

SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS																																																																																																																																																																																			
1.	Approved Development Development Consent is granted for a Group Home (Transitional) with associated community facilities, on land known as Lot 26 & 27 DP 1022160, 4-6 Hepburn Street Lithgow.																																																																																																																																																																																		
	Condition Reason: To ensure all parties are aware of the approved development description and development address.																																																																																																																																																																																		
2.	Approved plans and supporting documentation Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.																																																																																																																																																																																		
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	Cover Sheet and Drawing Schedule	Barnson Pty Ltd	40560	C100	D	13/05/2024
	Existing Site Plan	Barnson Pty Ltd	40560	C101	C	13/05/2024
	Proposed Site Plan	Barnson Pty Ltd	40560	C102	D	13/05/2024
	Proposed Stormwater Management Plan	Barnson Pty Ltd	40560	C110	D	13/05/2024
	Stormwater Notes & Details	Barnson Pty Ltd	40560	C111	D	13/05/2024
	Pavement Design Plan	Barnson Pty Ltd	40560	C120	D	13/05/2024
	Pavement Notes and Details	Barnson Pty Ltd	40560	C121	D	13/05/2024
	Proposed Cut and Fill Plan	Barnson Pty Ltd	40560	C130	C	13/05/2024
	Bulk Earthwork Notes & Specifications	Barnson Pty Ltd	40560	C131	C	13/05/2024
	Passenger Vehicle Turning Paths at Entry/Exit & Carparking	Barnson Pty Ltd	40560	C140	C	13/05/2024
	Proposed Erosion & Sediment Control Plan	Barnson Pty Ltd	40560	C150	C	13/05/2024
	Proposed Erosion & Sediment Control Notes & Details	Barnson Pty Ltd	40560	C151	C	13/05/2024
	Landscaping Plan	Calare Civil	2021.0574	G01	P5	04/09/2024

Approved Documents					
Title	Author	Project	Sheet	Revision	Date
Bush Fire Assessment Report	Statewide Bushfire Consulting	22SBC_539	-	1.1	21/08/2023
Report on Mine Subsidence Investigation	Douglas Partners	230599.00	-	-	5 August 2024
Waste Management Plan	-	-	-	-	-

In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans/documents and a condition of this consent, the condition prevails.

Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3.	Contract Works Insurance The developer is to ensure that Contract Works Insurance is kept current for the duration of the development and must also ensure that all Contractors and Subcontractors working within Council road reserves possess and maintain adequate Public Liability Insurance (\$20 million), with copies to be provided to Council prior to commencement of any works. Any potential claims that result from negligent actions performed by Contractors / Subcontractors engaged by the
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	Applicant within Council road reserves will be borne by the Applicant and not Lithgow City Council.
	Condition Reason: To ensure the development has no impact to Council's Assets.
4.	Council Assets Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense. Condition Reason: To ensure the development has no impact to Council's Assets.
5.	Consolidation of Lots Lot 26 & 27 DP 1022160 are to be consolidated into one title and registered with NSW Land Registry Services prior to the issue of the Occupation Certificate. Condition reason: To ensure the development complies to one land title.
6.	Right of Carriageway An easement is to be created to grant a Right of Carriageway for access to No. 8 Hepburn Street. The access is not to be obstructed unless approval is granted from No. 8 Hepburn Street. Condition Reason: To ensure minimal impacts to surrounding landowners.
7.	Building Regulations All building work must be carried out in accordance with the provisions of the current Building Code of Australia, Volume 1. Condition Reason: To ensure the development complies with the Building Code of Australia.
8.	Disability Discrimination Act It is the applicant responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). You are advised to seek advice from the Australian Human Rights and Equal Opportunity Commission in respect of your application. Condition Reason: To ensure the development complies with the Disability Discrimination Act 1992 (DDA).

GENERAL TERMS OF APPROVAL AND CONCURRENCE REQUIREMENTS	
RURAL FIRE SERVICE REQUIREMENTS	
9.	Asset Protection Zones 1. Prior to the issue of construction certificate, any part of the land of Lot 11 DP1029892 within 40 metres of the proposed buildings must be managed as an inner protection area (IPA) as outlined in Appendix 4 of <i>Planning for Bush Fire Protection 2019</i> and comply with section 3.2.5 or 3.2.6 of <i>Planning for Bush Fire Protection 2019</i> . Where the hazard on the adjacent land has been removed as part of the lawful commencement of an approved urban development, the instrument may be extinguished upon the satisfaction of the consent authority. Lithgow City Council is to be nominated as the authority having the power to release, vary or modify the instrument. 2. From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area (IPA) as outlined in Appendix 4 of <i>Planning for Bush Fire Protection 2019</i> . Condition Reason: The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.
10.	Access – Internal Roads The internal access road must comply with the following requirements of Table 6.8b of <i>Planning for Bush Fire Protection 2019</i> : <ul style="list-style-type: none"> • SFPP access roads are two-wheel drive, all-weather roads;

	<ul style="list-style-type: none"> • roads have a minimum 5.5m carriageway width kerb to kerb; • parking is provided outside of the carriageway width; • hydrants are located clear of parking areas; • curves of roads have a minimum inner radius of 6m; • the maximum grade road is 15 degrees and average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient; • the road crossfall does not exceed 3 degrees; • a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided; • traffic management devices are constructed to not prohibit access by emergency services vehicles; • the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating; • hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; and • hydrants are provided in accordance with the relevant clauses of AS 2419.1 or there is suitable access for a Category 1 fire appliance to within 4m of the static water supply. <p>Condition Reason: The intent of measures is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.</p>
11.	<p>Water and Utility Services</p> <p>The provision of water, electricity and gas must comply with Table 6.8c of <i>Planning for Bush Fire Protection 2019</i>. Alternatively, water can be provided under the provisions for a 20,000 litre static water supply.</p> <p>Condition Reason: The intent of measure 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.</p>
12.	<p>Landscaping</p> <p>Landscaping within the required asset protection zone must comply with Appendix 4 of <i>Planning for Bush Fire Protection 2019</i>. In this regard, the following principles are to be incorporated:</p> <ul style="list-style-type: none"> • A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; • Planting is limited in the immediate vicinity of the building; • Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters); • Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings; • Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies; • Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown; • Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter); • Avoid climbing species to walls and pergolas; • Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building; • Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and • Low flammability vegetation species are used.

	Condition Reason: The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.
13.	<p>Construction Standards</p> <p>1. New construction must comply with Sections 3 and 5 (BAL 12.5) of the Australian Standard AS3959-2018 <i>Construction of buildings in bush fire-prone areas</i> or NASH Standard (1.7.14 updated) <i>National Standard Steel Framed Construction in Bushfire Areas – 2014</i> as appropriate, and Section 7.5 of <i>Planning for Bush Fire Protection 2019</i>.</p> <p>2. Any new Class 10b structures as defined per the <i>National Construction Code</i> must be non-combustible or hardwood.</p> <p>Condition Reason: The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.</p>
14.	<p>Emergency and Evacuation Planning Assessment</p> <p>A Bush Fire Emergency Management and Evacuation Plan must be prepared consistently with NSW RFS document: <i>A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan</i>.</p> <p>Condition Reason: Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.</p>
WATERSNSW REQUIREMENTS	
15.	<p>General</p> <p>The site layout and works shall be as specified in the Statement of Environmental Effects prepared by Premise (Report No: 222173/SEE, Rev: 001C, dated 20 October 2023) and shown on the Site Floor Plan and Roof Plan (Job 001, Drawing Nos: 4 and 10 of 17, Revision I, dated 23/05/2024) prepared by Housing Plus, and Survey Plan showing detail over Lot 26 and 27 in DP 1022160 (Job Ref 22100, Drawings 22100-D001_B, sheets 1-3, dated 6/02/2024) prepared by Integrated Consulting Pty Ltd. No revised site layout, staging or external works that will have any impact on water quality, shall be permitted without the agreement of Water NSW.</p> <p>Condition Reason: Water NSW has based its assessment under State Environmental Planning Policy (Biodiversity and Conservation) 2021 on this version of the development.</p>
16.	<p>Stormwater Management</p> <p>1. All stormwater treatment and management measures described in the Water Sensitive Urban Design – MUSIC Model Report (Ref: 40560-ER-02_B, dated 19/10/2023) and shown on the Proposed Stormwater Management Plan and Stormwater Notes and Details (Project No. 40560, Drawing Nos. C110 and C111, Rev D, dated 13-05-2024) both prepared by Barnson Pty Ltd shall be incorporated in the final stormwater management plan. The final stormwater management plan shall:</p> <ul style="list-style-type: none"> • be prepared prior to the issuance of a Construction Certificate and approved by the Principal Certifier, and • include appropriately designed stormwater management measures: <ul style="list-style-type: none"> o pits and pipes and pit inserts, o two 5,000 litre rainwater tanks, o stormwater management measures for access driveway and table drains along the property boundary, and o bioretention basin. • be implemented. <p>2. The driveway and carpark areas, as shown on Pavement Design Plan (Project No. 40560, Drawing No. C120, Rev D, dated 13-05-2024) prepared by Barnson Pty Ltd, shall be sealed</p>

and drain to pits fitted with inlet filters (Maximesh or Water NSW endorsed equivalent) and directed to the bioretention basin on the site.

3. The stormwater management for the 42-metre-long concrete driveway, including table drains along the driveway, shall be redesigned, and improved to reduce the velocity of stormwater run-off entering the pits in the carpark.
4. The proposed table drains on steep slopes around the property boundary shall be redesigned to:
 - prevent erosion and scouring, and
 - divert stormwater run-off collected from adjoining upstream lots away from the bioretention basin.
5. The rainwater collection and reuse system for the building roof shall be installed that:
 - ensures roofs and gutters are designed to maximise the capture of rainwater in the tank,
 - ensures that the tanks are plumbed to toilets, and other areas for non-potable use including landscape watering, and
 - ensures that all rainwater tank overflow is directed to the bioretention basin.
6. The bioretention basin shall:
 - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne et al, 2015, Melbourne, CRC for Water Sensitive Cities)
 - incorporate:
 - o a minimum surface area of 80 square metres, filter area of 36 square metres and extended detention depth of 250mm,
 - o a sediment forebay/s if swales are to be discharged into the basin,
 - o a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg,
 - o be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable),
 - o the basin batters that are stabilised and planted with appropriate vegetation to prevent weed establishment.
 - direct all discharge and overflow to the stormwater drainage pit in the southeast corner,
 - be accessible with appropriate machinery to facilitate cleaning, monitoring, and maintenance of the structures,
 - be permanently protected from damage, with a sign to be erected to advise of its nature and purpose in water quality management,
 - be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised, and
 - be constructed after all hardstand areas have been paved or sealed and all ground surfaces have been stabilised.
7. No variation to stormwater treatment or management that will have any impact on water quality shall be permitted without prior agreement of Water NSW.
8. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and the Principal Certifier prior to the issuance of an Occupation Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.
9. An Operational Environmental Management Plan shall be prepared by a person with knowledge and experience in the preparation of such plans. The Plan shall:

	<ul style="list-style-type: none"> • be prepared in consultation with Water NSW prior to the issuance of an Occupation Certificate, • include a plan showing the location and purpose of all stormwater treatment measures, • include the details on the location and nature of stormwater management structures such as proposed pits, pipes, pit filters, bioretention basin, and rainwater collection and reuse systems, • outline the responsibilities and detailed requirements for the inspection, monitoring, and maintenance of all stormwater management structures, including the frequency of such activities, • identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and • include checklists for recording inspections, monitoring, and maintenance activities. <p>10. All stormwater treatment devices shall be monitored, maintained, and managed as per the Operational Environmental Management Plan, after all comments made by Water NSW during the consultation process have been appropriately resolved and incorporated in the final Operational Environmental Management Plan.</p> <p>Condition Reason: To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.</p>
17.	<p>Construction Activities</p> <p>1. An Erosion and Sediment Control Plan shall be prepared by a person with knowledge and experience in the preparation of such plans for the development. The Plan shall:</p> <ul style="list-style-type: none"> • be prepared prior to the issuance of a Construction Certificate and be to the satisfaction of the Principal Certifier • incorporate the proposed erosion and sediment control plan and Notes & Details (Project No. 40560, Drawing Nos. C150 and C151, Rev B, dated 12-10-2023) both prepared by Barnson Pty Ltd • meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004), and • include controls to prevent sediment or polluted water leaving the construction area or entering any stormwater drain or natural drainage system. <p>2. The Erosion and Sediment Control Plan shall be implemented after all comments made by Water NSW during the consultation process have been appropriately resolved and incorporated in the final Erosion and Sediment Control Plan. No works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained, and retained until works have been completed and ground surface stabilised or groundcover re-established.</p> <p>Condition Reason: To manage adverse environmental and water quality impacts during the construction phase of the development to minimise the risk of erosion, sedimentation, and pollution within or from the site during this phase.</p>
ENDEAVOUR ENERGY REQUIREMENTS	
18.	<p>Safety Clearances</p> <p>The construction of any building or structure (including fencing, signage, flag poles etc.) whether temporary or permanent must comply with the minimum safe distances/clearances for voltages up to and including 132,000 volts (132kV) as specified in:</p> <ul style="list-style-type: none"> o Australian/New Zealand Standard AS/NZS 7000 – 2016: 'Overhead line design' as updated from time to time.

	<p>o 'Service and Installation Rules of NSW' which can be accessed via the following link to the NSW Planning, Industry & Environment website:</p> <p>https://energy.nsw.gov.au/government-and-regulation/legislative-and-regulatory-requirements/service-installation-rules</p>
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
19.	<p>Easement Management/Network Access</p> <p>The following is a summary of the main terms of Endeavour Energy's electrical easements requiring that the land owner:</p> <ul style="list-style-type: none"> o Not install or permit to be installed any services or structures within the easement site. o Not alter the surface level of the easement site. o 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. o No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests. o The incorporation of easements into multiple/private owned lots is generally not supported. o Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
20.	<p>Earthing</p> <p>The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'.</p>
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
21.	<p>Vegetation Management</p> <p>The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Larger trees should be planted well away from electricity infrastructure and underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure could become a potential safety risk, restrict access, reduce light levels from streetlights or result in the interruption of supply.</p>
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
22.	<p>Dial Before You Dig</p> <p>Before commencing any underground activity the applicant is required to obtain advice from the <i>Dial Before You Dig</i> 1100 service in accordance with the requirements of the <i>Electricity Supply Act 1995</i> (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.</p>
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
23.	<p>Public Safety</p> <p>Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely is available via the following link: http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures.</p>
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
24.	<p>Emergency Contact</p> <p>In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.</p>
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
	Network Access

25.	<p>It is imperative that the access to the existing electrical infrastructure on and 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.</p> <p>Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.</p> <p>Condition Reason: To ensure the development complies with Endeavor Energy Requirements.</p>
26.	<p>Service Conductors</p> <p>Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.</p> <p>Condition Reason: To ensure the development complies with Endeavor Energy Requirements.</p>
SUBSIDENCE ADVISORY	
27.	<p>The General Terms of Approval (GTA's) are attached under Schedule 3 of this consent.</p> <p>These GTAs only apply to the development described in the plans and associated documentation relating to DA157/23 on the referred date. If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified in order to determine whether any variations to these GTAs are required.</p> <p>Condition Reason: To ensure compliance with Subsidence Advisory NSW.</p>

FEES, CHARGES AND CONTRIBUTIONS CONDITIONS

28.	<p>Contributions</p> <p>Prior to the issue of a Construction Certificate the applicant shall pay to Council a Section 7.12 contribution of \$52,350.00 in accordance with the Lithgow City Council Section 94A (Section 7.12) Development Contribution Plan 2015. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2015 or unless waived/discounted by Council prior to payment.</p> <p>Condition Reason: To demonstrate compliance and ensure fees are paid in accordance with the Lithgow Contributions Plan.</p>
29.	<p>Water and/or Sewerage Development Contributions</p> <p>The approved development is subject to Council's Water and/or Sewerage Development Contributions. Contributions are levied in accordance with the Water Directorate Section 64 of the Local Government Act 1993 which allows Council to exercise this function pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000.</p> <p>The amount of the contribution per Equivalent Tenement is published in Council's adopted Fees and Charges in accordance with the Development Service Plans for Water Supply and Sewerage. Contributions are subject to annual CPI increases.</p> <p>This contribution is applicable unless waived or discounted by Council prior to payment.</p> <p>Condition Reason: To demonstrate compliance and ensure fees are paid in accordance with the Lithgow Council's Development Servicing Plan.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

30.	Construction Certificate required
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	<p>Construction shall not commence on the site, including the placement of temporary buildings, site sheds, earthworks, site excavation, filling or other site preparation works (with the exception of site survey work), prior to the issue of a Construction Certificate by Council or a nominated Principle Certifier.</p> <p>Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p>
31.	<p>Section 68 – Local Government Act</p> <p>Prior to the commencement of any plumbing OR sanitary drainage work and prior to the issue of the Construction Certificate for connection to Council's Water, Sewer and Stormwater Services, separate approval must be obtained under Section 68 of the Local Government Act 1993. The Section 68 Application shall be assessed by Lithgow City Council as the regulatory authority for any activity under Section 68 Table B for water and wastewater.</p> <p>Condition Reason: To ensure the development is serviced by suitable water, sewer and stormwater connections, in accordance with Council's Policy.</p>
32.	<p>Water and Sewer Requirements</p> <ol style="list-style-type: none"> 1. The applicant must apply to Council for an approval to connect to Council's water and sewerage infrastructure under Section 68 of the Local Government Act 1993. 2. The S68 application must include the details of the proposed connection points to Council water and sewerage system as well as hydraulic assessment of site to determine the appropriate size connections. 3. All connections to Council infrastructure must be inspected by Council staff prior to backfilling and final commissioning <p>Condition Reason: To ensure the development is serviced by suitable water, sewer and stormwater connections, in accordance with Council's Policy.</p>
33.	<p>Operational Management Plan</p> <ol style="list-style-type: none"> 1. An Operational Management Plan is to be submitted for Council approval prior to the issue of the Construction Certificate. <p>The Operational Management Plan is to address, all relevant matters, including:</p> <ul style="list-style-type: none"> • Visual amenity, • Privacy, • Activities proposed for the development, • Noise, • Alarms, (Back to base alarm system), • Lighting to all areas including the car park, perimeter of the group home, walkways and pedestrian access points, • Visitor and traffic hours of operations, • Weekly Waste Management, • Retention of CCTV camera/s records for a minimum 30 days, • Hours of operation for cleaners and other employees, • Register with Bizkeys, after hours contacts with Lithgow Police, • Any other potential operational impacts. <p>This plan is to be implemented, once approved by Council, with the provisions of the management plan abided by and maintained throughout the duration of the development.</p> <p>The plan is to be reviewed annually by the site operator, with any proposed changes submitted to Council for consultation and approval prior to action.</p> <p>Condition Reason: to ensure minimal impacts occur to the surrounding environment.</p>

34.	Easements
	No part of the development is to encroach or impact the services (drainage, water and sewer) within the easements located on the property.
	Condition Reason: to ensure minimal impacts occur to the surrounding environment.
35.	Privacy
	A 1.8m privacy screen is to be constructed around the “yarning circle”. Plans of the screen is to be approved by Council prior to the issue of the Construction Certificate.
	Condition Reason: to ensure minimal impacts occur to the surrounding environment.

BEFORE BUILDING WORK COMMENCES

36.	Certification
	<p>Prior to commencing any construction works, the following requirements of the Environmental Planning and Assessment Act 1979 are to be complied with:</p> <ul style="list-style-type: none"> a. A principal certifier is appointed in accordance with section 6.6(1) of the Act, and b. If the principal certifier is not Council, Council has been notified of the appointment of the principal certifier no later than 2 days before building work commences in accordance with section 6.6(2) of the Act, and c. A construction certificate has been issued for the building works in accordance with section 6.7 of the Act, and d. Council has been given at least 2 days’ notice of the intention to commence building works in accordance with section 6.6(2)(e) of the Act.
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
37.	Set-Out Survey Required
	<p>Prior to commencing any construction works, a set-out survey (prepared by a registered practising Surveyor) is to be submitted to the Principal Certifier nominating the location of the development in accordance with the Stamped Documentation & Plans.</p> <p>Such a survey is to show the location of slab formwork in relation to other buildings on-site and the allotment boundaries.</p>
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
38.	Site Requirements
	<ul style="list-style-type: none"> a. Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place. b. If the work involved in the development is likely to cause pedestrians and/or vehicular traffic in a public place to be obstructed or rendered inconvenient and/or if the building involves the enclosure of a public place, it must be undertaken in accordance with WorkCover requirements. c. The works site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. d. Prior to commencement of any building works, a suitable lidded waste container or enclosure for the deposit of all potential windborne building rubbish and litter must be provided onsite.

	<ul style="list-style-type: none"> i. The waste container must be emptied at a licensed waste disposal facility when full. ii. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works. <p>e. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:</p> <ul style="list-style-type: none"> • Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours. • Stating that unauthorised entry to the work site is prohibited and • Showing the name, address and telephone number of the principle certifying authority for the work. • The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed. <p>f. Prior to the commencement of any works on the land, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers.</p> <ul style="list-style-type: none"> i. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. ii. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
39.	<p>Erosion and sediment controls in place</p> <p>Before any site work commences, the Principal Certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).</p>
	Condition Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
40.	<p>Protection of adjoining areas</p> <p>A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works—</p> <ul style="list-style-type: none"> (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or (b) could cause damage to adjoining lands by falling objects, or (c) involve the enclosure of a public place or part of a public place.
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
41.	<p>Toilet facilities</p> <p>Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.</p>
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work

42.	<p>Garbage receptacle</p> <p>A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of food scraps and papers</p> <p>Condition Reason: To ensure site management measures are implemented during the carrying out of site work</p>
43.	<p>Plumbing and/or drainage works</p> <p>Prior to the completion of any plumbing and/or drainage work, a Notice of Works is to be submitted to Council from the licensed plumber contractor in accordance with the Plumbing and Drainage Act.</p> <p>Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works in accordance with the Plumbing and Drainage Act.</p>
44.	<p>Traffic Control Plan</p> <p>A fully certified traffic control plan will be required where machinery may obstruct traffic on public roads whilst construction work is being undertaken. Failure to comply may result in Work Cover intervention and may also include Stop Work orders from Council until such time the developer complies with suitable traffic management procedures.</p> <p>Condition Reason: To ensure minimal impact is made to traffic in the area.</p>
45.	<p>Contract Works Insurance</p> <p>The Applicant is to ensure that Contract Works Insurance is kept current for the duration of the development, and must also ensure that all Contractors and Subcontractors working within Council road reserves possess and maintain adequate Public Liability Insurance (\$20 million), with copies to be provided to Council prior to commencement of any works. Any potential claims that result from negligent actions performed by Contractors/Subcontractors engaged by the Applicant within Council road reserve will be borne by the Applicant and not Lithgow City Council.</p> <p>Condition Reason: To ensure minimal impact is made to Council assets.</p>
46.	<p>Access</p> <p>Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6.</p> <p>Condition Reason: To ensure that access complies with the Australian Standards.</p>
47.	<p>Engineering Requirements</p> <p>1) Any driveway construction works (new or replacement of existing driveway access) needs to comply with Council's Policy 10.18 – Specification for the Construction of Driveways, Footpath/Gutter Crossing and Footpaving (available on Council's website). The application fee for the inspection is required to be paid prior to inspection being undertaken. Notification of at least 48 hours is required to arrange inspections (no inspection undertaken on Fridays). Further information can be obtained regarding Driveway approvals by contacting Council's Infrastructure Services Department on (02) 6354 9904 during business hours.</p> <p>Upon completion of all works in the road reserve, all disturbed verge areas fronting development site are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of driveways, concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.</p> <p>2) Any works that will have an impact on pedestrian or vehicle use of footpath/roads will require a Temporary Road/Footpath Closing Application to be submitted, with the submission of appropriate documents and fees paid. Approvals need to be submitted</p>

	<p>for assessment at least 4 weeks prior to proposed works for adequate referral and assessment. Further information can be obtained regarding Temporary Road/Footpath Closing Applications by contacting Council's Infrastructure Services Department on (02) 6354 9904 during business hours</p> <p>3) The proposed development and stormwater drainage system shall be designed to ensure no adverse impact on adjoining properties by the diversion, damming or concentration of stormwater flows.</p> <p>4) Vehicular access and manoeuvring associated with the subject development shall be designed in accordance with AS 2890.1.</p> <p>5) Foundations of proposed structures adjoining the drainage and/or services easement must be designed clear of the zone of influence.</p> <p>6) A fully certified traffic control plan will be required where machinery may obstruct traffic on public roads whilst construction work is being undertaken. Failure to comply may result in SafeWork intervention and may also include Stop Work orders from Council until such time the Applicant complies with suitable traffic management procedures.</p> <p>7) The Applicant shall ensure that during the construction works all measures are taken to eliminate/suppress any dust nuisance emanating from the site.</p> <p>Condition Reason: To comply with Council's Engineering requirements.</p>
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DURING BUILDING WORK	
48.	<p>Compliance with plans</p> <p>(1) Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.</p> <p>(2) A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.</p> <p>Condition Reason: To ensure the development complies with the approved plans.</p>
49.	<p>Maintenance of site</p> <p>(1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.</p> <p>(2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.</p> <p>(3) Copies of receipts stating the following must be given to the principal certifying authority—</p> <ul style="list-style-type: none"> (a) the place to which waste materials were transported, (b) the name of the contractor transporting the materials, (c) the quantity of materials transported off-site and recycled or disposed of. <p>(4) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.</p> <p>(5) During construction—</p> <ul style="list-style-type: none"> (a) all vehicles entering or leaving the site must have their loads covered, and (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

	(6) At the completion of the works, the work site must be left clear of waste and debris.
	Condition Reason: To ensure minimal impact to the environment.
50.	<p>Construction hours</p> <p>Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.</p>
	Condition Reason: To protect the amenity of the surrounding area.
51.	<p>Site management</p> <p>All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.</p>
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
52.	<p>External colours and finishes</p> <p>The development shall incorporate colours and finishes that are consistent with the approved plans and schedule.</p>
	Condition Reason: To ensure the development complies with the approved plans and referenced documents.
53.	<p>Earthworks</p> <p>Any earthworks (including any structural support or other related structure for the purposes of the development:</p> <ol style="list-style-type: none"> Must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and Must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and That is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and That is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005. Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
54.	<p>Compaction of fill</p> <ol style="list-style-type: none"> (1) Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98% standard compaction. (2) Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be located randomly across the fill site with 1 test per 500m² (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer. Alternatively, all footings/piers are to be taken through filled ground to foundation material of uniform adequate bearing pressure in accordance with Structural Engineers requirements.

	<p>Note: A compaction report from a Geotechnical Engineer or Engineering structural plans/details for any proposed piers through fill, shall be submitted to the Principal Certifying Authority prior to the slab steel inspection.</p> <p>(3) Fill material used must be virgin excavated natural material within the meaning of the Protection of Environmental Operations Act 1997 (POEO) or any other waste- derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.</p> <p>Note: Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority.</p> <p>Condition Reason: To ensure site management measures are implemented during the carrying out of site work.</p>
55.	<p>Stormwater management and drainage connections</p> <ol style="list-style-type: none"> 1. Stormwater generated from the impervious areas in proposed development shall be discharged to the street drainage system. A suitable kerb adaptor shall be provided. 2. The proposed development and stormwater drainage system shall be designed to ensure no adverse impact on adjoining properties by the diversion, damming or concentration of stormwater flows. 3. Foundations of proposed structures adjoining the drainage and/or services easement must be designed clear of the zone of influence. 4. Any approval that is required for connection to the drainage system under the <i>Local Government Act 1993</i> must be held before the connection is carried out. <p>Condition Reason: To ensure the development complies with the approved plans and referenced documents.</p>
56.	<p>Procedure for critical stage inspections</p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p>Condition Reason: To require approval to proceed with building work following each critical stage inspection.</p>
57.	<p>Plumbing and/or drainage works</p> <p>All plumbing and drainage work must be carried out by a licensed plumber and drainer in accordance with the requirements of Australian Standard 3500 and Complying with the Plumbing Code of Australia (PCA) and all relevant Australian Standards.</p> <p>Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.</p>
58.	<p>Plumbing and/or drainage works inspections</p> <p>Forty-eight (48) hours' notice shall be given to Lithgow City Council for inspection of the following plumbing and drainage works:</p> <ol style="list-style-type: none"> (a) Internal and external drainage lines prior to backfilling. (b) The licensed plumber/drainer shall be on site at the site of the inspection, and the drainage lines shall be charged and under test. (c) Hot and cold water installations under test bucket pressure of 1500kpa. (d) On completion of all plumbing drainage and sanitary fixture installations. <p>Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.</p>

59.	<p>Plumbing and/or drainage Certificate of Compliance</p> <p>Prior to the issue of a Certificate of Compliance for all sanitary plumbing and drainage, the plumbing and drainage works are to be inspected and approved by Lithgow City Council as the delegated regulatory authority for plumbing and drainage works within the Lithgow City Council area.</p> <p>Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.</p>
60.	<p>Vehicle Movements</p> <p>All vehicles entering or leaving the site must have their loads covered, and before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.</p> <p>Condition reason: To promote safe entry and exit to the construction site.</p>
61.	<p>Excavated Areas</p> <p>Excavated area/s adjacent to the building shall be retained and drained to prevent the subsidence of the excavation and/or entry of surface water to the building.</p> <p>Condition reason: To ensure all earthworks are adequately retained.</p>
62.	<p>Dust</p> <p>The Applicant shall ensure that during the construction works all measures are taken to eliminate/suppress any dust nuisance emanating from the site.</p> <p>Condition Reason: To ensure site management measures are implemented during the carrying out of site work.</p>
63.	<p>Waste management</p> <p>Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. Copies of receipts stating the following must be given to the principal certifying authority—</p> <ul style="list-style-type: none"> (a) the place to which waste materials were transported, (b) the name of the contractor transporting the materials, (c) the quantity of materials transported off-site and recycled or disposed of. <p>Condition Reason: To promote safe and responsible disposal of waste.</p>
64.	<p>Contamination</p> <p>Should any suspect materials (identified by unusual staining, odour, discoloration 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 qualified environmental specialist has been contact and conducted a thorough assessment.</p> <p>In the event that contamination is identified as a result of this assessment and if remediation is required, all works must cease in the vicinity of the contamination, and Council must be notified.</p> <p>Condition Reason: To ensure potential contamination is appropriately managed and mitigated onsite.</p>
65.	<p>Archaeology discovered during excavation</p> <p>If any object having interest due to its age or association with the past is uncovered during the course of the work—</p> <ul style="list-style-type: none"> (a) all work must stop immediately in that area, and (b) the Office of Environment and Heritage must be advised of the discovery.

	<i>Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1997 may be required before further the work can continue.</i>
	Condition reason: To ensure potential archaeology is appropriately managed.
66.	<p>Aboriginal objects discovered during excavation</p> <p>If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work—</p> <ul style="list-style-type: none"> (a) all excavation or disturbance of the area must stop immediately in that area, and (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the <i>National Parks and Wildlife Act 1974</i>. <p><i>Note. If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.</i></p>
	Condition reason: To ensure potential archaeology is appropriately managed.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

67.	<p>Final Fire Safety Certificate</p> <p>Prior to the issue of an Occupation Certificate, a final fire safety certificate prepared by an Accredited Practitioner (Fire Safety) is to be submitted to the Principal Certifier in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p>
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
68.	<p>Identification survey required</p> <p>An Identification Survey (prepared by a registered practising Surveyor) is to be submitted to the Principal Certifier demonstrating the location of the development in accordance with the Stamped Documentation & Plans.</p> <p>Such a survey is to show the location of the external walls/eaves in relation to the allotment boundaries.</p>
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
69.	<p>Disturbed areas</p> <p>The disturbed areas surrounding the building work shall be reinstated to the satisfaction of the Principal Certifier upon completion of the work.</p>
	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
70.	<p>Certificate of Compliance – Council Wastewater</p> <ol style="list-style-type: none"> 1. Prior to the issue of an Occupation Certificate, the Applicant shall provide Lithgow City Council with a Certificate of Compliance and approved Drainage Diagram (SSD) for all sanitary plumbing and drainage installation. 2. Licensed plumber to determine correct point of connection into council's sewer and relative sewer heights.
	Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.

OCCUPATION AND ONGOING USE

71.	<p>Occupation Certificate</p> <p>The development shall not be occupied or used until an Occupation Certificate is issued by the Principal Certifier.</p> <p>Condition reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p>								
72.	<p>Annual Fire Safety Statement</p> <p>An Annual Fire Safety Statement is to be submitted to Council and NSW Fire Brigades and a copy is retained on-site to verify that the performance & maintenance of the essential fire safety measures specified in a Fire Safety Schedule is in accordance with Parts 10 & 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p> <p>Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p>								
73.	<p>External Lighting and CCT</p> <p>That all external lighting and CCT be directed within the property boundaries ensuring all lighting is downwards pointing. No lighting and CCT is to be directed to the street or adjoining neighbours that would cause a nuisance to those receivers.</p> <p>All lighting is to comply with AS4282.</p> <p>Condition Reason: To minimise impacts to adjoining property owners.</p>								
74.	<p>Noise</p> <p>1. Noise Levels associated with the development shall not exceed the following at the boundary of any residential premises:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">LAeq(15min)</th><th style="text-align: left;">Period</th></tr> </thead> <tbody> <tr> <td>48</td><td>Day</td></tr> <tr> <td>43</td><td>Evening</td></tr> <tr> <td>38</td><td>Night</td></tr> </tbody> </table> <p>Note: Day is: 7am to 6pm Monday to Saturday; 8am to 6pm Sundays and Public Holidays. Evening is: 6pm to 10pm daily. Night is: 10pm to 7am Monday to Saturday; 10pm to 8am Sundays and Public Holidays</p> <p>2. A noise assessment report shall be submitted to Council if any complaints are lodged with Council in relation to the noise emissions generated as a result of the business (including during construction). The report must be prepared by a suitably qualified acoustic consultant and shall include details of the noise assessment and necessary works that are required to reduce the noise to a satisfactory level.</p> <p>3. In the event that council receives noise complaints from the activity the operator must demonstrate through an acoustic report that their operation is compliant with consent conditions and not exceeding the “intrusive noise” criteria as described in the NSW Industrial Noise Policy (2000) and the DECC Noise Guide for Local Government (2004)</p> <p>Condition Reason: To minimise impacts to adjoining property owners.</p>	LAeq(15min)	Period	48	Day	43	Evening	38	Night
LAeq(15min)	Period								
48	Day								
43	Evening								
38	Night								
75.	<p>Waste Disposal</p> <p>All excess material should be placed within the waste bin provided or alternatively taken to Council’s Waste Facility. No timber or materials are to be left outside of the building.</p>								

	Condition Reason: To minimise impacts to the environment.
76.	Signage <ul style="list-style-type: none"> • All ingress and egress points to be well defined and clearly marked with signage and traffic flow. • Include signage indicating CCTV in operation and security patrols on premises. • Include signage notifying emergency contact details.
	Condition Reason: To minimise impacts to adjoining property owners.

PRESCRIBED CONDITIONS

PRESCRIBED CONDITIONS <i>Environmental Planning and Assessment Regulation 2021</i>	
77.	<p>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</p> <p>(1) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.</p> <p>(2) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.</p> <p>(3) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with the Building Code of Australia, Volume 1, Part B1 and NSW Part I5.</p> <p>(4) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the relevant date.</p> <p>(5) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.</p> <p>(6) This section does not apply—</p> <ul style="list-style-type: none"> (i) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or (ii) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. <p>(7) In this section—</p> <p>relevant date has the same meaning as in the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, section 19.</p> <p>Condition reason: Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).</p>
78.	<p>Erection of signs</p> <p>(1) This section applies to a development consent for development involving building work, subdivision work or demolition work.</p> <p>(2) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—</p> <ul style="list-style-type: none"> (i) showing the name, address and telephone number of the principal certifier for the work, and (ii) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and (iii) stating that unauthorised entry to the work site is prohibited.

	<p>(3) The sign must be—</p> <ul style="list-style-type: none"> (i) maintained while the building work, subdivision work or demolition work is being carried out, and (ii) removed when the work has been completed. <p>(4) This section does not apply in relation to—</p> <ul style="list-style-type: none"> (i) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or (ii) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).
79.	<p>Notification of Home Building Act 1989 requirements</p> <p>(1) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.</p> <p>(2) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—</p> <ul style="list-style-type: none"> (i) for work that requires a principal contractor to be appointed— <ul style="list-style-type: none"> (a) the name and licence number of the principal contractor, and (b) the name of the insurer of the work under the Home Building Act 1989, Part 6, (ii) for work to be carried out by an owner-builder— <ul style="list-style-type: none"> (a) the name of the owner-builder, and (b) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. <p>(3) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.</p> <p>(4) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p>
	Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).
80.	<p>Shoring and adequacy of adjoining property</p> <p>(1) This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.</p> <p>(2) It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense—</p> <ul style="list-style-type: none"> (i) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and (ii) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation. <p>(3) This section does not apply if—</p> <ul style="list-style-type: none"> (i) the person having the benefit of the development consent owns the adjoining land, or (ii) the owner of the adjoining land gives written consent to the condition not applying.
	Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

BUILDING WORK

Building work must not be carried out until a construction certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Building Inspection Schedule

The Principal Certifying Authority (PCA) is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Lithgow City Council Certifiers during construction of the work.

Inspection schedule – Drainage and Plumbing

As the Certifying Authority, for water and sewer inspections Council must be contacted to undertake inspections of the various stages of construction as follows:

- a. Internal and any sanitary external drainage, grease arrestor, septic tank and amended soil mound.
- b. Final inspection of system prior to occupation/use of the building.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections and inspection fees must be paid.

Required and Mandatory Inspection Schedule

To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Reinforcing steel in position and before concrete is poured (slab, footings, lintels, beams, columns, floors, walls and the like).
- c) Wall and roof framing when external wall and roof cladding is in place and prior to internal linings.
- d) prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work.
- e) Wet area flashing prior to tiling or covering.
- f) Kitchen installation.
- g) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- h) Completion of the development and sign off to all conditions of the consent including landscaping, prior

to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

Termite Protection

The building is to be protected from the attack of subterranean termites by employing construction methods conforming with Australian Standard 3660.1. A durable notice must be permanently fixed to the building in a prominent location (such as the meter box) indicating:

- (i) the method of protection and
- (ii) the date of installation of the system and
- (iii) the installer's or manufacturers recommendations for the scope and frequency of future inspections for termite activity.

Wind Loading

The property is located in an area subject to high winds. The structure shall be designed and constructed to withstand the site specific wind load.

Anchorage of roof cladding

That owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.

SCHEDULE 2: BUSHFIRE SAFETY AUTHORITY



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

SFPP – Group Home (SEPP)

4-6 Hepburn Street McKellars Park 2790, 26//DP1022160, 27//DP1022160

RFS Reference: DA20231025004807-Original-1

Your Reference: CNR-61654 DA157/23

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Nika Fomin

Manager Planning & Environment Services
Built & Natural Environment

Tuesday 19 December 2023

CONDITIONS OF APPROVAL

Application No: TBA23-03502
DA: DA157/23
Applicant: LITHGOW CITY COUNCIL
Lot and DP: DP/26//1022160
Site Address: 4-6 HEPBURN STREET MCKELLARS PARK
Mine Subsidence District: LITHGOW
Proposal: GROUP HOME WITH COMMUNITY FACILITY
Date: 19 August 2024

GENERAL

Plans, Standards and Guidelines

1. These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to **DA157/23**, and provided to Subsidence Advisory NSW.
Any amendments or subsequent modifications to the development renders these GTAs invalid.
2. This approval expires 5 years after the date the approval was granted if building, engineering or construction work relating to the application has not physically commenced on the land.

POST CONSTRUCTION

3. **Certification of Works**
Upon completion of construction, submit certification from a qualified builder or certifier that confirms construction is in accordance with the plans approved by Subsidence Advisory.