

**DEFERRED COMMENCEMENT CONDITION:**

The following deferred commencement condition must be satisfied and evidence provided to Council within 12 months of the determination date of this consent:

- (A) A Detailed Site Investigation shall be submitted to and approved by Council's Environmental Compliance Branch to demonstrate the site is suitable for the proposed development stage, that being a combination of healthcare, education, retail, commercial, respite day care, child care, and seniors living.

Any remediation or other recommendation required by the Detailed Site Investigation shall be completed prior to the issue of the relevant Construction Certificate.

{Reason: To ensure the site is appropriate for the proposed use from a contamination perspective}

**PART A – GENERAL CONDITIONS**

| Condition       |  |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
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| A1              | <p>The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:</p> <p><u>Concept Development Application</u></p> <table><tr><td>Drawing Title:</td><td>Demolition Plan</td></tr><tr><td>Drawing Number:</td><td>DA1100</td></tr><tr><td>Revision:</td><td>02</td></tr><tr><td>Dated:</td><td>2/10/2024</td></tr><tr><td colspan="2"> </td></tr><tr><td>Drawing Title:</td><td>Master Plan Car Parking Plan</td></tr><tr><td>Drawing Number:</td><td>DA2000</td></tr><tr><td>Revision:</td><td>02</td></tr><tr><td>Dated:</td><td>2/10/2024</td></tr><tr><td colspan="2"> </td></tr><tr><td>Drawing Title:</td><td>Master Plan Site Plan</td></tr><tr><td>Drawing Number:</td><td>DA2001</td></tr><tr><td>Revision:</td><td>03</td></tr><tr><td>Dated:</td><td>2/10/2024</td></tr><tr><td colspan="2"> </td></tr><tr><td>Drawing Title:</td><td>Stage I and II</td></tr><tr><td>Drawing Number:</td><td>DA2100</td></tr><tr><td>Revision:</td><td>02</td></tr><tr><td>Dated:</td><td>2/10/2024</td></tr><tr><td colspan="2"> </td></tr><tr><td>Drawing Title:</td><td>Stage III and IV</td></tr><tr><td>Drawing Number:</td><td>DA2101</td></tr><tr><td>Revision:</td><td>02</td></tr><tr><td>Dated:</td><td>2/10/2024</td></tr></table> | Drawing Title: | Demolition Plan | Drawing Number: | DA1100 | Revision: | 02 | Dated: | 2/10/2024 |  |  | Drawing Title: | Master Plan Car Parking Plan | Drawing Number: | DA2000 | Revision: | 02 | Dated: | 2/10/2024 |  |  | Drawing Title: | Master Plan Site Plan | Drawing Number: | DA2001 | Revision: | 03 | Dated: | 2/10/2024 |  |  | Drawing Title: | Stage I and II | Drawing Number: | DA2100 | Revision: | 02 | Dated: | 2/10/2024 |  |  | Drawing Title: | Stage III and IV | Drawing Number: | DA2101 | Revision: | 02 | Dated: | 2/10/2024 |
| Drawing Title:  | Demolition Plan  |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Drawing Number: | DA1100   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Revision:       | 02   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
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| Drawing Title:  | Master Plan Car Parking Plan   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Drawing Number: | DA2000   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Revision:       | 02   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
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| Drawing Title:  | Master Plan Site Plan  |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Drawing Number: | DA2001   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Revision:       | 03   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Dated:          | 2/10/2024  |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
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| Drawing Title:  | Stage I and II   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Drawing Number: | DA2100   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
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| Drawing Title:  | Stage III and IV   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
| Drawing Number: | DA2101   |                |                 |                 |        |           |    |        |           |  |  |                |                              |                 |        |           |    |        |           |  |  |                |                       |                 |        |           |    |        |           |  |  |                |                |                 |        |           |    |        |           |  |  |                |                  |                 |        |           |    |        |           |
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Drawing Title: Stage V and VI  
Drawing Number: DA2101  
Revision: 02  
Dated: 2/10/2024

Stage 1 Development Application

Drawing Title: Demolition Plan  
Drawing Number: DA1100  
Revision: 02  
Dated: 2/10/2024

Drawing Title: Ground Floor A  
Drawing Number: DA2000.A  
Revision: 06  
Dated: 2/10/2024

Drawing Title: Ground Floor B  
Drawing Number: DA2000.B  
Revision: 05  
Dated: 2/10/2024

Drawing Title: First Floor  
Drawing Number: DA2001  
Revision: 05  
Dated: 2/10/2024

Drawing Title: Second Floor  
Drawing Number: DA2002  
Revision: 05  
Dated: 2/10/2024

Drawing Title: Third Floor  
Drawing Number: DA2003  
Revision: 05  
Dated: 2/10/2024

Drawing Title: Roof  
Drawing Number: DA2004  
Revision: 03  
Dated: 2/10/2024

Drawing Title: Elevations Stage 1  
Drawing Number: DA3000  
Revision: 02  
Dated: 2/10/2024

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

- A2 This development consent grants consent to the development as a concept development in accordance with Section 4.22 of the Environmental Planning and Assessment Act 1979. It also grants operational consent to Stage 1 of the development as identified in approved plans.

With the exception of Stage 1, all other stages of works will require the submission and approval by the relevant authority of separate Development Application(s) as required by the relevant legislation. Future Development Applications must remain consistent with the Concept Development Application as approved.

{Reason: To ensure that future development is carried out in accordance with the approved Concept}

- A3 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

{Reason: Prescribed statutory condition}

- A4 The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2021 and the requirements of Council as the water and sewerage network utility operator.

{Reason: Ensure plumbing/drainage installation compliance}

- A5 All sanitary plumbing, drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: To ensure the work is undertaken by an appropriately qualified person}

- A6 The top of the building's overflow (relief) gully shall be a minimum 150mm below the lowest sanitary fixture in the building, and

- (a) Be a minimum 75mm above the finished surrounding ground level; or
- (b) Where the overflow (relief) gully is located in a path or paved area which is finished such that surface water cannot enter it and is graded away from the building, it may be finished level with such path or paved area.

{Reason: To protect the building from sewerage surcharges}

- A7 Hot water delivered to the outlets of the disabled fixtures and aged care facilities shall not exceed a temperature of 45°C, whilst any other new hand-basins in the building shall not exceed 50°C.

{Reason: To prevent scalding by hot water}

## **DEMOLITION WORK**

### **PART B – BEFORE DEMOLITION WORK COMMENCES**

| Condition |   |
|-----------|---|
| B1        | The demolition of the existing buildings/structures is required to be undertaken in conformity with AS 2601-2001. A requirement of clause 2.3 of such standard is that the applicant and/or its contractor must prepare a Work Plan and submit such plan to |

Council prior to any demolition work commencing.

In particular, such Work Plan must include proposed measures (as relevant) to address:

- dust generation;
- protection of the public;
- assessment, removal and disposal of hazardous materials and conditions (especially asbestos sheeting, lead-based paint and any organochlorine contaminated soil); noise control; and
- protection of Council's services, including the capping of proposed abandoned sewer junction connections.

{Reason: To prevent contamination and public nuisances arising from demolition works}

### **DURING DEMOLITION WORK**

| Condition |
|-----------|
| nil       |

### **ON COMPLETION OF DEMOLITION WORK**

| Condition |
|-----------|
| nil       |

## **BUILDING WORK**

### **PART C – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

| Condition   |
|---|
| <p>C1 A separate application must be submitted to either Council or a private Registered Certifier to obtain a Construction Certificate to permit the erection of the proposed Stage 1 building.</p> <p>No building work is permitted to be commenced on the erection of the subject building until a Construction Certificate to authorise such work has been issued.<br/>{Reason: Statutory requirement of the EP&amp;A Act}</p>  |
| <p>C2 The Applicant shall submit with the buildings Construction Certificate details of noise attenuation to the building in accordance with the indicative façade construction requirements as detailed under Section 4.2 of the <i>Dubbo Health Precinct Stage1, Noise and Vibration Impact Assessment</i>, dated 28/9/2023 – Revision 4.<br/>{Reason: To ensure the building is appropriately protected from noise and vibration impacts}</p>  |
| <p>C3 As road works are required on Cobbora Road (a classified road), prior to the issue of the Construction Certificate the developer must enter into a Works Authorisation Deed (WAD) with Transport for NSW to permit works within the road reserve. The WAD application shall include the following:</p> <ul style="list-style-type: none"><li>• An Auxiliary Left-turn Lane (AUL) shall be constructed on Cobbora Road (HW27) for the site entry. The AUL must be constructed to accommodate a 12.5 metre 'Design Single Unit Truck' and be in accordance with Part 4a of <i>Austroads Guide to Road</i></li></ul> |

*Design* (AGTRD), *Australian Standards* and relevant TfNSW supplements. The provision of an AUL must not obstruct any existing legal access points to Cobbora Road from any adjoining properties. All works are to be completed to the satisfaction of TfNSW and must be undertaken at no cost to TfNSW;

- A Lighting Plan shall be provided to TfNSW for review in accordance with Australian Standard 1158 *Lighting of Roads and Public Spaces* for both vehicles and pedestrians, where necessary;
- Any future pedestrian footpath in the public domain should be considered in the design of the access arrangement to comply with relevant Australian Standards (AS1742.2) to minimise risk to pedestrian traffic interacting with turning vehicles entering the site. Additional signage pavement marking on the pedestrian walkway/cycleway should be considered to alert pedestrians of turning traffic entering the site prior to the pedestrian ramp;
- All associated works, such as landscaping, fencing and signage must be wholly contained within the subject property boundary and not encroach into the classified road corridor, and must not impede sight lines of traffic or pedestrians using the existing footpath when passing or entering the site;
- Access to the site must be constructed to match existing road levels and not adversely alter or interfere with existing road drainage and services or utilities within the classified road corridor;
- Prior to the commencement of construction work impacting traffic on Cobbora Road (HW27), the proponent is to contact the TfNSW Road Access Unit at [road.access@transport.nsw.gov.au](mailto:road.access@transport.nsw.gov.au) to determine if a Road Occupancy Licence (ROL) is required. In the event an ROL is required, the proponent is to provide the consent number in the ROL application. Please note that up to 10 working days is required for ROL applications to be assessed and processed. For more information about ROL see: <https://roads-waterways.transport.nsw.gov.au/business-industry/roadoccupancy-licence/index.html>.

Note: The conditions of consent do not guarantee TfNSW final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work. The WAD process, including acceptance of design documentation and construction, can take time. The developer must allow sufficient lead time within the project development program to accommodate this process. It is therefore requested that the developer work through this process as soon as possible with TfNSW.

All works required by this condition and subsequent TfNSW approval(s), must be completed prior to the issue of the Occupation Certificate.

{Reason: TfNSW requirement to ensure suitable access from a classified road}

- C4 Prior to the issue of the Construction Certificate a detailed (fully dimensioned) site plan is to be lodged with and approved by Council, with regard to the construction of a commercial standard concrete vehicular cross-over and kerb and gutter vehicle entrance on Myall Street, in accordance with Council's standards STD 5211 and STD 5235, being provided by and at full cost to the developer to the satisfaction of Council.

The access driveway is to be sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that a 'Design Single Unit Truck' (12.5 metres) (utilising the Austroads design templates, and a turning speed of 5 to 15 km/hr) is able to access the subject land in a forward motion from the through travel lane(s) of Myall Street without the need to cross over onto the wrong side of the road at any time.

Such works shall also include the reinstatement of any redundant kerb and gutter vehicle crossing back to 'upright' kerb and gutter at full cost to the developer. This work is to also include restoration of the road shoulder following construction in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction Standards.

All works shall be completed in accordance with the requirements of this condition prior to the issue of the Occupation Certificate.

Note: Should Council's Development Engineering Team Leader (or their representative) not undertake the required inspections as detailed in the abovementioned Council standards, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with the abovementioned Council standards will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development.

{Reason: To provide satisfactory means of access from the roadway}

- C5 Prior to the issue of the Construction Certificate, the applicant/developer is required to make a separate 'Road Opening Application' (Section 138 Application under the Roads Act, 1993) with Council's Infrastructure Division, plus payment of any appropriate fee(s), to permit works within the road reserve.

In conjunction with the Section 138 Application, a Traffic Management Plan showing all activities for controlling pedestrian and vehicular traffic shall be prepared by a suitably accredited person, submitted to, and approved by Council's Infrastructure Strategy Branch, demonstrating that the proposed works can be undertaken in a safe manner minimising disruption to pedestrian and vehicular traffic movement(s).

The Traffic Management Plan shall include layout plans showing temporary detours, details of arrangements for works under traffic and the location, size and legend of all temporary signs and other traffic control devices and be in accordance with the WorkCover Authority requirements.

{Reason: To ensure adequate safety measures are in place}

- C6 The applicant must submit with the development's Construction Certificate application, a detailed design of the development's and building's proposed stormwater drainage system designed by a hydraulics engineer which shall include hydraulic design calculations, surface and invert levels, pipe sizes and grades.

Such details must demonstrate the development's roof and surface water is able to be

adequately drained to Council's stormwater system.

Consultation should be undertaken with Council's Infrastructure Strategy Branch regarding the design of the stormwater management system.

Such works as approved shall be completed prior to the issue of the Occupation Certificate.

{Reason: Ensure the development is adequately drained}

C7 The applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council. The CEMP shall detail acceptable methods for the adequate control and management of the following:

- Noise impacts – detailing the implementation of noise mitigation measures to minimise noise and to limit the impact on adjoining development;
- Dust Suppression and Mitigation – detailing dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site;
- Erosion and Sedimentation Control Plan – detailing the methods to be employed to ensure the adequate management of the surface and stormwater associated with subdivision activities;
- Waste Management Plan – detailing the reuse or relocation of spoil and disposal of solid and liquid wastes.

The CEMP shall be approved by Council's Environmental Compliance Branch prior to issue of the Construction Certificate and shall be implemented at all times during the operation of this consent.

{Reason: To ensure the amenity of the locality is protected during construction}

C8 An Erosion and Sedimentation Control Plan shall be submitted to Council's Environmental Compliance Branch for approval prior to the issue of the Construction Certificate.

The approved plan is required to be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.

{Reason: To reduce the risk of polluting Council's stormwater system}

C9 Prior to issue of the Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.

Note: As Council is the local water authority, separate metered connections will be required in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.

{Reason: To ensure that the development is suitably serviced with water}

- C10 Prior to the issue of the Construction Certificate, detailed engineering plans shall be submitted to Council, indicating design and construction by the developer of all sewerage junctions, main extensions and alterations, necessary to provide sewerage infrastructure to the proposed development.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Design and Construction and WSA Code.

Note: In accordance with Council's adopted policy requirements, any construction works required to be undertaken on 'live' sewerage main(s) shall be undertaken by Council at full cost to the developer.

{Reason: To ensure the development is provided with adequate sewerage infrastructure}

- C11 All hard stand areas, driveways, car parking and loading areas shall be fully paved in accordance with Chapter 3.5 Parking (3.5.7 – Construction Requirements) of the Dubbo Development Control Plan 2013, of a standard suitable to withstand the proposed traffic loadings. The proposed surface design details are to be submitted in conjunction with the application for the Stage 1 development's Construction Certificate.

{Reason: To ensure appropriate works are undertaken}

- C12 Plans detailing the construction and fit-out of the food preparation areas within the proposed café shall be submitted to and approved by Council's Environmental Compliance Branch. The building proposed to be used for the preparing, storing or handling food for sale shall be constructed and fitted out in accordance with the minimum requirements of the Food Standards Code and the Food Act 2003 and Food Regulations 2010.

{Reason: To ensure construction of the premises meet all requirements in order to prevent illness}

- C13 Prior to the issue of the Construction Certificate a Trade Waste Application must be completed (accompanied with all required drainage, discharge and capacity details, pre-treatment devices and installation details), and submitted to Council's Water and Sewer Client Services Coordinator.

The conveyance of the effluent from the proposed development to Council's sewer constitutes a trade waste discharge.

No effluent will be permitted to be discharged to Council's sewer until the required Trade Waste Approval has been obtained and all required pre-treatment devices have been installed and passed by Council.

{Reason: To protect Council's sewerage system}

## **PART D – BEFORE BUILDING WORK COMMENCES**

| Condition |   |
|-----------|---|
| D1        | The sanitary, water plumbing and drainage associated with the proposed building requires the issue of a separate approval from Council. In this regard a Drainage and Plumbing Approval Application form is available from Council and must be completed by |



the owner or owner's authorised agent and returned to Council with the appropriate fees. Drainage and/or plumbing works must not be commenced and the applicable approval to authorise such building works has been issued.

{Reason: To protect public health & safety}

- D2 A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.

{Reason: Prevent pollution of the environment by wind-blown litter}

- D3 The person having the benefit of this development consent must, unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.

{Reason: To facilitate the required inspections to be performed}

- D4 Prior to works commencing, the applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:

- (a) The name, address and telephone number of the Principal Certifier for the work;
- (b) The name of the principal contractor for the building work and a telephone number on which that person may be contacted outside of working hours; and
- (c) That unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building work and not be removed until the work has been completed.

Note: In respect of (a) above, where Council is engaged as the Principal Certifier, the applicant can either prepare their own sign or alternatively, affix onsite the sticker that will be forwarded by mail following Council's issue of the Construction Certificate.

{Reason: Permit contact by the public}

- D5 A hoarding, barricade or fence shall be erected between the construction site and any adjoining public place and/or around any road opening or obstruction if pedestrian or vehicular traffic is likely to be endangered, obstructed or inconvenienced by the proposed works.

The work is to be kept lit during the time between sunset and sunrise if the work may be a source of danger to persons using the adjoining public place.

{Reason: To protect the public}

- D6 All stockpiled material must be kept in a single designated stockpile area with appropriate sediment control and signage. All materials being stockpiled must be tracked and kept in a stockpile register which is available for assessment by authorised officers upon request. All materials brought onto and moved around the site must be

documented. Records of the fate of each excavation cell and stockpile must be kept.

Truck movements and weighbridge receipts from transport companies and destination to landfill or a treatment facility and reused of soils onsite must be verifiable.

Photographs of stockpiled materials must be taken and must have a time/date/location stamp added in order to ensure that the origin of all materials on site can be traced.

{Reason: To ensure no contaminated material is brought on to the site}

- D7 A single stabilised site access shall be provided to the construction site in accordance with the design as provided in Soils and Construction, Volume 1, Managing Urban Stormwater.

{Reason: To prevent dirt and mud being tracked onto public roadways}

- D8 During periods of extended dry weather the site manager will be responsible for monitoring the site for dust generation. In the event that dust is being generated by truck movements the site manager will be required to provide measures to suppress dust. Suppression and mitigation of dust must be employed at all times including when no activities are taking place on the site.

{Reason: To prevent nuisance dust}

- D9 Prior to works commencing the following shall be undertaken:

- Provide to ARTC a copy of the High Voltage design as a consequence of the removal of the existing HV power pole and replacing with lighting, including the removal of the aerial crossing over the rail line; and
- Due to works being undertaken within 25 metres of the rail corridor, concurrence shall be obtained from ARTC to carry out excavation and any other earthworks adjacent to the rail corridor. The proponent is requested to contact ARTC Property Advisor on [HVPropertyServices@ARTC.com.au](mailto:HVPropertyServices@ARTC.com.au), in the first instance to assist with obtaining and submitting an application for these works.

{Reason: To minimise impact to rail corridor operations}

## PART E – DURING BUILDING WORK

| Condition |   |
|-----------|---|
| E1        | Construction work shall only be carried out within the following time:<br><br>Monday to Friday: 7 am to 6 pm<br>Saturday: 8 am to 1 pm<br>Sunday and public holidays: No construction work permitted<br>{Reason: Council requirement to reduce the likelihood of noise nuisance}  |
| E2        | The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by a registered certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for the inspection of such works. When requesting an inspection, please quote Council's |

reference number **D2023-140**.

Advanced notification for an inspection can be made by emailing [de.admin@dubbo.nsw.gov.au](mailto:de.admin@dubbo.nsw.gov.au) or by telephoning Council's Development & Environment Division on 6801 4000.

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

{Reason: For preservation of public health}

E3 If an excavation associated with the proposed building work extends below the surface level of an adjoining allotment of land and/or the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation; and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

For the purposes of this condition, 'allotment of land' includes a public road and any other public place. 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 this condition not applying.

{Reason: To preserve the stability of adjoining properties}

E4 All excavations associated with the erection of the building and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.

{Reason: For protection of persons and the public}

E5 Any Excavated Natural Material (ENM) or Virgin Excavated Natural Material (VENM) being imported to development site shall be tested to demonstrate the material does not have a high salinity content and is compliant with the parameters set by the NSW EPA's Waste Regulation Guidelines. Copies of the test results shall be provided to Council prior to any Occupation Certificate being issued.

{Reason: To ensure no contaminated material is brought on to the site}

E6 Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (e.g. Department of Planning, Industry and Environment (DPIE), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise

disposed of to the requirements of such Authority.

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

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

- E7 Waste construction materials including soil arising from the development must be disposed of at an appropriately licensed waste facility.

{Reason: To prevent possible environmental pollution}

## **PART F – BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

| Condition |  |
|-----------|--|
| F1        | <p>The Stage 1 building shall not be occupied or used until the appointed Principal Certifier has first issued an Occupation Certificate.</p> <p>Note: An Occupation Certificate application must be uploaded into the NSW Planning Portal before the final inspection can be undertaken and the Occupation Certificate issued.<br/>{Reason: To ensure the building is fit for occupation}</p>   |
| F2        | <p>Prior to the Occupation Certificate being issued, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed stormwater drainage, sanitary drainage and water plumbing installations.<br/>{Reason: To permit required inspection to be undertaken}</p>   |
| F3        | <p>If Council is engaged to act as the Principal Certifier, the applicant shall ensure that the responsible builder and/or applicable contractor submit to Council documentary evidence identifying and confirming that their respective work was undertaken in conformity with the relevant Section J provisions of the BCA, as approved under the Construction Certificate. Such documentation must be provided prior to issue of the building's Occupation Certificate.<br/>{Reason: To demonstrate conformity with BCA}</p>  |
| F4        | <p>All lighting on the site must be installed to emit light in a downward direction and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity or surrounding area by light overspill. The emission of lighting shall not exceed 1,000,000 lumens and must comply with the Australian Standard AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.<br/>{Reason: To limit light pollution to neighbouring property and for the preservation of the 'Dark Skies' region surrounding the Siding Spring Observatory}</p> |
| F5        | <p>Prior to the issue of the building's Occupation Certificate, lighting shall be provided within all public areas of the facility including within car parking, driveway and pedestrian thoroughfare areas.<br/>{Reason: To ensure public safety}</p>   |
| F6        | <p>The landscaping shown on the approved Stage 1 Landscape Plans (Sheets 1-3 dated 30.11.22 – Revision 01) shall be established and maintained to at least the standard</p>  |

specified on the approved development plans. Such landscaping shall be established prior to the issue of the Occupation Certificate.

{Reason: To maintain the aesthetic quality of the development}

- F7 Prior to the issue of the Occupation Certificate, any alterations/damage to the footpath, kerbing and guttering, vehicular entrance(s), road or road shoulder, shall be repaired/restored at full cost to the developer to Council's satisfaction and in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction standards.

{Reason: To protect Council's road reserve assets}

- F8 Prior to the issue of the Occupation Certificate, entry and exit points to and from the proposed Stage 1 development and off-street car parking shall be delineated and signposted in accordance with approved plans and to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013.

{Reason: To ensure appropriate vehicle access}

- F9 Vehicles larger than a 'service vehicle' 8.8 metres in length shall exit the site via Myall Street only. Appropriate signage shall be erected advising drivers of this restriction.

{Reason: To restrict large vehicle egress to Cobbora Road}

- F10 Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:

| PLAN   | CALCULATION   | TOTAL               |
|--|---|---------------------|
| Dubbo Regional Councils <b>Water and Sewerage Contribution Plan 2002</b> | Per ET basis (9.3 ETs) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000).<br><br>Current rate for water supply is <b>\$7,031.60</b> per ET   | \$65,393.88         |
|  | <b>Contribution Payable WATER</b>   | <b>\$65,393.88</b>  |
| Dubbo Regional Councils <b>Water and Sewerage Contribution Plan 2002</b> | Per ET basis (41.68 ETs) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000).<br><br>Current rate for sewerage supply is <b>\$7,031.60</b> per ETs   | \$293,077.08        |
|  | <b>Contribution payable SEWER</b>   | <b>\$293,077.08</b> |
|  | <b>Total Section 64 Contributions Payable for this application</b><br><br><b>Note:</b> This amount includes all applicable contributions payable under Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003. | <b>\$358,470.96</b> |

**Note 1:** Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.

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

- F11 Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:

| PLAN  | CALCULATION  | TOTAL                                       |
|---|--|---|
| Sec 94<br>Development<br>Contributions<br>Plan - Roads,<br>Traffic<br>Management<br>and car parking<br>2016 | Contribution Rate:<br>Commercial trip = \$466.00<br>Plan Administration = \$6.70<br><br>Calculation based on 1,719 commercial trips:<br><br>Urban Roads contributions<br>Plan Administration | <br><br><br><br>\$801,054.00<br>\$11,517.30 |
|   | <b>Total</b>   | <b>\$812,571.30</b>                         |
|   | <b>Total Section 7.11/94 Contributions Payable for this application</b>  | <b>\$812,571.30</b>                         |
|   | <b>Note:</b> This amount includes all applicable contributions payable under Councils Sec 94/7.11 Development Contributions Plans.   |   |

Note: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.

{Reason: Implementation of Council's respective Section 7.11/94 Contributions Plan}

- F12 Prior to issue of an Occupation Certificate, an acoustic validation report shall be submitted to Council Manager Building and Development Services, demonstrating compliance with the recommendations of the *Dubbo Health Precinct Stage1, Noise and Vibration Impact Assessment*, dated 28/9/2023 – Revision 4.

{Reason: To mitigate potential adverse noise and vibration impacts on the development}

## PART G – OCCUPATION AND ONGOING USE

| Condition  |
|--|
| <p>G1 The approved hours of operation for the café, florist, pharmacy and education components of the Stage 1 development are 6:00 am to 10:00 pm seven (7) days per week.</p> <p>The remaining components of the Stage 1 development are permitted to operate 24 hours per day.</p> <p>{Reason: To protect the amenity of the locality}</p> |

- G2 The development shall be undertaken and operate in accordance with the requirements and recommendations of the Waste Management Plan prepared by Lauson Investments Pty Ltd, dated 9 December 2022. This includes the storage and disposal of medical wastes.  
{Reason: To ensure waste generated by the development is appropriately managed}
- G3 Those portions of the building proposed to be used for the manufacturing, preparing, storing or handling of food shall be constructed and operated in accordance with the requirements of the Food Act 2003, Food Regulations 2015 and the Food Safety Standards. Prior to the business commencing, the operator shall notify Council and a satisfactory inspection completed.  
{Reason: To ensure construction of the premises meet all requirements in order to prevent illness}
- G4 In accordance with the Food Act 2003, Food regulations and the Food Safety Standards, all walls, floors, ceilings, shelves, fittings and furniture shall be constructed of material that is durable, impervious and capable of being easily cleaned.  
{Reason: To aid in maintaining the food preparation areas in a clean and sanitary condition}
- G5 Should an exhaust fan be proposed over the stove/cooking area, it shall exhaust to the exterior of the building and be installed in accordance with the Food Act 2003, Food Regulations, the Food Safety Standards and AS1668.2-1991 and the food standards code.  
{Reason: To prevent the buildup of effluent}
- G6 Any proposed air-handling system, hot-water system (>60°C), warm-water system (20°C - 60°C), or water-cooling system proposed to be installed in the subject building, must be installed, operated and maintained in accordance with the requirements of the Public Health Regulation 2022.  
{Reason: To prevent the growth and spread of legionnaires disease}
- G7 Should the building contain a water-cooling system or warm-water system (20°C to 60°C), the system must be registered with Council's Environmental Compliance Branch within one month of the building's completion.  
{Reason: To maintain accurate records of water-cooling systems}
- G8 Noise from the development ( $L_{Aeq}$ ) shall not exceed the background ( $L_{A90}$ ) by more than 5dB(A) at any time including any allowance for impulsiveness and tonal characteristics when measured at the most affected residence.  
{Reason: To prevent the generation of a noise nuisance}
- G9 The approved business identification signage shall be maintained in good and substantial repair.  
{Reason: To maintain structural adequacy and visual amenity}
- G10 The approved business identification signage shall not flash, be animated, or be excessively luminous.

The only sign that shall be illuminated is the 'Dubbo Healthcare Campus' sign on the southern façade of the Stage 1 building. Illumination shall maintain consistency with 'Zone 3' of the Department of Planning and Environment – Transport Corridor Outdoor Advertising and Signage Guidelines: November 2017.

{Reason: To maintain visual amenity, and to prevent distraction to passing motorists}

- G11 A separate application for any proposed onsite advertising/signage not approved with this Development Consent shall be submitted to Council if such signage does not comply with Part 2, Division 2 of State Environmental Planning Policy (Exempt and Complying Development Codes), 2008.

{Reason: To ensure onsite advertising/signage is appropriate for the site and the locality}

- G12 No vehicles larger than a 'Design Single Unit Truck' 12.5 metres in length (utilising the Austroads design templates) are permitted to access the subject land and development proposal.

Note, only vehicles up to 8.8 metres in length (service vehicle) shall exit the site via Cobbora Road.

{Reason: To restrict access to appropriately sized vehicles}

## PART H – NOTES

- H1 If Council is engaged to act as the Principal Certifier for the Construction Certificate application the following shall be included with such application:

- (a) All relevant stormwater design and disposal details;
- (b) Specifications detailing the proposed building's compliance with the relevant provisions of Section J *Energy Efficiency* of the BCA;
- (c) Type and location of required portable fire extinguishers;
- (d) Specifications demonstrating the building's floor, wall and ceiling lining materials conform with NSW C2D11 of the BCA with respect to their fire hazard properties;
- (e) Details indicating the slip-resistance classification of the proposed ramps, stairs and landings pursuant to D3D14 and D3D15 of the BCA;
- (f) Details of the method of ventilation to be provided to the toilet compartments;
- (g) Specification for the building's exit door hardware (i.e. door handle and latch);
- (h) Details demonstrating that a continuous accessible path of travel for disabled persons is provided from the allotment boundary and from the required disabled car park space, to the doorway at the entrance floor and through the principle pedestrian entrance of the building (if deemed-to-satisfy solution utilised);
- (i) Location of required fire hose reels together with design calculations, including demonstration that such reels achieve full floor coverage in conformity with E1D3 and AS 2441;
- (j) Submission of a list of all existing and proposed essential fire safety measures applicable to the building. Note: such list must consider all essential fire safety measures associated with the development, and will include such external measures such as on-site fire-fighting water storage, hydrants, fire brigade booster assembly and booster pumps;



- (k) All relevant details, documentation and drawings demonstrating the proposed passenger lift's compliance with Part E3 of the BCA and Access Code;
- (l) The provision of details, and if necessary drawings, clearly indicating the compliance of the building's proposed *required exits* and paths of travel to such exits, with D2D3, D2D5, D2D7-10 and D2D18 of the Dts BCA (if deemed-to-satisfy solution utilised); or otherwise a Performance-based Design Brief and Performance Solution prepared under Part A2 of the BCA to address the applicable Performance Requirements under the BCA must be submitted;
- (m) Plans indicating compliance with AS 1428.1-2009 as adopted by the BCA with respect to the design of the proposed disabled accessible sanitary compartments and ambulant toilet facilities. Submitted plans should detail the specific set-out dimensions of all proposed fixtures, not only for the benefit of the Principal Certifier, but also the subsequent installation tradesmen;
- (n) A portion of any reception counters to be provided at a height suitable to service people with a disability;
- (o) A drawing of the required disabled car parking spaces and their shared areas should be clearly detailed to indicate the design criteria specified under AS/NZS 2890.6:2009. In particular, it should be noted that the outline of both the car space and shared area (and any walkway within the shared area) must be delineated by yellow non-raised pavement markings having unbroken lines 80 to 100mm wide. Further the shared area (excluding any walkway within) must be marked with diagonal ( $45 \pm 10$  degrees) stripes 150 to 200mm wide with spaces 200mm to 300mm between the stripes;
- (p) All structural details including specifications and design drawings and statement(s)/certificate(s) by the design engineer stipulating the Australian Standards that the design complies with, including its design wind load parameters and resistance to earthquake loads;
- (q) Specifications/details of the proposed glass door and wall panels, particularly with respect to human impact considerations;

H2 A list of fire safety measures must be submitted with the Construction Certificate application pursuant to Section 7 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The Regulation prescribes that the information to be submitted must include:

- A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
- A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

H3 On completion of the erection of the subject building, the owner of the building is required to submit to the Principal Certifier (PC) a Fire Safety Certificate(s) with respect to each essential fire safety measure installed in association with the building - as listed on the Fire Safety Schedule attached to the Construction Certificate. Such certificate(s) must be submitted to the PC prior to occupation or use of the subject building.

Copies of the subject Fire Safety Certificate(s) must also be forwarded by the owner to

Council (if not the appointed PC) and the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position.

- H4 The sanitary, water plumbing and stormwater drainage associated with the proposed building work requires the issue of a separate approval from Council prior to being installed. In this regard a Drainage and Plumbing Approval Application form is available from Council, and must be completed by the licensed plumbing and drainage contractor and returned to Council with the appropriate fee.

This approval does not negate the statutory requirement for the plumbing and drainage licensee to provide to Council as the delegated Plumbing Regulator, the Notice of Work (NoW), Certificate of Compliance (CoC) and Sewerage Service Diagram (SSD) as prescribed under the Plumbing and Drainage Act 2011, for the proposed sanitary drainage/plumbing and domestic water plumbing works. It should be noted that the NoW does not include plumbing work associated with any stormwater work.

- H5 Council's Contribution Plans referred to in the conditions of this consent, may be viewed by the public without charge, at Council's Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. The Plans can also be viewed on Council's website: [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)

- H6 The Development shall be carried out in accordance with Essential Energy's correspondence for this Development Application (copy attached).

- H7 The activity must not be carried out in an environmentally unsatisfactory manner where:
1. It contravenes, or is likely to contravene the *Protection of the Environment Operations Act 1997*, or
  2. It causes, or is likely to cause a pollution incident, or
  3. It prevents to control or minimise pollution, or the emission of any noise or the generation of waste, or
  4. It is not carried on in accordance with good environmental practice.