the surface level of the easement site.
* Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

Endeavour Energy’s preference is for no activities or encroachments to occur within its easement areas. However, if any proposed works (other than those approved / certified by Endeavour Energy’s Network Connections Branch as part of an enquiry / application for load or asset relocation project) will encroach / affect Endeavour Energy’s easements, contact must first be made with the Endeavour Energy’s Easements Officer, Philip Wilson, on direct telephone 9853 7110 or alternatively by email [Philip.Wilson@endeavourenergy.com.au](mailto:Philip.Wilson@endeavourenergy.com.au) or [Easements@endeavourenergy.com.au](mailto:Easements@endeavourenergy.com.au) .

Please find attached for the applicant’s reference copies of Endeavour Energy’s:

* General Restrictions for Overhead Power Lines.
* Mains Design Instruction MDI 0044 ‘Easements and Property Tenure Rights’.

In regard to the future padmount substation required to facilitate the proposed development, please find attached for the applicant’s reference a copy Endeavour Energy’s ‘Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations’.

It is imperative that the access to the existing electrical infrastructure on an in proximity of the site be maintained at all times. To ensure that supply electricity is available to the community, access to the electricity infrastructure may be required at any time. Restricted access to electricity infrastructure by maintenance workers causes delays in power restoration and may have severe consequences in the event of an emergency.

(2) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

|  |  |  |  |
| --- | --- | --- | --- |
| **Plan Reference/ Drawing No.** | **Name of Plan** | **Prepared by** | **Date** |
|  | Plan of Proposed Subdivision | Real Serve | 16 July 2019 |
| A.1001 Rev G | Site Plan | BHI Architects | 18.06.20 |
| A.1002 Rev G | Staging Plan | BHI Architects | 18.06.20 |
| A.1003 Rev D | Staging & Subdiv. Plan 1 | BHI Architects | 19.07.19 |
| A.1004 Rev D | Staging & Subdiv. Plan 2 | BHI Architects | 19.07.19 |
| A.1005 Rev G | Staging and subdiv. Plan 3 | BHI Architects | 18.06.20 |
| A.2002 Rev F | Aged Care – Site plan | BHI Architects | 17.04.20 |
| A.2003 Rev F | Aged Care - Basement | BHI Architects | 17.04.20 |
| A.2004 Rev F | Aged Care - Ground | BHI Architects | 17.04.20 |
| A.2005 Rev F | Aged Care – Level 01 | BHI Architects | 17.04.20 |
| A.2006 Rev F | Aged Care - Roof | BHI Architects | 17.04.20 |
| A.2007 Rev F | Aged Care - Sections | BHI Architects | 17.04.20 |
| A.2008 Rev F | Aged Care – Elevations 1 | BHI Architects | 17.04.20 |
| A.2009 Rev F | Aged Care – Elevations 2 | BHI Architects | 17.04.20 |
| A.2017 Rev F | Aged Care – Ext. Finishes | BHI Architects | 17.04.20 |
| A.2018 Rev G | Childcare – lower ground | BHI Architects | 18.06.20 |
| A.2019 Rev G | Childcare - Ground | BHI Architects | 18.06.20 |
| A.2020 Ref F | Childcare – level 01 | BHI Architects | 17.04.20 |
| A.2021 Rev F | Childcare - Roof | BHI Architects | 17.04.20 |
| A.2022 Rev F | Childcare - Elevations | BHI Architects | 17.04.20 |
| A.2023 Rev F | Childcare - Elevations | BHI Architects | 17.04.20 |
| A.2024 Rev F | Childcare - Sections | BHI Architects | 17.04.20 |
| A.2028 Rev D | Childcare – Ext. Finishes | BHI Architects | 19.07.19 |
| A.2030 Rev F | Seniors - Basement | BHI Architects | 17.04.20 |
| A.2031 Rev F | Seniors – Ground floor | BHI Architects | 17.04.20 |
| A.2032 Rev F | Seniors – First Floor | BHI Architects | 17.04.20 |
| A.2033 Rev F | Seniors – Second floor | BHI Architects | 17.04.20 |
| A.2034 Rev F | Seniors - Section | BHI Architects | 17.04.20 |
| A.2037 Rev G | Dwellings – Typical Plans | BHI Architects | 18.06.20 |
| A.2049 Rev F | Seniors – Roof Plan | BHI Architects | 17.04.20 |
| A.2050 Rev G | Dwellings – Typical Plans | BHI Architects | 18.06.20 |
| A.3001 Rev F | South elevation (front) | BHI Architects | 17.04.20 |
| A.3002 Rev F | North elevation (rear) | BHI Architects | 17.04.20 |
| A.3003 Rev F | East elevation (side) | BHI Architects | 17.04.20 |
| A.3004 Rev F | West elevation (side) | BHI Architects | 17.04.20 |
| A.3101 Rev F | Site sections | BHI Architects | 17.04.20 |
| T.0001 Rev F | Terracing Detail | BHI Architects | 17.04.20 |
| T.0002 Rev F | Terracing Detail | BHI Architects | 17.04.20 |
| T.0003 Rev D | Terracing Detail | BHI Architects | 19.07.19 |
| L101 Rev E | Landscape Masterplan | Xeriscapes | 16.04.20 |
| L102 Rev E | Residential Aged Care Facility Landscape Plan | Xeriscapes | 16.04.20 |
| L103 Rev F | Ground floor childcare landscape plan | Xeriscapes | 16.04.20 |
| L104 Rev E | Level 1 Childcare landscape plan | Xeriscapes | 16.04.20 |
| L301 Rev B | Indicative Plant Schedule | Xeriscapes | 16.04.20 |
| DAC12.01 Rev 4 | Concept sediment and soil erosion control plan – Sheet 01 | Northrop | 19.06.20 |
| DAC12.02 Rev 4 | Concept sediment and soil erosion control plan – Sheet 02 | Northrop | 19.06.20 |
| DAC12.11 Rev 4 | Sediment and soil erosion control details | Northrop | 19.06.20 |
| DAC13.01 Rev 3 | Bulk earthworks cut and fill plan | Northrop | 19.06.20 |
| DAC14.01 Rev 4 | Siteworks and stormwater management plan – Sheet 01 | Northrop | 19.06.20 |
| DAC14.02 Rev 4 | Siteworks and stormwater management plan – Sheet 02 | Northrop | 19.06.20 |
| DAC14.11 Rev 1 | Typical Road Section | Northrop | 19.06.20 |
| DAC14.21 Rev 4 | Alignment Control Plan | Northrop | 19.06.20 |
| DAC16.01 Rev 4 | Longitudinal Sections Sheet 01 | Northrop | 19.06.20 |
| DAC16.02 Rev 4 | Longitudinal Sections Sheet 02 | Northrop | 19.06.20 |
| DAC16.11 Rev 4 | Cross sections – MC001 – Sheet 01 | Northrop | 19.06.20 |
| DAC16.12 Rev 4 | Cross sections – MC003 – Sheet 02 | Northrop | 19.06.20 |
| DAC16.13 Rev 4 | Cross sections – MC003 – Sheet 03 | Northrop | 19.06.20 |
| DAC19.11 Rev 4 | Site catchment plan | Northrop | 19.06.20 |
| DAC02.01 Rev 4 | Concept sediment and soil erosion control plan – Sheet 01 | Northrop | 19.06.20 |
| DAC02.02 Rev 4 | Concept sediment and soil erosion control plan – Sheet 02 | Northrop | 19.06.20 |
| DAC02.11 Rev 3 | Sediment and soil erosion control details | Northrop | 19.06.20 |
| DAC03.01 Rev 5 | Bulk earthworks cut and fill plan | Northrop | 19.06.20 |
| DAC03.11 Rev 5 | Bulk earthworks cut and fill sections – Sheet 01 | Northrop | 19.06.20 |
| DAC03.12 Rev 5 | Bulk earthworks cut and fill sections – Sheet 01 | Northrop | 19.06.20 |
| DAC04.01 Rev 6 | Siteworks and stormwater management plan – Sheet 01 | Northrop | 19.06.20 |
| DAC04.02 Rev 6 | Siteworks and stormwater management plan – Sheet 02 | Northrop | 19.06.20 |
| DAC04.11 Rev 4 | Typical Road Sections | Northrop | 19.06.20 |
| DAC04.21 Rev 4 | Alignment Control Plan – Sheet 01 | Northrop | 19.06.20 |
| DAC04.22 Rev 4 | Alignment Control Plan – Sheet 02 | Northrop | 19.06.20 |
| DAC04.31 Rev 4 | Retaining wall alignment control plan and section | Northrop | 19.06.20 |
| DAC06.01 Rev 3 | Longitudinal Sections – Sheet 01 | Northrop | 19.06.20 |
| DAC06.02 Rev 3 | Longitudinal Sections – Sheet 02 | Northrop | 19.06.20 |
| DAC06.03 Rev 3 | Longitudinal Sections – Sheet 03 | Northrop | 19.06.20 |
| DAC06.11 Rev 3 | Cross Sections – MC001 – Sheet 01 | Northrop | 19.06.20 |
| DAC06.12 Rev 3 | Cross Sections – MC001 – Sheet 02 | Northrop | 19.06.20 |
| DAC06.13 Rev 3 | Cross Sections – MC001 – Sheet 03 | Northrop | 19.06.20 |
| DAC06.14 Rev 3 | Cross Sections – MC001 – Sheet 04 | Northrop | 19.06.20 |
| DAC06.15 Rev 3 | Cross Sections – MC001 – Sheet 05 | Northrop | 19.06.20 |
| DAC06.16 Rev 3 | Cross Sections – MC001 – Sheet 06 | Northrop | 19.06.20 |
| DAC06.17 Rev 3 | Cross Sections – MC002 – Sheet 01 | Northrop | 19.06.20 |
| DAC06.18 Rev 3 | Cross Sections – MC002 – Sheet 02 | Northrop | 19.06.20 |
| DAC06.19 Rev 3 | Cross Sections – MC003 – Sheet 01 | Northrop | 19.06.20 |
| DAC06.20 Rev 3 | Cross Sections – MC003 – Sheet 02 | Northrop | 19.06.20 |
| DAC09.01 Rev 4 | Details – Sheet 01 | Northrop | 19.06.20 |
| DAC09.11 Rev 4 | Regional Catchment Plan | Northrop | 19.06.20 |
| DAC09.12 Rev 4 | Site Catchment Plan | Northrop | 19.06.20 |

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| --- | --- | --- |
| **Document Title** | **Prepared by** | **Date** |
| Bush Fire Assessment Report | Bushfire & Evacuation Solutions | 17 July 2019 |
| Acoustic Report SY181741-AUR01 and addendum letter to acoustic report SY181741-AUL01 | Northrop Consulting Engineers Pty Ltd | 18 July 2019 and 10 January 2020 |
| Report on Salinity Investigation and Management Plan, propose retirement village, Project No. 92356.00 | Douglas Partners | July 2019 |
| Waste Management Plan | Solution 1 Traffic Engineers | July 2019 |

(3) **Modified Documents and Plans** - The development shall be modified as follows:

1. Road MC002 kerb type shall be amended to be roll kerb and gutter upon both sides of the road.
2. A Temporary swale drain shall be provided from the end of Pit 01/6 to a point of connection into the existing stormwater pipes in either Plumage Cr and Oilseed Way or both. A drainage easement over these items shall be created with the Subdivision Certificate.

Amended plans or documentation demonstrating compliance shall be provided to the certifier and Council prior to the issue of a Construction Certificate / Subdivision Works Certificate.

(4) **Separate Approval for Signs** - A separate development application for any proposed signs shall be provided to and approved by Council prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(5) **National Construction Code – Building Code of Australia (BCA)** - All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

(6) **Home Building Act** - Pursuant to Section 4.17(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the principal certifier for the development to which the work relates:

1. in the case of work for which a principal contractor has been appointed:
2. has been informed in writing of the name and licence number of the principal contractor; and
3. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
4. in the case of work to be carried out by an owner-builder;
5. has been informed in writing of the name of the owner-builder; and
6. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.

(7) **Home Building Act – Insurance** - Building work that involves residential building work within the meaning of the *Home Building Act 1989*, shall not commence until such time as a contract of insurance is in force in accordance with Part 6 of that Act.

This clause does not apply:

1. to the extent to which an exemption is in force under Clause 187 or 188 of the EP&A Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the EP&A Regulation 2000; or
2. to the erection of a temporary building, other than a temporary structure to which subclause (1A) of Clause 98 of the EP&A Regulation 2000 applies.

(8) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person’s own expense:

1. protect and support the adjoining building, structure or work from possible damage from the excavation; and
2. where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.

(9) **Demolition of Temporary Turning Head(s)/Temporary Roads(s)** – The demolition of temporary turning head(s)/temporary road(s) will require sufficient excavation of all pavement materials (including all residue pavement materials) so that no contamination from these roads remains on site. Further, any soils adjoining these roads/turning heads potentially affected by residue pavement material or contaminated run-off must be inspected and removed where they are considered to be affected or contaminated.

Contaminated pavement material and soils are to be waste classified for either disposal to a licensed landfill or assessed for possible reuse under a NSW Environment Protection Authority Resource Recovery Order or Exemption.

A certified contaminated land consultant must inspect the site post-excavation and confirm in writing that they are satisfied (which may include the need for testing) that no residual contamination from the temporary turning head(s)/temporary road(s) remains on the land. The written confirmation must be provided to the principal certifier prior to the issue of a Subdivision Certificate for the approved lots thereon, prior to the release of any bond held for the demolition works.

(10) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.

(11) **Local Traffic Committee Concurrence** - Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council’s Local Traffic Committee on local roads, and the Roads and Maritime Services on State roads.

These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line-marking and devices.

(12) **Street Lighting** - Street lighting for the subdivision shall be designed and installed in accordance with relevant Australian Standards and to the satisfaction of the Roads Authority (Council).

(13) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

* 1. no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
  2. pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

(14) **Protection of adjoining Bushland and/or Waterfront Areas** - To limit the potential for damage to the adjoining Bushland areas and/or Waterfront areas, the boundaries to these areas must be fenced prior to the commencement of any earthworks, demolition, excavation or construction works. As well as the fencing prior to any earthworks commencing, other protection measures must be completed in accordance with the standards as specified in AS 4970-2009 Protection of Trees on Development sites.

The fencing must be kept in place until the completion of development and maintenance works and be marked by appropriate signage notifying all site visitors that the subject trees and vegetation areas are protected. The fencing should be a minimum of a 1.8 metres high chain link or welded mesh fencing.

(15) **Landscaping and Embellishment Works on Future Public Land** - Prior to the transfer of land to Council’s ownership, all landscaping and embellishment must be inspected and approved by Council.

(16) **Street Tree Establishment and Maintenance Period** - For a period of 12 months commencing from the installation date of the street trees and their protective guards, the applicant will be responsible for their successful establishment.

At the completion of the 12 month establishment and maintenance period all street trees plantings must have signs of healthy and vigorous growth and all protective guards must be in an undamaged, safe and functional condition.

(17) **Outdoor Lighting** – The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.

(18) **Reflectivity** - The reflectivity of glass index for all glass used externally shall not exceed 20%.

(19) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

(20) **Infrastructure in Road and Footpath Areas** – Infrastructure must not be removed and/or reconstructed without prior written approval from Council. Any costs incurred due to the relocation, restoration or reconstruction of pram ramps, footpath, light poles, kerb inlet pits, service provider pits, street trees or other infrastructure in the street footpath area for the proposed development shall be borne by the applicant, and not Council.

**Note.** The issue of this development consent does not imply concurrence or approval of any required public infrastructure work associated with the development.

**2.0 - Prior to Issue of a Construction Certificate and Subdivision Works Certificate**

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate and Subdivision Works Certificate for each stage of the development.

(1) **Performance Bond**- The applicant is to lodge a bond with Council to provide security for works undertaken within the existing public domain in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(2) **Hoarding Application** - A hoarding application for the erection of a class A (fence type) or class B (overhead type) hoarding along the street frontage complying with WorkCover requirements shall be provided to Council for approval with a footpath occupancy fee based on the area of footpath to be occupied.

A Public Risk Insurance Policy with a minimum cover of $20 million in relation to the occupation of and works within Council’s road reserve, for the full duration of the proposed works, shall be obtained with a copy also provided to the Roads Authority. The Policy is to note Council as an interested party and nominate the location of works. Hoardings shall not be erected until written approval has been received from Council. The copy of the Public Risk Insurance Policy is to be provided to the Roads Authority.

(3) **Structural Engineer’s Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.

This condition applies to the Construction Certificate Application.

(4) **Driveway Gradients and Design** – The design of all driveways shall comply with AS 2890.1-2004 'Off street car parking’ and:

1. the driveway shall comply with Council's Access Driveway Specifications; <https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/Development-Guidelines-and-policies/Access-Driveways-Specifications-and-Drawings.pdf>
2. the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
3. the level for the driveway across the footpath area shall achieve a gradient of 4%; and
4. a Driveway Crossing Approval (PRA) must be obtained prior to the issue of a Construction Certificate.

Details demonstrating compliance shall be provided to the accredited certifier prior to issue of a Construction Certificate.

(5) **Retaining Walls** – The following restrictions apply to any retaining wall erected within the allotment boundaries:

1. retaining walls shall be designed and certified by a suitably qualified structural engineer;
2. retaining walls in cut shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
3. retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;
4. adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries.
5. retaining walls shall not be erected within drainage easements; and
6. retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(6) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:

1. be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
2. ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.

(7) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council’s Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Subdivision Works Certificate application.

A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.

**Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

(8) **Turning Facilities** - Turning facilities shall be provided at all dead end roads. All turning and manoeuvring facilities, including turning heads, cul-de-sac, etc, shall be designed in accordance with Council’s Engineering Specifications. Turning heads must be provided at the end of all dead end roads for subdivisions that are progressively developed in a staged manner.

Details demonstrating compliance shall be provided to the certifier prior to the issue of a Subdivision Works Certificate.

(9) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with ‘Managing Urban Stormwater – Soils and Construction (‘the blue book’). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate and Subdivision Works Certificate application.

(10) **Provision of Kerb Outlets -** Where proposed lots grade to an existing/proposed public road, kerb outlets shall be provided in the kerb and gutter adjacent to those lots.

The outlets shall be located within 2m downstream of the prolongation of the lot corner with the lowest reduced level and to the requirements of the principal certifier.

This condition applies to the Subdivision Works Certificate application.

(11) **Works in Road Reserves** - Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993* prior to works commencing.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(12) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the accredited certifier for approval. Garbage room(s) are to be constructed of solid material and finished as a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces to ensure no moisture, oils or similar material can soak in. Ventilation, pest proofing and a hose tap must be provided.

This condition applies to the Construction Certificate Application.

(13) **Mechanical Exhaust System** - Mechanical exhaust system(s) shall comply with the BCA and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge location points). Details demonstrating compliance shall be provided to the accredited certifier.

This condition applies to the Construction Certificate Application.

(14) **Car Park Noise Control** – All off-street (including basement) car parks must have a coved finish with Slabseal 2000 SR sealant (or similar equivalent product) applied to the concrete floor. The coved finish and sealant must be suitably maintained on the floor of all car parks at all times to a standard that eliminates tyre squeal noise from being audible.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(15) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council’s Engineering Specifications and the following requirements:

* A planting schedule must include five (5) additional tree species capable of reaching mature heights between 15 to 20m.
* Additional tree species selection must be derived from Council’s preferred tree list. <https://www.camden.nsw.gov.au/assets/pdfs/Environment/Trees/Tree-and-Landscape-Species-List-Appendix-1-Tree-Management-Policy.pdf>
* A detailed landscape plan of the bioswale shall be provided and the bioswale shall be landscaped with similar plants as installed in the bioswale in the adjoining Council Reserve at Lot 28 DP 1234183.

Details demonstrating compliance shall be provided to the certifier with the Construction Certificate Application.

(16) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the accredited certifier and Council.

This condition applies to the Construction Certificate Application.

(17) **Food Premises** –Details of the fitout of the aged care kitchen, childcare centre kitchen, bottle preparation areas and ground floor café shall demonstrate that sufficient area is provided to enable the following requirements to be met:

1. Details of the location of mechanical ventilation;
2. Details of fixtures, fittings and equipment including cooking equipment in compliance with AS4674: Design, construction and fit out of food premises;
3. Identification and location of the following sinks:
4. A designated handwash basin to be provided within 5m of any area where open food is handled (café, childcare main kitchen and within each bottle preparation area, aged care facility main kitchen and upper floors servery areas) to be supplied with warm water through a single spout mixer tap;
5. A designated double bowl sink for the cleaning and rinsing / sanitising of equipment and crockery to be supplied with hot water and loading and draining area either side of the sinks (or dishwasher);
6. General purpose sinks
7. If a dishwater is proposed, specifications to be provided to determine requirements of an exhaust hood;
8. A designated waste water / cleaners sink to be located in an area away from the open handling of food or food storage.
9. Details of floors, walls and ceiling finishes in compliance with AS4674: Design, construction and fit out of food premises.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(18) **Hair Dressing Salons** – The design, construction, and fit-out of the beautician / hairdressing salon shall comply with the relevant provisions of the Local Government (General) Regulation 2005. Details of the fit-out shall demonstrate that sufficient space is provided to enable the following requirements to be met:

1. Adequate sinks for the washing of equipment;
2. Details of floors, walls and ceiling finishes shall be provided. All surfaces shall be durable, smooth, impervious to moisture and be able to be easily cleaned.

Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

(19) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.

This condition applies to the Construction Certificate Application.

(20) **Bush Fire Safety – Subdivision** - The site is located within a bush fire prone area. Certification from a suitably qualified bush fire consultant shall be provided to certify that the development complies with:

1. the RFS’ Bush Fire Safety Authority for the DA (D19/2984, dated 27th September 2019); and
2. the bush fire report provided with the DA (Bush Fire Assessment Report, prepared by Bushfire & Evacuation Solutions, dated 17 July 2019); and
3. the NSW Rural Fire Service publication "Planning for Bush Fire Protection 2006."

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(21) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the certifier demonstrating that satisfactory arrangements have been made for:

1. the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
2. the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be provided to the certifier.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(22) **Damages Bond** - The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** A fee is payable for the lodgement of the bond.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(23) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any building work that cost $25,000 or more.

This condition applies to both the Construction Certificate and Subdivision Works Certificate applications.

(24) **Contributions Payment Timing** - If no construction certificate in respect of the erection of any building to which this development consent relates has been issued on or before 25 September 2022, the monetary contributions detailed in this development consent must be paid prior to the issue of the first construction certificate after that date for any such building.

(25) **Special Infrastructure Contributions Payment Timing** – If no construction certificate in respect of the erection of any building to which this development consent relates has been issued on or before 25 September 2022, the Special Infrastructure Contribution detailed in this development consent must be paid prior to the issue of the first construction certificate after that date for any such building.

**3.0 - Prior to Commencement of Works**

The following conditions of consent shall be complied with prior to any works commencing on the development site.

(1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of $20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.

(2) **Notice of Principal Certifier** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:

1. a description of the work to be carried out;
2. the address of the land on which the work is to be carried out;
3. the registered number and date of issue of the relevant development consent;
4. the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
5. if the principal certifier is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as principal certifier; and
6. a telephone number on which the principal certifier may be contacted for business purposes.

(3) **Notice of Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:

1. the name and address of the person by whom the notice is being given;
2. a description of the work to be carried out;
3. the address of the land on which the work is to be carried out;
4. the registered number and date of issue of the relevant development consent and construction certificate;
5. a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
6. the date on which the work is intended to commence.

(4) **Construction Certificate and Subdivision Works Certificate Required** - In accordance with the requirements of the *EP&A Act 1979,* building or subdivision works approved by this consent shall not commence until the following has been satisfied:

1. a Construction Certificate and Subdivision Works Certificate has been issued by a certifier;
2. a principal certifier has been appointed by the person having benefit of the development consent;
3. if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two (2) days before building work commences;
4. the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
5. the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

(5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:

1. that unauthorised entry to the work site is prohibited;
2. the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
3. the name, address and telephone number of the principal certifier.

The sign shall be maintained while the work is being carried out and removed upon the completion of works.

(6) **Site is to be Secured** - The site shall be secured and fenced.

(7) **Sydney Water Approval** – The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to [www.sydneywater.com/tapin](http://www.sydneywater.com/tapin) to apply.

A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.

(8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with ‘Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

(9) **Dilapidation Report – Council Property** - A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the principal certifier and Council at least 2 days prior to the commencement of works.

The Dilapidation Report shall also include the OSD and WQ basin located west of Plumage Cres (and north of Springs Rd). The photos shall cover inlet and outlet structures, internal view of pits and GPT, general surface condition of the basin and landscape and fencing.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council’s assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant’s damages bond.

(10) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council’s Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.

(11) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council’s Engineering Design Specification, shall be provided to the principal certifier.

(12) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable, include the requirement to dispose of material not suitable for reuse or recycling at a licenced waste facility. The plan must be kept on site for compliance until the completion of all construction works.

(13) **Environmental Management Plan** -An environmental management plan (EMP) prepared in accordance with Council’s Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

1. measures to control noise emissions from the site;
2. measures to suppress odours and dust emissions;
3. soil and sediment control measures;
4. measures to control air emissions that includes odour;
5. measures and procedures for the removal of hazardous materials that includes waste and their disposal;
6. any other recognised environmental impact;
7. work, health and safety; and
8. community consultation.

(14) **Construction Noise Management Plan** –A construction noise management plan shall be provided to the principal certifier and include the following:

1. noise mitigation measures;
2. noise and/or vibration monitoring;
3. use of respite periods;
4. complaints handling; and
5. community liaison and consultation.

(15) **Protection of Existing Street Trees** - No existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

The protection methods for existing nature strip, street tree, tree guard, protective bollard, garden bed surrounds or root barrier installation during all works approved by this development consent shall be installed in accordance with AS 4970-2009 Protection of Trees on Development Sites.

(16) **Protection of Adjoining Bushland and/or Waterfront Areas** – To limit the potential for damage to the adjoining bushland areas and/or waterfront areas, the boundaries to these areas must be fenced prior to the commencement of any earthworks, demolition, excavation or construction works. As well as the fencing prior to any earthworks commencing, other protection measures must be completed in accordance with the standards as specified in AS 4970.

The fencing must be kept in place until the completion of development and maintenance works and be marked by appropriate signage notifying all site visitors that the subject trees and vegetation areas are protected. The fencing should be a minimum of a 1.8 metres high chain link or welded mesh fencing.

(17) **Fencing** – Prior to the installation of temporary fencing, Council’s Natural Resource Officer shall be contacted and arrangements made for the Officer to be on-site at the time of fencing installation.

**4.0 - During Works**

The following conditions of consent shall be complied with during the construction phase of the development.

(1) **Work Hours** - All work (including delivery of materials) shall be:

* restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
* not carried out on Sundays or public holidays,

unless approved in writing by Council.

(2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.

(3) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

1. preserve and protect the building from damage;
2. if necessary, underpin and support the building in an approved manner; and
3. give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact “Dial Before You Dig” prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

(4) **Site Management** - The following practices are to be implemented during construction:

1. stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
2. builder’s operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
3. waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
4. a waste storage area shall be located on the site;
5. all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
6. toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
   * 1. be a standard flushing toilet connected to a public sewer; or
     2. have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
     3. be a temporary chemical closet approved under the *Local Government Act 1993*.

(5) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, shall be provided to principal certifier prior to the development proceeding beyond floor level stage.

(6) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the principal certifier prior to the development proceeding beyond frame stage.

(7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.

(8) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.

(9) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

(10) **Site Signage** - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

*“WARNING UP TO $8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”*

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

(11) **Compaction (Lots)** – The approved lots, which are subject to filling must be compacted in accordance with Council’s current Engineering Construction Specifications. A suitably qualified and experienced geotechnical engineer must supervise the placing of fill material and certify that the work has been carried out to level 1 responsibility in accordance with Appendix B of As 3798.

(12) **Seal Up Existing Redundant Laybacks** – All existing redundant laybacks must be sealed up to match the existing concrete gutter on the road.

(13) **Vehicles Leaving the Site** - The construction supervisor must ensure that:

* all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
* the wheels of vehicles leaving the site:
  + - do not track soil and other waste material onto any public road adjoining the site; and
    - fully traverse the site’s stabilised access point.

(14) **Fill Compaction** - All fill must be compacted in accordance with Camden Council’s current Engineering Design Specifications.

(15) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

(16) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

(17) **Noise During Work** - Noise levels emitted during works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW Environment Protection authority’s Environmental Noise Control Manual.

(18) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.

(19) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.

(20) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.

(21) **Fill Material (VENM)** - Prior to the importationand/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the principal certifier.

The validation report and associated sampling location plan must:

1. be prepared by a person with experience in the geotechnical aspects of earthworks; and
2. be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics; and
3. be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

1. the Department of Land and Water Conservation publication "Site investigation for Urban Salinity;" and
2. the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW."

d) confirm that the fill material;

1. provides no unacceptable risk to human health and the environment;
2. is free of contaminants;
3. has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
4. is suitable for its intended purpose and land use; and
5. has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

e) less than 6000m3 - 3 sampling locations; and

f) greater than 6000m3 - 3 sampling locations with 1 extra location for each additional 2000m3 or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

|  |  |  |
| --- | --- | --- |
| **Classification of Fill Material** | **No of Samples Per Volume** | **Volume of Fill (m3)** |
| Virgin Excavated Natural Material | 1  (see Note) | 1000  or part thereof |

**Note –** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

(22) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.

(23) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).

Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

(24) **Construction Noise Management Plan** - All operations must be carried out in accordance with the recommendations contained in the Construction Noise Management Plan, including:

1. noise mitigation measures;
2. noise and/or vibration monitoring;
3. use of respite periods;
4. complaints handling; and
5. community liaison and consultation

(25) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a certified contaminated land consultant has be contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

(26) **Salinity Management Plan** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the management strategies as contained within the report: Report on Salinity Investigation and Management Plan, proposed retirement village, Project No. 92356.00, prepared by Douglas Partners Pty Ltd, Dated July 2019.

(27) **Fencing** – A permanent fence shall be erected that is galvanised pipe and rail and of similarity to the fence erected on Council reserve at Lot 28 DP 1234183.

(28) **Cycle Path** – The cycle path shall be installed at grade level.

(29) **Cycle Path** - The cycle path at the very eastern end of the site shall be realigned approximately to a north east (22.5 degrees) alignment to connect to the adjoining cycle path to the north east Council Reserve at Lot DP1121639.

(30) **Acoustic Barriers** – A 1.8m acoustic barrier is to be installed in accordance with the Addendum letter to Acoustic Report dated 10 January 2020, ref: SY181741-AUL01 prepared by Northrop Consulting Engineers Pty Ltd.

(31) **Acoustic Treatments** - All windows and doors shall comply with the recommended glazing systems contained in table 4 of the Addendum letter to Acoustic report dated 10 January 2020, ref: SY181741-AUL01 prepared by Northrop Consulting Engineers Pty Ltd.

All windows and doors should be well sealed when closed with acoustic seals along the top and bottom sliders.

(32) **Mechanical Ventilation** - Windows in bedrooms, living rooms and the childcare centre are required to be kept closed to meet internal noise levels. Mechanical ventilation shall be provided to habitable rooms on the southern façade and east and western facades within 35m of the southern boundary to the site. Mechanical ventilation shall be required in accordance with the minimum standards prescribed by the building code of Australia and comply with Australian Standard 1668.2.

Windows for these rooms can be operable so that the user can decide to use natural or mechanical ventilation depending on the time of day and activities being undertaken.

**5.0 - Prior to Issue of a Subdivision Certificate**

The following conditions of consent shall be complied with prior to the issue of a Subdivision Certificate.

(1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.

(2) **Show Easements/ Restrictions On The Plan Of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.

(3) **Burdened Lots To Be Identified** - Any lots subsequently identified during the subdivision as requiring restrictions shall also be suitably burdened.

(4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete (where the subdivision involves engineering works), unless otherwise approved in writing by the principal certifier.

**Note.** The intent of this condition is to provide for the issue of a Subdivision Certificate before the commencement of building works.

(5) **Fill Plan** - A fill plan shall be provided to the principal certifier prior to the issue of any Subdivision certificate. The plan must show (where applicable):

1. lot boundaries;
2. road/drainage/public reserves;
3. street names;
4. final fill contours and boundaries; and
5. depth in filling in maximum 0.5m Increments

The plan is to be provided electronically in portable document format (.PDF).

(6) **Incomplete Works** **Bond** - Where the applicant proposes deferral of work in accordance with Council’s engineering specifications, a bond is to be lodged with Council for the construction of incomplete works in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

(7) **Surveyor’s Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the principal certifier, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.

(8) **Value of Works** - Itemised data and value of civil works shall be provided to Council for inclusion in Council's Asset Management System in accordance with Council's Engineering Specifications.

(9) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the principal certifier:

1. Energy supplier – A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development;
2. Water supplier – A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to [www.sydneywater.com.au/section73](http://www.sydneywater.com.au/section73) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(10) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

(11) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the principal certifier which incorporates the following easements, positive covenants and restrictions to user where necessary:

1. easement for services;
2. easement to drain water and drainage easement/s over overland flow paths;
3. retaining wall, positive covenant, and restriction to user;
4. temporary right of carriageway and services over the frontage lot in favour of the rear lot (such restriction to be extinguished whereby the benefiting lot acquires a frontage to a public road);
5. restriction as to user on all lots requiring that all construction works that include earthworks, imported fill, landscaping, roads, buildings and associated infrastructure must be carried out in accordance with the management strategies as contained within the report; Report on Salinity Investigation and Management Plan, proposed retirement village, Project No. 92356.00, prepared by Douglas Partners Pty Ltd, Dated July 2019.

(12) **Compaction Report** - A compaction report must be submitted that demonstrates that all roads and lots have been compacted in accordance with Council’s Engineering Specifications.

(13) **Lot Numbers and Street Names** - Lot numbers and street names must be stencilled on the face of kerb or in alternative locations directed by the principal certifier.

The stencil medium must be of good quality UV stabilised paint and applied to the kerb thusly:

1. Lot numbers – White number in Brunswick Green background located on the prolongation of both common boundaries of each lot.
2. Street names – White lettering on Brunswick Green background at kerb and gutter tangent points.

(14) **Stencilled Pit Lintels** – Pit lintels must be labelled with permanent stencilled signs in accordance with Council’s current Engineering Design Specifications.

(15) **Fibre-Ready Facilities/Telecommunications Infrastructure** – Documentary evidence must be provided to the principal certifier demonstrating that satisfactory arrangements have been made for:

1. the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. The carrier must confirm in writing that they are satisfied that the fibre-ready facilities are fit for purpose; and
2. the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

This condition does not apply where an applicable exemption exists under Commonwealth law. Documentary evidence of any exemption relied upon must be

(16) **Footpath Works Bond** - Where the applicant proposes deferral of work in accordance with Council’s engineering specifications, a bond is to be lodged with Council for the construction of concrete footpaths and/or pedestrian/cycle shared ways in accordance with Council’s Development Infrastructure Bonds Policy.

The deferred footpath works must be completed once 80% of housing has been constructed within the approved subdivision, or within 2 years from the date of deferrals, whichever occurs first.

**Note.** Fees are payable for the lodgement and refund of the bond.

(17) **Defects and Liability Bond** - The applicant is to lodge a bond with Council to cover any defects and liabilities of any new public infrastructure in accordance with Council’s Development Infrastructure Bonds Policy.

**Note.** Fees are payable for the lodgement and refund of the bond.

**6.0 - Prior to Issue of an Occupation Certificate**

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

(1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.

(2) **Section 7.11 Contributions – Monetary** - A contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* for the services and amounts detailed below.

| **Plan Name** | **Contribution Type** | **Indexed Rate** | **Amount Payable** |
| --- | --- | --- | --- |
| Camden Contributions Plan 2011 | Open Space Land Acquisition | $3,601 per lot | $439,322.00 |
| Camden Contributions Plan 2011 | Community Land Land Acquisition | $22 per lot | $2,684.00 |
| Camden Contributions Plan 2011 | Drainage, Roadworks, Traffic Facilities, Open Space Embellishment & MasterPlan | $14,524 per lot | $1,771,928.00 |
| Camden Contributions Plan 2011 | Recreation and community facilities, volunteer emergency services facilities and plan preparation and administration services | $3,494 per lot | $426,268.00 |
| **Total Cash Contributions** | | | **$2,640,202.00** |

A copy of the Section 7.11 Contributions Plan may be inspected at Council’s Camden office at 70 Central Avenue Oran Park or can be accessed on Council’s website at [www.camden.nsw.gov.au](http://www.camden.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 applicable Index.

(3) **Special Infrastructure Contribution** – A special infrastructure contribution (SIC) is to be made in accordance with the Environment Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

Evidence of payment of the SIC shall be provided to Council and the certifier.

Alternatively, the applicant must obtain written confirmation from DPIE that the SIC is not required to be paid for the approved development.

**More information**

A request for assessment by the Department of Planning, Industry and Environment of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW Planning Portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to [SIContributions@planning.nsw.gov.au](mailto:SIContributions@planning.nsw.gov.au).

(4) **Compliance Certificate** - Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the principal certifier. Verification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.

(5) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the EP&A Regulation 2000.

(6) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the principal certifier.

(7) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the principal certifier.

(8) **Registration of Land** - Documentary evidence shall be provided to the principal certifier confirming registration of the approved allotments with NSW Land Registry Services.

(9) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the principal certifier confirming the building/s has been constructed in accordance with the approved acoustic report; Acoustic report ref: SY181741-AUR01 dated 18 July 2019 and Addendum letter to Acoustic report dated 10 January 2020, ref: SY181741-AUL01 prepared by Northrop Consulting Engineers Pty Ltd.

(10) **Driveway Crossing Construction** – A footpath crossing (where required) and a driveway crossing shall be constructed in accordance with this development consent and the driveway crossing approval prior to use or occupation of the development.

(11) **External Walls and Cladding Flammability** – The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:

1. be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
2. ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.

(12) **Completion of Road Works** - All approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with the *Roads Act* Approval.

(13) **Directional Traffic Flow Signs** - All driveways shall be suitably signposted and directional arrows painted on the internal driveways. All signs shall be maintained in good repair at all times.

(14) **Reinstate Verge** - The applicant shall construct and/or reconstruct the unpaved verge area with grass, species and installations approved by Council.

(15) **Waste Management Plan** - The principal certifier shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

(16) **Waste Collection Contract** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract is to be held on the premises at all times.

(17) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the principal certifier. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.

(18) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this development consent.

(19) **Food Premises** - The following notifications shall occur:

1. Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for sale and an inspection of the completed fit out is to be conducted. A 'Food Business Registration' form can be found on Council’s website; and
2. the NSW Food Authority shall be notified and a copy of the notification shall be provided to Council. Notification can be completed on the NSW Food Authority website.

(20) **Skin Penetration Premises and Hair Dressing** – The operator of the premises where skin penetration procedures or hair dressing activities are to be carried out must notify Council, in writing, prior to commencement of the use.

A satisfactory inspection of the completed fit out and equipping of the premises must be undertaken by council prior to the use commencing.

(21) **Contributions Payment Evidence** – A document from Council certifying that the payment of Section 7.11 contributions:

* is not required at any time before the issue of an occupation certificate, or
* is required and the requirement has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with Council that:

* Council issued the document, and
* no contributions or levies have been required since the document was issued.

(22) **Special Infrastructure Contribution Payment Evidence** - A document from the Planning Secretary certifying that the payment of a special infrastructure contribution:

* is not required at any time before the issue of an occupation certificate, or
* is required and the requirement has been met,

must be submitted to the certifier.

An occupation certificate must not be issued unless the certifier has received a copy of the document and has confirmed with the Planning Secretary that:

* the Planning Secretary issued the document, and
* no contributions or levies have been required since the document was issued.

(23) **Boundary Fence** - A minimum 1.8m Colorbond or lapped and capped timber fence is to be installed along the rear boundary of the residential lots.

**7.0 - Ongoing Use**

The following conditions of consent are operational conditions applying to the development.

(1) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.

(2) **Child Care Centre** **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

|  |  |
| --- | --- |
| **Day** | **Hours of Operation** |
| Monday to Friday | 7:00am to 7:00pm |
| Saturday, Sunday and public holidays | Closed |

(3) **Deliveries and Waste Collection (to all uses)** - Deliveries and waste collection shall be restricted to between 7am and 10 pm Monday to Saturday.

(4) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.

(5) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

(6) **Parking – Signage (Loading docks)** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/ unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.

(7) **Signage** - No consent is given or implied for any form of illumination or floodlighting to any sign.

(8) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.

(9) **Parking Areas to be Kept Clear** - At all times, the loading docks, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.

(10) **Number of Children** – The centre is approved to accommodate a maximum of 180] children. However, this maximum number shall be reduced to any lower number of children that is separately approved for the centre by the Department of Education.

(11) **Department of Education Approval** – The centre must comply with all requirements of the Department of Education. A letter from the Department of Education which details the approved number and age of children to be accommodated at the centre, and any operational conditions, must be submitted to Council prior to the centre becoming operational.

Should the Department of Education approval be subsequently amended at any time the operator of the centre must submit a copy of the amended approval to Council.

(12) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:

1. be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
2. emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute.

(13) **Drainage Easements** - No changes to site levels, or any form of construction, shall occur within any drainage easements located on the allotment.

(14) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.

(15) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.

(16) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Noise must also comply with the NSW Noise Policy for Industry 2017.

(17) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.

(18) **Landscaping Maintenance Establishment Period** - Commencing from the date of practical completion, the applicant will have the responsibility to establish and maintain all hard and soft landscaping elements associated with this consent.

The 12 month maintenance and establishment period includes the applicant's responsibility for the establishment, care and repair of all landscaping elements including all street tree installations, plantings, lawn and hardscape elements including paths, walls, bins, seats, BBQs, shelters, playground equipment and soft fall treatments.

The date of practical completion is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation, street tree installation and mulching.

At the completion of the 12 month landscaping maintenance and establishment period, all hard and soft landscaping elements (including any nature strip and road verge areas, street trees, street tree protective guards and bollards, etc) shall be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.

At the completion of the maintenance and establishment period, the landscaping works shall comply with the approved landscape plans and all improvements be in full working order.

(19) **Food Premises** - All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.

All equipment used for the display or storage of cold food shall maintain the food at a temperature of not more than 5°C.

A food business must, at food premises where potentially hazardous food is handled, have a temperature measuring device ( eg probe thermometer ) that:

1. Is readily accessible; and
2. Can accurately measure the temperature of potentially hazardous food to +/-1 oC

A suitable waste contractor(s) must be engaged for the removal of wastes generated at the premises. All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.

(20) **Mechanical Plant** - In accordance with Acoustic report ref: SY181741-AUR01 prepared by Northrop Consulting Engineers Pty Ltd dated 18 July 2019 the aggregate sound power level of mechanical plant is to be limited to;

- 71dB(A) for the Aged Care Facility

- 66dB(A) for the Childcare centre

Noise from the kitchen exhaust and mechanical plant at these facilities are to achieve the residential night-time criteria of 38 dB(A) when measured at the nearest residential boundary.

(21) **Skin Penetration Procedures Prohibited** – The hairdresser and beauty salon services of the development are prohibited from offering skin penetration services (for example waxing, piercing, microdermabrasion). Any business seeking skin penetration services shall seek and obtain separate development consent.