



# Camden Council

## Attachments

**Ordinary Council Meeting**  
**24 May 2016**

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**Camden Civic Centre**  
**Oxley Street**  
**Camden**





# ORDINARY COUNCIL

## ATTACHMENTS - ORDINARY COUNCIL

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## ORDINARY COUNCIL

### ORD02

**SUBJECT:** CONSTRUCTION OF A TWO STOREY DWELLING, SWIMMING POOL, SPA AND ASSOCIATED SITE WORKS - 47 BUCKINGHAM LOOP, ORAN PARK

**FROM:** Director Planning & Environmental Services

**TRIM #:** 16/110278

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**APPLICATION NO:** 1208/2015

**PROPERTY ADDRESS:** 47 Buckingham Loop, Oran Park

**APPLICANT:** Mrs Cristina Mirigliani

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's determination of a development application (DA) for a two storey dwelling, swimming pool, spa and associated site works at 47 Buckingham Loop, Oran Park.

The DA is referred to Council for determination as there remain unresolved issues received in three submissions from 2 properties.

### SUMMARY OF RECOMMENDATION

That Council determine DA 1208/2015 for a two storey dwelling, swimming pool, spa and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

### THE PROPOSAL

DA 1208/2015 seeks approval for a two storey dwelling, swimming pool, spa and associated site works.

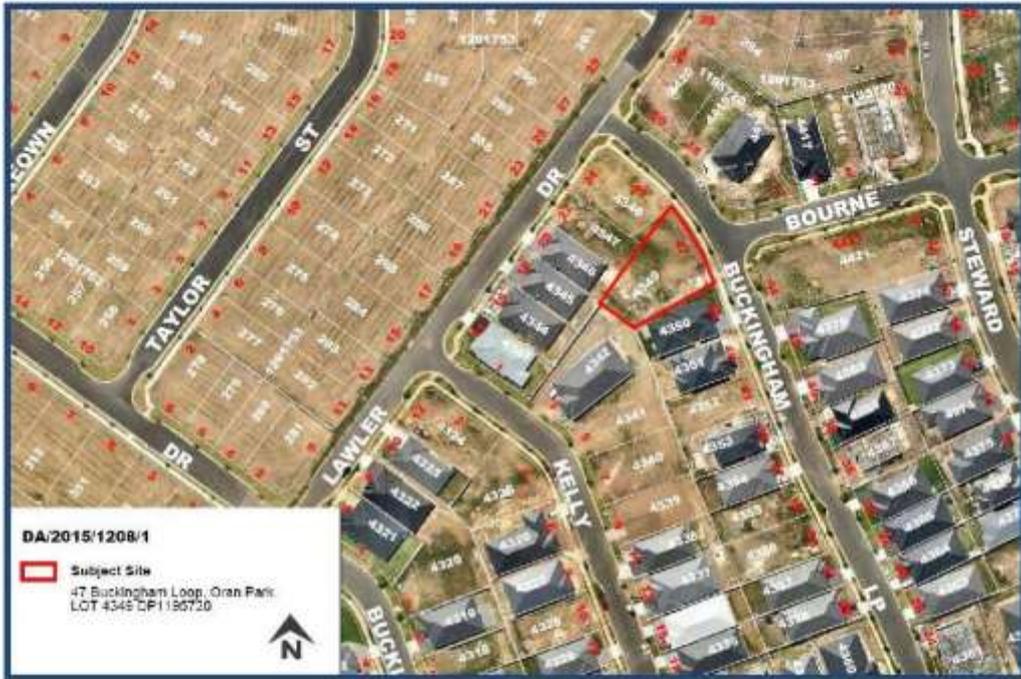
Specifically the proposed development involves:

- Construction of a two storey dwelling comprising 6 bedrooms, home office and a double car garage;
- Construction of an in-ground concrete swimming pool and spa; and
- Associated site works.

**A copy of the proposed plans is provided as an attachment to this report.**

### THE SITE

The site is commonly known as 47 Buckingham Loop, Oran Park and is legally described as LOT 4349 DP 1195720.



**KEY DEVELOPMENT STATISTICS**

The development has been assessed against the relevant planning controls and is generally compliant with the exceptions of the variations noted below. Below is a summary of the key development statistics associated with the DA and any variations.

	Standard	Proposed	Compliance
<b>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</b>			
Height of building	Maximum 9.5m.	7.9m	Yes
Minimum site area	300m <sup>2</sup> minimum for a dwelling house.	831m <sup>2</sup>	Yes
<b>Oran Park Development Control Plan 2007</b>			
7.6.9 Visual and acoustic privacy	Direct overlooking of main habitable areas and private open space of adjacent dwellings minimised.	No direct overlooking of adjacent main habitable areas and private open space subject to condition for screening devices to the sides of the upper floor balcony and the northern side of the ground floor alfresco.	Yes, subject to condition
	Windows not to face adjoining dwelling windows and private	Habitable room windows will not face adjoining	Yes

This is the report submitted to the Ordinary Council held on 26 April 2016 - Page 2



	open space.	dwelling windows or private open space.	
<b>Front setback (7.6.3)</b>	4.5m to building façade line.	4.5m.	<b>Yes</b>
<b>Garage line (7.6.3)</b>	5.5m to garage line and at least 1m behind building.	6.6m to garage and 1.6m behind building.	<b>Yes</b>
<b>Side setback (7.6.4)</b>	Side A ground and upper setback 0.9m. Side B ground setback 0.9m. Side B upper setback 1.5m.	Side A (south) setback is 0.950m for upper and ground levels. Side B (north) setback is 2.8m ground level and 3.2m upper level. The fencing/privacy screening surrounding the pool is setback 0.950m.	<b>Yes</b>
<b>Rear setback (7.6.4)</b>	4m (ground) and 6m (upper).	4.2m (ground) and 8.6m (upper).	<b>Yes</b>
<b>Site Coverage (7.6.5)</b>	50% at ground and 30% at upper floor.	42.5% ground floor and 22% upper floor.	<b>Yes</b>
<b>Height of ground floor level (7.6.5)</b>	No more than 1m above finished ground level.	Ground floor level 1m above finished ground level.	<b>Yes</b>
<b>Landscaped area (7.6.5)</b>	30% of lot area.	39.8%.	<b>Yes</b>
<b>Principal private open space (7.6.7)</b>	24m <sup>2</sup> and min dimensions of 4m with gradient ≤ 1:10.	Approximately 60m <sup>2</sup> with 4m min dimensions and gradient ≤ 1:10.	<b>Yes</b>
<b>Principal private open space solar access (7.6.7)</b>	At least 3hrs solar access between 9am to 3pm on 21 June to 50% of Principal Private Open Space and adjoining dwelling Principal Private Open Space.	As demonstrated by the shadow diagrams, the subject site and adjacent properties will achieve solar access in accordance with this part.	<b>Yes</b>

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## **ASSESSMENT**

### ***Zoning and Permissibility***

Zoning:	R1 General Residential.
Permissibility:	The proposed development is defined as a "dwelling house" by the SEPP which is a permissible land use in this zone.

### ***Environmental Planning and Assessment Act 1979 – Section 79(C) Matters for Consideration***

State Environmental Planning Policy(s) - S79C(1)(a)(i)	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Compliant with conditions recommended where necessary.  Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River - Compliant with conditions recommended where necessary.  State Environmental Planning Policy 2004 (Building Sustainability Index: BASIX) 2004 – Compliant with conditions recommended where necessary.
Local Environmental Plan(s) - S79C(1)(a)(i)	None applicable.
Draft Environmental Planning Instrument(s) - S79C(1)(a)(ii)	None applicable.
Development Control Plan(s) - S79C(1)(a)(iii)	Oran Park Development Control Plan 2007 - Generally compliant with variations proposed as discussed below.
Planning Agreement(s) - S79C(1)(a)(iiia)	None.
The Regulations - S79C(1)(a)(iv)	Impose prescribed conditions.
Likely Impacts - S79C(1)(b)	No significant impacts.
Site Suitability - S79C(1)(c)	The site is suitable for development and the site attributes are conducive to development.
Submissions - S79C(1)(d)	Three submissions (with two from the same objector) were received which are discussed in the Submissions section of this report.
Public Interest - S79C(1)(e)	The development is in the public interest.

### ***Key Issues***

The key issues associated with the DA are limited to the submissions issues discussed within this report.

### ***Submissions***

The DA was publicly exhibited in accordance with the Camden DCP. The exhibition periods were from 19 October 2015 to 10 November 2015 and 11 March 2016 to 24 March 2016. Three submissions were received from 2 properties objecting to the proposed development.



Council staff contacted the submission writers to discuss their concerns however were unsuccessful in resolving the issues raised in the submissions.

The following discussion addresses the issues and concerns raised in the submissions.

1. *The proposed development will overshadow adjacent lots during the winter solstice, in particular the dwellings and private open space of 45 Buckingham Loop and 3 Kelly Street. The bulk and scale of the proposal is excessive and the 2.5m fence will further increase overshadowing. Although principal private open space for 45 Buckingham Loop (Lot 4350) extends along the rear boundary, the usable area is located towards the northern section (given a clothesline is located towards the southern section), which will be in shadow.*

Officer comment:

The Oran Park DCP requires that 50% of the principal private open space (PPOS) of both the proposed dwelling and adjoining dwellings receive at least 3 hours of sunlight between 9am and 3pm on 21 June (the winter solstice).

The PPOS for both the proposed dwelling and adjacent dwellings comply with this control. The proposed development also complies with the controls relating to bulk and scale, site coverage, building height and height above natural ground level.

The adjacent dwelling to the south (Lot 4350) will be most affected by overshadowing. Having reviewed the approved plans for the adjacent dwelling, the PPOS is located towards the rear of the dwelling with a minimum dimension of 4m and area of 24m<sup>2</sup>, which will achieve solar access in accordance with this control. Although it is noted that a clothesline is located within the southern area of PPOS, clotheslines are not a consideration as part of the placement of PPOS and therefore may be included as part of the PPOS.

It is not proposed to provide 2.5m high fences. A condition is recommended that boundary fencing has a maximum height of 1.8m.

2. *Shadow diagrams are not accurate and do not reflect fence heights and the slope of the land. Shadow diagrams should be undertaken using 3D modelling.*

Officer comment:

Subsequent to the above comments, revised shadow diagrams have been provided which include fence heights and it has been confirmed that the shadow diagrams have taken the slope of the land into account. These amended shadow diagrams have been provided to the submitters.

The shadow diagrams are considered sufficient to assess the solar access impacts to neighbouring properties and to determine compliance with the solar access controls. As noted above, the proposal complies with the solar access controls.

3. *The bulk and scale of the development is not appropriate given the slope of the land. Surrounding properties will be dominated by the building mass.*

Officer comment:

Whilst adjacent lots are lower than the subject site, the impacts on these lots have been considered as part of the detailed planning assessment. The proposed



development complies with planning controls relating to bulk and scale including but not limited to site coverage, building height, height of ground floor level above natural ground level, setbacks, privacy and overshadowing. A two storey dwelling is permitted in the R1 General Residential zone.

4. *Loss of privacy, particularly in relation to the upper floor balcony. The full enclosure of the upper floor balcony with privacy screens will have further impact on bulk and scale.*

Officer comment:

The upper floor balcony has been reduced in size. The balcony was originally proposed with an area of 29m<sup>2</sup> and is now 17m<sup>2</sup> with a depth of 3m. As a result, privacy screening is only required to the sides (north and south) of the balcony, reducing bulk and scale. The former area of the balcony is now a non-trafficable roof over the ground floor recreation area.

Due to the site topography, privacy screening has been provided to the sides of the upper floor balcony and to the ground floor alfresco to reduce direct overlooking onto the adjoining lots.

Highlight windows are provided to the upper floor bedroom windows, which will further limit privacy impacts to adjacent lots, whilst preserving the internal amenity of future occupants.

5. *The proposed development is not in keeping with the streetscape character.*

Officer comment:

Fiat roof designs are not prohibited by the Oran Park DCP. Further, the proposal is compliant with the relevant planning controls of the DCP.

Lots surrounding the site have frontages between 9m and 15m. Clause 7.6.2 of the Oran Park DCP requires development to be in accordance with a 'suburban streetscape' character, which is characterised by front-loaded dwellings that are generally detached.

The proposed development is front-loaded and detached. The proposal also includes a recessed garage, front garden area and breathing space between adjacent dwellings which is consistent with a 'suburban streetscape' character as described by the Oran Park DCP.

It is noted that the subject site is 831m<sup>2</sup>, which permits a dwelling house, with the minimum lot size being 300m<sup>2</sup> or a dual occupancy where the minimum lot size is 500m<sup>2</sup>. Given the land size, the site is capable of accommodating a large dwelling or dual occupancy. The proposed development is considered to be appropriate and proportionate to the site area and not inconsistent with the character of the locality.

6. *The architectural design is not consistent with the character of Oran Park.*

Officer comment:

The proposal complies with the relevant planning controls of the Oran Park DCP. The street façade incorporates an entry feature and porch with recessing and projecting



architectural elements providing sufficient articulation, which is in accordance with clause 7.6.2 of the Oran Park DCP.

The proposal is two storeys and incorporates a flat roof, which is permitted in the R1 General Residential zone. The design is considered acceptable in the streetscape having regard to the controls of the Oran Park DCP.

*7. There are limited opportunities for vegetation screening. Screening should be provided down the sides of the dwelling.*

Officer comment:

The side setbacks comply with the DCP which provides a 900mm strip for landscaping on the southern side of the site. However, given this area is south facing, limited growth would be achieved.

A landscape plan has been provided with the DA showing landscaping in the front boundary setback and at the rear of the dwelling. An 8m high tree is planted within the front setback and at the rear, which will provide vegetation screening.

*8. Unarticulated side boundary walls that will impact the outlook from 45 Buckingham Loop.*

Officer comment:

There are no planning controls in the Oran Park DCP that require side boundary walls to be articulated for dwelling houses. Notwithstanding this, the side boundary facades are articulated via windows and the stepping of the building height with the land topography.

*9. A triple garage is not appropriate.*

Officer comment:

The applicant has confirmed it is not their intention for a triple garage. In this regard, amended plans have been received which delete the driveway area forward of the 'office' and replaced it with soft landscaping.

*10. The dwelling height is not shown on the plans.*

Officer comment:

The ridge height of the building annotated on the elevations is RL 116.900. Based on the existing site levels shown on the site plan, the maximum height of the building will be 7.9m (noting that the maximum permitted height is 9.5m).

*11. Excessive site coverage/overdevelopment.*



Officer comment:

Clause 7.6.5 (site coverage) of the Oran Park DCP outlines the maximum site coverage for this site is 50% (ground floor) and 30% (upper floor). The proposed site coverage is 42.5% (ground floor) and 22% (upper floor), therefore it is compliant.

*12. Insufficient Setbacks.*

Officer comment:

The proposed development complies with all setback controls.

*13. Noise impact from living spaces, particularly from the upper floor balcony.*

Officer comment:

Subsequent to the above comments, the upper floor balcony has been reduced in size, limiting opportunity for noise generation. The noise impacts expected by this development are comparable to surrounding residential development.

*14. Proposed fence heights are non-compliant.*

Officer comment:

Conditions will be included to require fence heights to be provided in accordance with the requirements of the Oran Park DCP.

*15. The development is not in the public interest.*

Officer comment:

As demonstrated by the detailed planning assessment, the proposed development is in accordance with relevant controls and as such is considered acceptable.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 1208/2015 is recommended for approval subject to the conditions contained in this report.

**RECOMMENDED**

**That Council approve DA 1208/2015 for the construction of a two storey dwelling, swimming pool, spa and associated site works at 47 Buckingham Loop, Oran Park subject to the conditions attached.**

**ATTACHMENTS**

1. Recommended Conditions

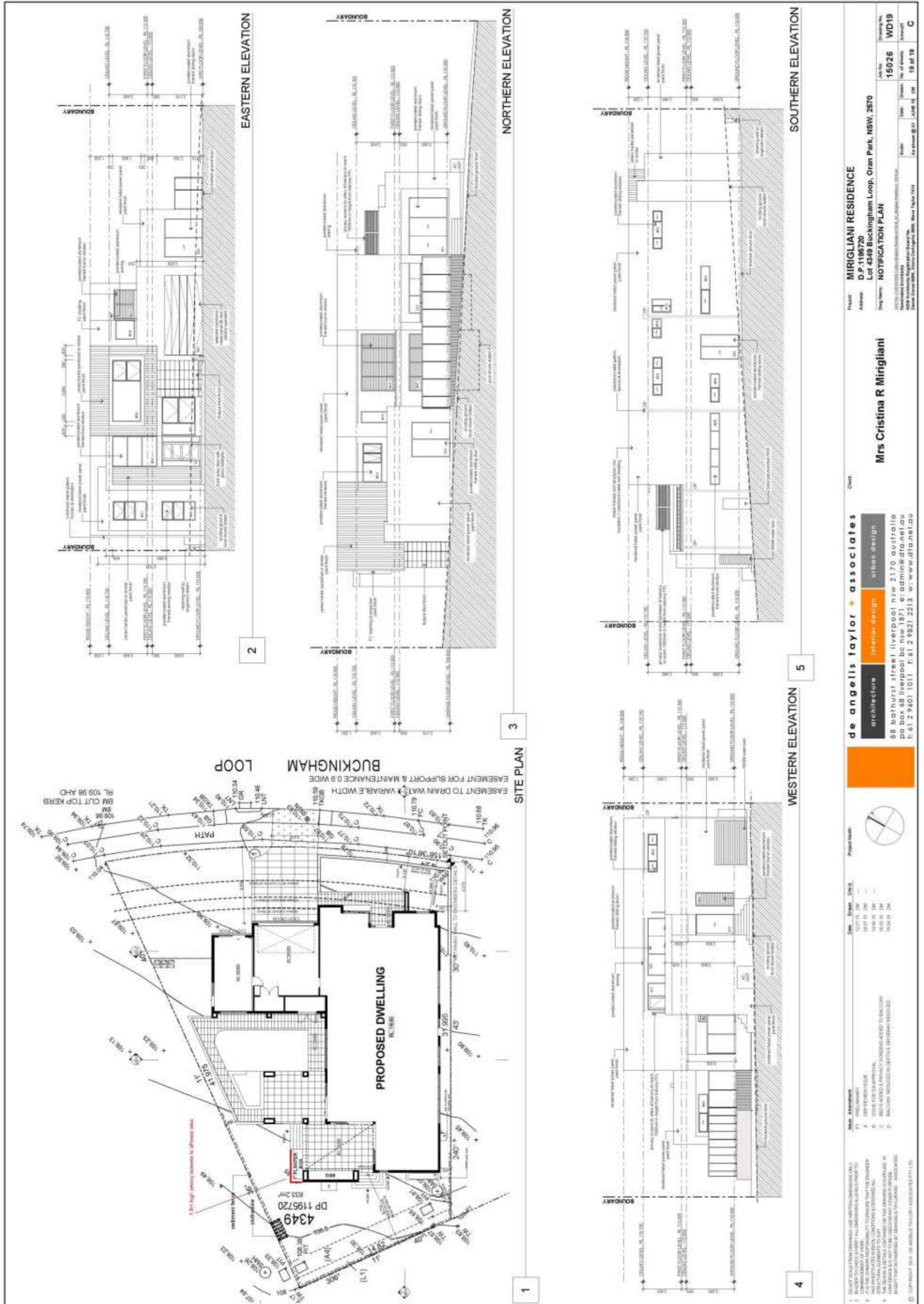
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2. Proposed Plans
  3. Floor Plans - *Supporting Document*
  4. Public Exhibition and Submissions Map - *Supporting Document*
  5. Submissions - *Supporting Document*

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This is the report submitted to the Ordinary Council held on 26 April 2016 - Page 9



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**Mrs Cristina R Mirigliani**

Project: **MIRIGLIANI RESIDENCE**  
 Address: **D.P. 1195720**  
 Lot: **4349 Buckingham Loop, Oran Park, NSW, 2570**  
 Drawing No: **15026**  
 Drawing Title: **NOTIFICATION PLAN**  
 Date: **19 of 18**  
 Scale: **C**

DATE OF ISSUE: 19/05/2016  
 DRAWN BY: J. TAYLOR  
 CHECKED BY: J. TAYLOR  
 PROJECT NO: 15026  
 CLIENT: MRS CRISTINA R MIRIGLIANI  
 ADDRESS: 4349 BUCKINGHAM LOOP, ORAN PARK, NSW 2570  
 PROJECT TITLE: MIRIGLIANI RESIDENCE  
 DRAWING TITLE: NOTIFICATION PLAN  
 DATE: 19/05/2016  
 SCALE: C

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**NORTHERN ELEVATION 1:100**

**SOUTHERN ELEVATION 1:100**

**EASTERN ELEVATION 1:100**

**WESTERN ELEVATION 1:100**

Project:	MIRIGLIANI RESIDENCE	Client:	de angelis taylor + associates
Address:	D.P. 1196720 Lot 4349 Buckingham Loop, Oran Park, NSW, 2570	Project Name:	urban design
Design Name:	ELEVATIONS	architectural	interior design
Drawn by:	15026	88 bathurst street liverpool nsw 2170 australia	po box 68 liverpool bc nsw 1871 e: admin@dia.net.au
Checked by:	10 of 18	f: 61 2 960 1011	f: 61 2 9821 2213 w: www.dia.net.au
Date:	JUNE 18, 2016		

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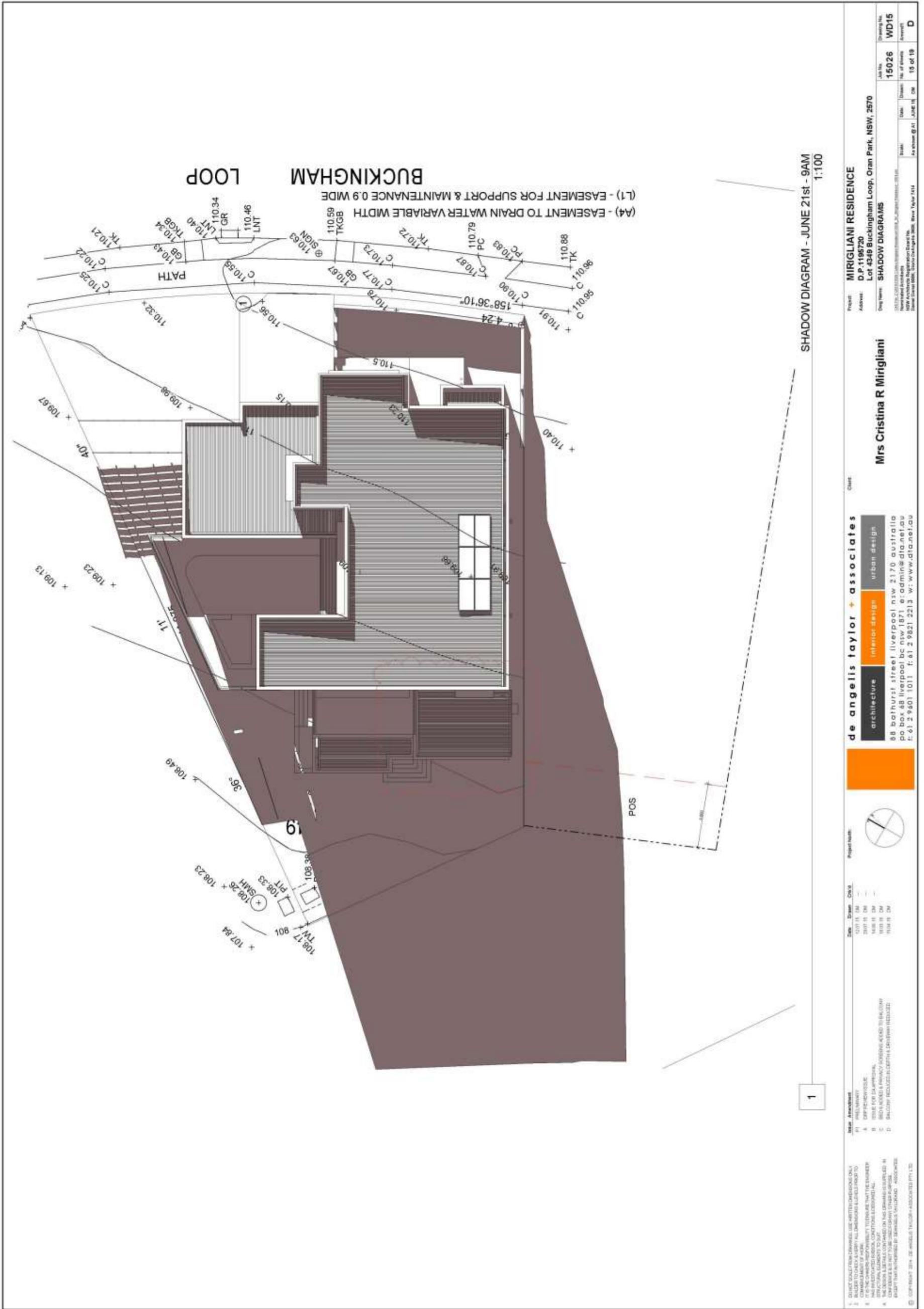
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SHADOW DIAGRAM - JUNE 21st - 9AM  
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 f: 61 2 9601 1011 f: 61 2 9821 2213 w: www.dtanet.au

**Mrs Cristina R Mirigliani**

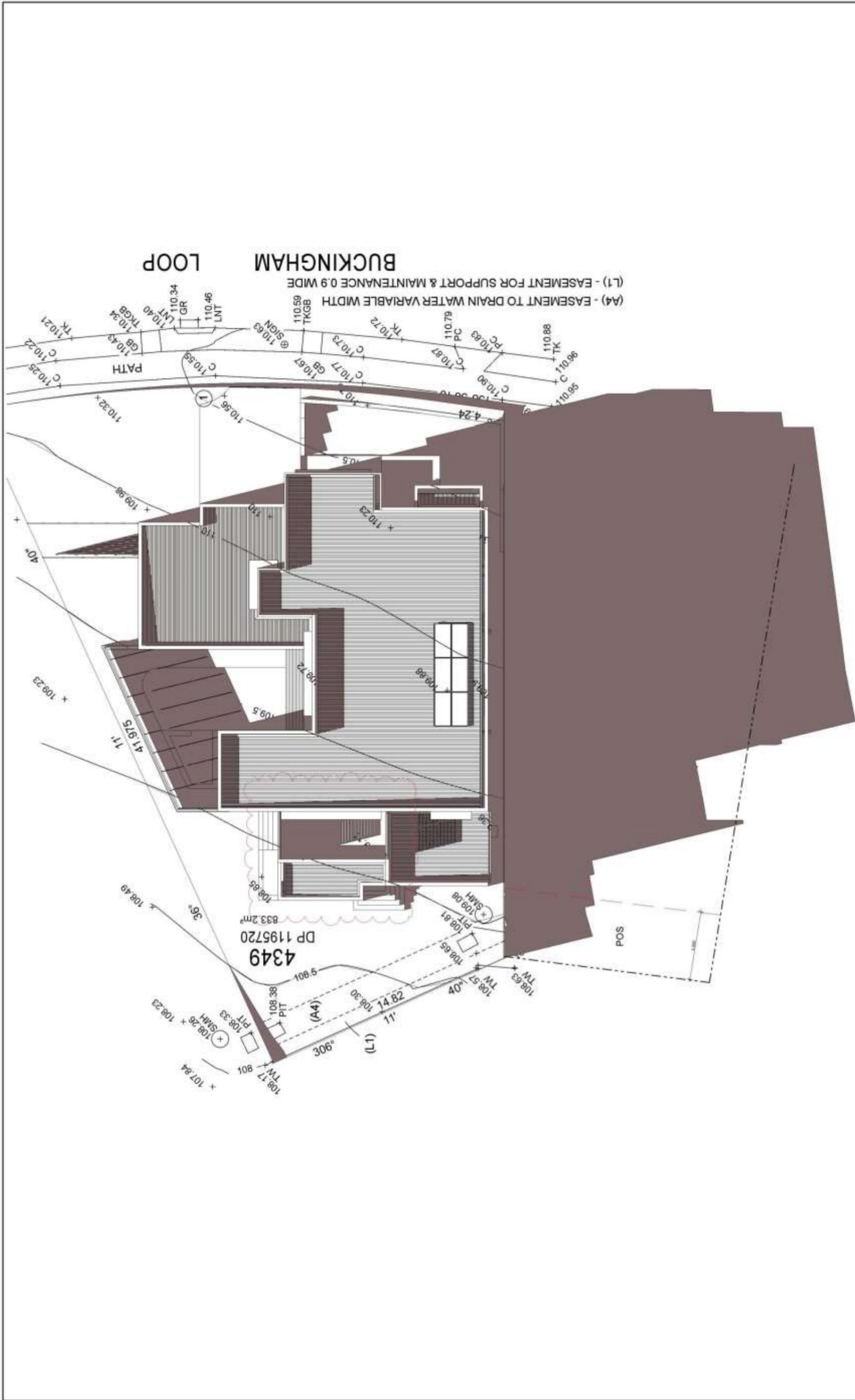
**MIRIGLIANI RESIDENCE**  
 D.P. 1196720  
 Lot 4349 Buckingham Loop, Oran Park, NSW, 2570

**SHADOW DIAGRAMS**

Project No.	15026	Issue No.	15 of 18
Client	Mrs Cristina R Mirigliani	Issue Date	15 of 18
Project Name	MIRIGLIANI RESIDENCE	Issue By	DA
Address	Lot 4349 Buckingham Loop, Oran Park, NSW, 2570	Issue Date	15 of 18
Drawn By	DA	Issue Date	15 of 18
Checked By	DA	Issue Date	15 of 18
Approved By	DA	Issue Date	15 of 18

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SHADOW DIAGRAM - JUNE 21st - 3PM  
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**Mrs Cristina R Mirigliani**  
 Client

**MIRIGLIANI RESIDENCE**  
 Project: D.P. 1195720  
 Address: Lot 4349 Buckingham Loop, Oran Park, NSW, 2570

**SHADOW DIAGRAMS**  
 Drawing No: 15026  
 Date: 17 of 18  
 Date: 17 of 18  
 Date: 17 of 18

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## ATTACHMENT 1 - RECOMMENDED CONDITIONS

### 1.0 - General Conditions of Consent

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Job No. 15026 Drawing No. WD01 Sheet 1 of 19 Amendment D	Cover	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD03 Sheet 3 of 19 Amendment D	Site Analysis Plan	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD04 Sheet 4 of 19 Amendment D	Site Plan	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD05 Sheet 5 of 19 Amendment B	Ground Floor Plan	De Angelis Taylor & Associates	14 August 2015
Job No. 15026 Drawing No. WD06 Sheet 6 of 19 Amendment D	First Floor Plan	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD07 Sheet 7 of 19 Amendment D	Slab Setout & Roof Plan	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD08 Sheet 8 of 19 Amendment D	Reflected Ceiling & Electrical Plans	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD09 Sheet 9 of 19 Amendment B	Drainage Concept Plan	De Angelis Taylor & Associates	14 August 2015
Job No. 15026 Drawing No. WD10 Sheet 10 of 19 Amendment D	Elevations	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD11 Sheet 11 of 19 Amendment C	Sections	De Angelis Taylor & Associates	16 March 2016
Job No. 15026 Drawing No. WD12 Sheet 12 of 19 Amendment C	Door Schedule	De Angelis Taylor & Associates	16 March 2016
Job No. 15026	Window Schedule	De Angelis Taylor	16 March 2016

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Drawing No. WD13 Sheet 13 of 19 Amendment C		& Associates	
Job No. 15026 Drawing No. WD14 Sheet 14 of 19 Amendment B	External Finished Schedule & Construction Details	De Angelis Taylor & Associates	14 August 2015
Job No. 15026 Drawing No. WD15 Sheet 15 of 19 Amendment D	Shadow Diagrams	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD16 Sheet 16 of 19 Amendment D	Shadow Diagrams	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD17 Sheet 17 of 19 Amendment D	Shadow Diagrams	De Angelis Taylor & Associates	15 April 2016
Job No. 15026 Drawing No. WD18 Sheet 18 of 19 Amendment D	Landscape Plan	De Angelis Taylor & Associates	15 April 2016

Document Title	Prepared by	Date
Statement of Environmental Effects – Issue A	De Angelis Taylor & Associates	August 2015
BASIX Certificate (No. 651235S_05)	De Angelis Taylor & Associates	1 March 2016
Waste Management Plan	De Angelis Taylor & Associates	August 2015

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:
    - i. has been informed in writing of the name and licence number of the principal contractor; and

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- ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
  - b) in the case of work to be carried out by an owner-builder;
    - i. has been informed in writing of the name of the owner-builder; and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Excavation for Residential Building Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the consent shall, 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.
- This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying, and a copy of that written consent is provided to the PCA prior to the excavation commencing.
- (6) **Swimming Pools and Spas** - The swimming pool/spa shall comply with:
- a) the *Swimming Pools Act 1992*;
  - b) the *Swimming Pools Regulation 2008*;
  - c) AS 1926.1-2012 'Swimming Pool Safety' Part 1: Safety barriers for swimming pools;
  - d) AS 3500.2-2003 'Plumbing and drainage – Sanitary plumbing and drainage';
  - e) AS1926.3 'Water recirculation systems'; and
  - f) the BCA 2014.
- (7) **Front Fence Height** – The front fence height is to be no higher than 1m above the finished street level in accordance with the Oran Park Precinct Development Control Plan 2007.
- (8) **Side and Rear Boundary Fences** – The side and rear boundary fences must be no higher than 1.8m in accordance with the Oran Park Precinct Development Control Plan 2007.

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- (9) **Screening Devices** – 1.8m high fixed permanent screening devices must be installed along the northern portion of the alfresco area and sides of the upper floor balcony as shown on the approved plans.
  - (10) **Internal Doors within the Garage** – The internal door numbered D17 is to be made a sliding door and D18 is to swing into the home office to preserve the integrity of the vehicle accommodation.

## 2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any Geotechnical Report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Driveway Gradients and Design** - For all driveways that relate to development for the purposes of a dwelling house, the driveway gradient and design shall comply with AS 2890.1-2004 'Off street car parking' and:
  - a) the driveway shall comply with Council's Engineering Specifications;
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and
  - d) a Public Road Activity approval must be obtained prior to the commencement of any works.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (4) **Salinity (Dwellings & Outbuildings)** - The proposed dwelling, landscaping and associated works for the development shall comply with the requirements of the Salinity Management Plan under 'Section 9' in the report titled 'Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision Tranche 4 North Oran Park', prepared by Douglas Partners, Project 34272.06 dated May 2013.

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Alternatively, a site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Building in a Saline Prone Environment Policy shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (5) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.
- (6) **Surface Water Collection from Swimming Pools and Spas** - Swimming pool surrounds and/or paving shall be constructed so as to ensure water from the pool overflow or surge does not discharge onto neighbouring properties. Details demonstrating compliance shall be provided to the Certifying Authority.

### 3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
  - a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
  - a) the name and address of the person by whom the notice is being given;

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- b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Consent Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
- the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (5) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.

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

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

#### 4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
  - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
  - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and
  - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the (select option a, b or c):
  - a) street gutter;
  - b) drainage easement; or
  - c) existing drainage system.

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Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (7) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (8) **Swimming Pool Fence Design** - The swimming pool or spa must be fenced so that the pool is effectively isolated from the dwelling and adjoining lands. The swimming pool fence must comply with the following requirements:
  - a) The swimming pool safety fencing must strictly adhere to the design and location approved with the development consent, and any conditions of the development consent;
  - b) Fences and gates must strictly comply with AS 1926-2012 – Swimming pool safety – Part 1: Safety barriers for swimming pools;
  - c) Fencing shall have a minimum effective height of 1.2m;
  - d) All swimming pool gates shall be self-closing and self-latching. All gates must open outwards from the swimming pool enclosure;
  - e) The filtration equipment including any cover, housing or pipe work, must not be located within a distance of 900mm from the outside face of the swimming pool safety fencing enclosure, nor within 300mm from the inside of the swimming pool safety fencing enclosure (where footholds are possible); and
  - f) Boundary fencing forming part of the swimming pool safety fencing shall maintain a minimum effective height of 1.8m and a 0.9m non climbable zone (measured from the top of the inside of the barrier).

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The swimming pool safety fencing must be installed prior to the swimming pool being filled with water. The Principal Certifying Authority (PCA), or an accredited certifier must inspect the swimming pool safety fencing.

- (9) **Waste Water from Swimming Pools and Spas** - All swimming pool waste water shall be disposed of as follows:

- a) Where a Sydney Water sewer is available – waste water shall be drained or pumped to the sewer; and
- b) Where a Sydney Water sewer is not available (such as rural areas) – waste water shall be disposed of as follows:

Chlorinated pool waste water:

- i) Discharging to a rubble pit measured 600mm wide x 600mm deep x 3m long, located not less than 3m from any structure or property boundary; or
- ii) Discharging to a tail out drain to disperse the water over a large grassed area or paddock, provided that the land fall does not direct water to buildings on the subject or adjoining properties, or create a nuisance to an adjoining property owner.

Saltwater pool waste water:

- iii) Discharging as per point (ii) above.

All pool types:

- iv) Shall not be discharged to a septic tank or an on-site sewage management installation or disposal area; and
  - v) Shall not be discharged into a reserve, watercourse, easement or storm water drainage system.
- (10) **Building Platform** - This approval restricts excavation or fill for the purposes of creating a building platform for the swimming pool. This area should not exceed 2 metres from the footprint of the swimming pool. Furthermore, any excavation or fill must not exceed 500mm in height and be placed closer than 500mm to the boundary, unless otherwise specifically approved by Council.

### 5.0 - Prior to Issue of an Occupation Certificate

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

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

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- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
  - (3) **Footpath Crossing Construction** - A footpath crossing and driveway shall be constructed in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.
  - (4) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
  - (5) **Filter & Recirculation Systems** - Prior to issue of an Occupation Certificate, a certificate of compliance, or other documentary evidence confirming that the proposed recirculation system and filtration system complies with AS1926.3, must be provided to the PCA.
  - (6) **Swimming Pool Register** - In accordance with Part 3A of the *Swimming Pools Act 1992* all swimming pools (including spas) are required to be registered on the NSW Swimming Pools Register. You can register your Swimming Pool online at [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)

Prior to the issue of any occupation certificate you are required to provide evidence in the form of the Certificate of Registration to the PCA.

- (7) **Warning Notice** - A warning notice complying with the provisions of Clause 10 of the *Swimming Pools Regulation 2008*, must be displayed and maintained in a prominent position in the immediate vicinity of the swimming pool, in accordance with Section 17 of the *Swimming Pools Act, 1992*.

The PCA shall ensure that this warning notice is provided and displayed prior to the issue of the Occupation Certificate.

Council also recommends that all owners and/or users of swimming pools obtain a copy of the 'Cardiopulmonary Resuscitation Guideline' known as "Guideline 7: Cardiopulmonary Resuscitation" published in February 2010 by the Australian Resuscitation Council (available through [www.resus.org.au](http://www.resus.org.au)).

- (8) **Swimming Pool Landscaping** - Landscaping of the swimming pool enclosure and surrounds including the provision of outdoor furniture, construction of barbecues and pergolas must not reduce the effectiveness of the swimming pool safety fencing. All landscaping, furniture, and other similar structures shall be located at least 900mm from the outside of the pool safety fencing.

## 6.0 – Ongoing Use

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

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

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

(2) **Noise Nuisance Prevention** - The motor, filter, pump, and all sound producing equipment associated with or forming part of the swimming pool filtration system must be located so as not to cause a nuisance to adjoining property owners.

Should a noise nuisance arise, Council may serve Orders issued pursuant to the *Environmental Planning and Assessment Act, 1979* requiring remedial works to be carried out. Action may also be initiated by the PCA where the PCA is not Council.

The location of equipment that causes offensive noise may require the equipment to be located within a suitable acoustic enclosure, or the relocation of such equipment.

(3) **Prohibitions Within Swimming Pool Enclosure** - The area contained within the swimming pool safety fencing enclosure must not be used for other non related activities or equipment, such as the installation of children's play equipment or clothes drying lines.

(4) **Swimming Pool Water Health Standards** - To maintain hygienic conditions, the swimming pool must be maintained in a clean and healthy condition at all times. For this purpose the following health standards must be maintained:

- a) Chlorination without Cyanurate Sun Stabiliser  
Free chlorine concentration must be maintained within the following range:  
  
Outdoor swimming pools - not less than 1mg per litre;  
  
Indoor swimming pools - water temperature 26 degrees C or below,  
not less than 1.5mg per litre;  
  
water temperature above 26 degrees C not less than 2mg per litre;

**Note:** Cyanurate compounds must not be used in the disinfecting of indoor swimming pools and spa water.

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- b) Chlorination with Cyanurate (Sun Stabiliser Added)  
Free residual chlorine concentration must be not less than 3mg per litre.  
The Cyanurate concentration must be maintained within the range 25 to 50mg per litre;
  - c) pH must be maintained within the range of 7.5 and 8.1;
  - d) Reserve Alkalinity  
  
Where sodium or calcium hypochloride is used, must be not less than 60mg per litre; and
  - e) Sodium hypochloride – liquid chlorine  
Calcium hypochloride - granulated chlorine

**Note:** The above information is supplied by the NSW Department of Health.

- (5) **Home Office Use** – The home office shown on the approved ground floor plan is not to be converted to a garage.
- (6) **Privacy Screens** - Any privacy screen/s shall be permanently maintained in accordance with the approved plans for the life of the development.

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Oran Park Precinct Development Control Plan 2007



Garden Suburban streetscape principles



Suburban streetscape principles



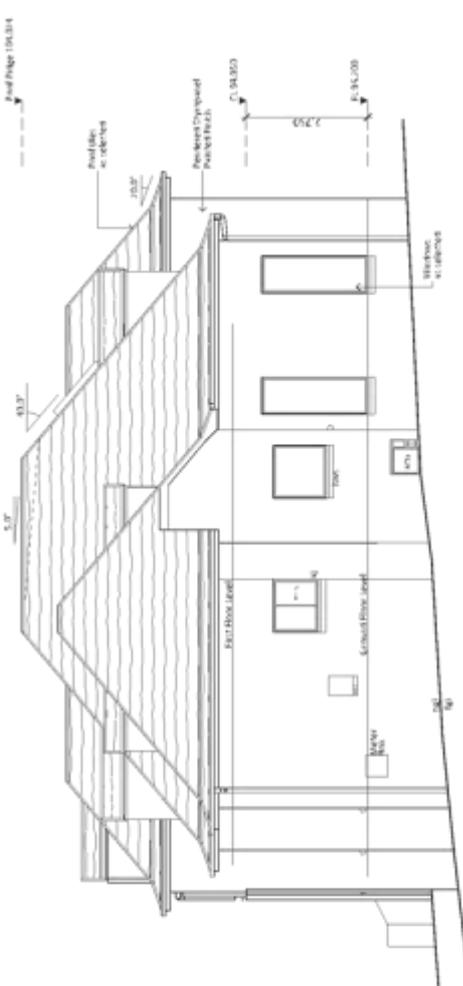
Urban streetscape principles

Figure 41: Streetscape design principles

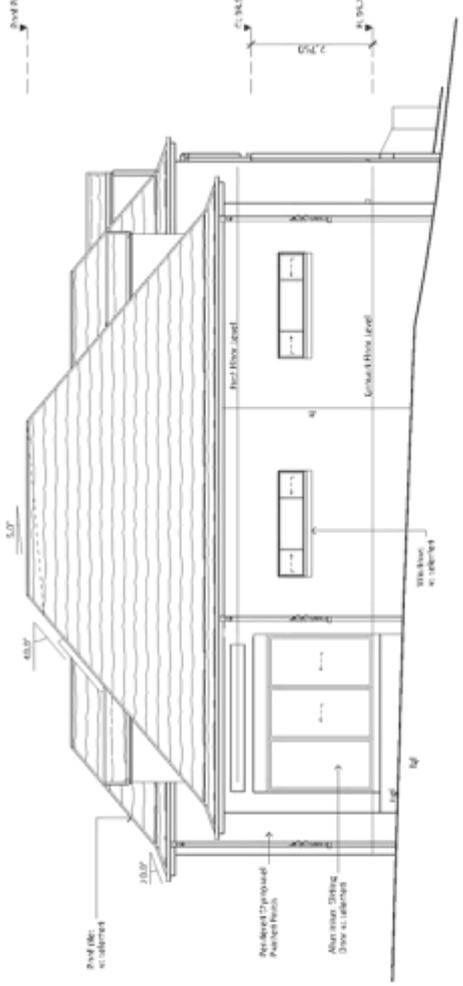


<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Levels shown are approx and should be verified.</li> <li>2. All raised dimensions are to be taken in preference to existing.</li> <li>3. All existing dimensions are to be taken in preference to new.</li> <li>4. Window sizes are nominal only. Final window sizes to be specified on site by builder before commencing work.</li> </ol>	<p>Plan Approved: _____ Date: _____</p> <p>Client: <b>Mr &amp; Mrs Shafer</b></p> <p>Job: <b>Proposed B/V Residence</b></p> <p>LOT: 78 DP: 280018  <b>4 Woodgrove Avenue,                  Harrington Grove</b></p> <p>Drawing: <b>Elevations</b></p> <p>Scale: <b>1:100</b> Date: <b>02-05-15</b></p> <p>Drawing No: <b>Belinda-7 A.C. 7/19</b> Issue: <b>H</b></p> <p style="text-align: right;">   <b>ccurate</b>                  design and drafting                  Office: 1a/10 Exchange Parade                  Narrellan NSW 2557                  Phone : 0246472552                  Fax : 0246472553                  Email: info@accuratedesign.com.au             </p> <p style="font-size: small;">© Shaun Design Pty Limited Design and Drafting 2015</p>
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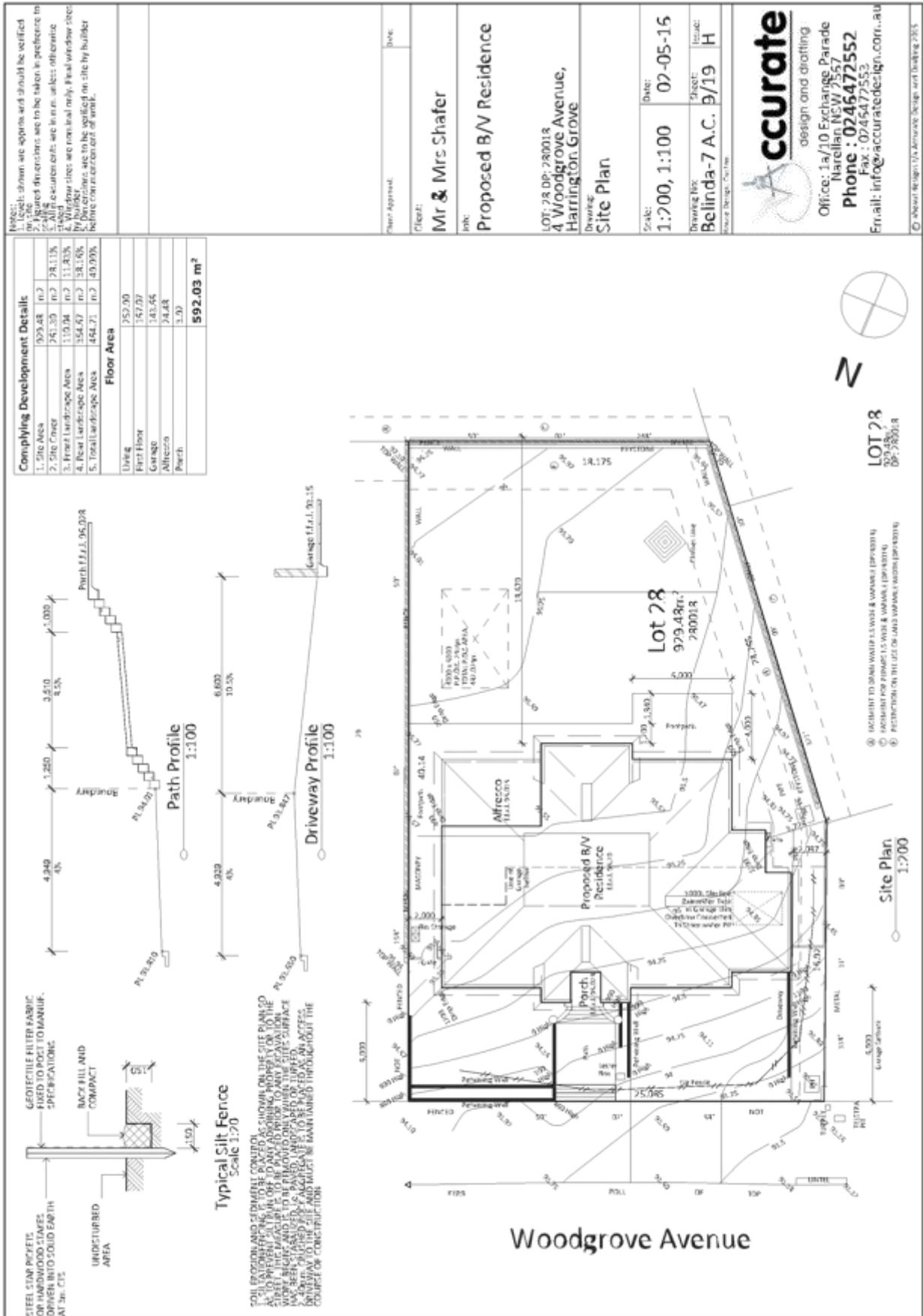


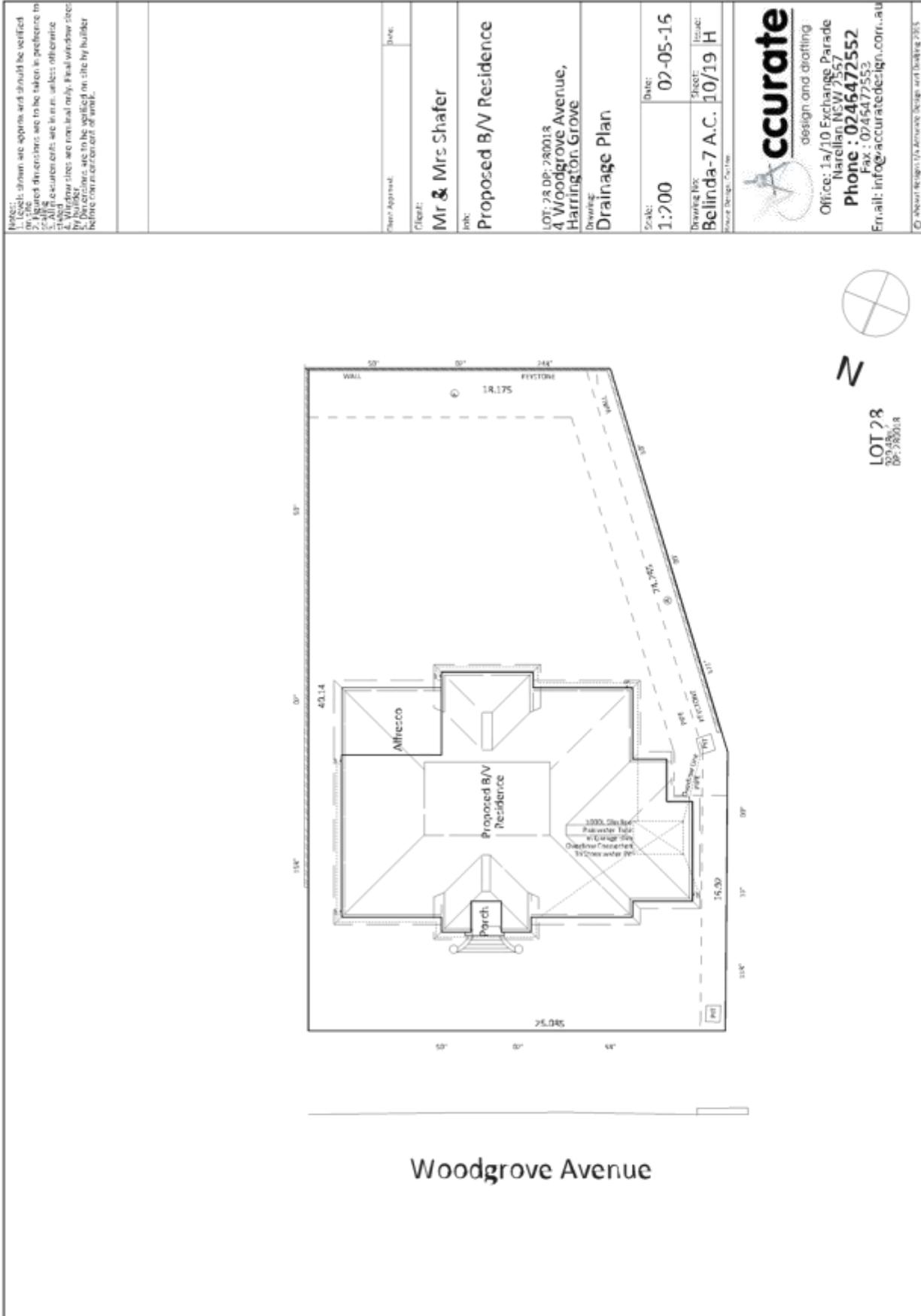
**Side Elevation**  
1:100



**Side Elevation**  
1:100

1. All dimensions are to be taken in preference to existing.  
 2. All dimensions are to be taken in preference to new.  
 3. Window sizes are nominal only. Final window sizes to be specified on site by builder before commencing work.  
 4. Levels shown are approx and should be verified.  
 5. All raised dimensions are to be taken in preference to existing.  
 6. All existing dimensions are to be taken in preference to new.





**Notes:**  
 1. Levels shown are approx and should be verified.  
 2. All proposed dimensions are to be taken in preference to existing dimensions.  
 3. All window and door openings are to be taken in preference to existing dimensions.  
 4. Window sills are nominal only. Final window sills to be confirmed on site by builder before commencing work.

**Door Schedule**

ID	Quantity	Code	Height	Width	Style	Frame	Location	Glazing
E-D1	1	1000	2,400	1,200	Swing/4	Timber	Entry	Clear
E-D2	3	AS12435	2,400	3,610	Sliding	Alum Inert	Family, Meals, FRS Activity	Clear
L-D1	1	900	2,040	900	Swing/4	Timber	Garage	Clear
L-D2	6	700	2,040	700	Swing/4	Timber	Storage, Pwd, w.c., w.l.,	Clear
L-D3	6	800	2,040	800	Swing/4	Timber	Bed 2, 3, 4, 5, FRS, Bath	Clear
L-D4	1	2,620	2,040	1,640	Swing/4	Timber	Bed 1	Clear
L-D5	2	2,620	2,040	1,240	Swing/4	Timber	Storage, Bed 5	Clear
L-D6	2	600	2,100	800	Sliding	Timber	w.l., Utry	Clear
L-D7	1	2,610	2,040	2,400	Swing/4	Timber	Store	Clear
L-D8	1	2,620	2,040	1,420	Swing/4	Timber	Bed 1	Clear
L-D9	2	2,620	2,040	1,440	Swing/4	Timber	FRS, Meals	Clear

**Window Schedule**

ID	Quantity	Code	Height	Width	Style	Frame	Location	Glazing
A-W1	5	ADH 2414	2,400	1,400	Double Hung	Alum Inert	Study, Bed 5, Meals	Clear
A-W2	2	ADH 2404	2,400	400	Double Hung	Alum Inert	w.l., Store	Clear
A-W3	2	ACW 0604	600	2,410	Sliding	Alum Inert	Meals, FRS Activity	Clear
A-W4	1	Curbin 473R	4,700	2,850	Sliding	Alum Inert	Family	Clear
A-W5	2	NW 2408	2,400	800	Fixed	Alum Inert	Meals	Clear
A-W6	2	NW 1012	1,200	1,210	Fixed	Alum Inert	Study/Book	Clear
A-W7	1	ACW 1012	1,000	1,210	Sliding	Alum Inert	Utry	Clear
A-W8	2	ACW 0612	600	1,210	Conceal	Alum Inert	Entrance	Obscure
A-W9	2	ACW 1012	1,000	1,210	Conceal	Alum Inert	Bed 1, 2, 3, 4	Clear
A-W10	2	ACW 1018	1,000	1,810	Conceal	Alum Inert	Bed 1, 2, 3, 4	Clear
A-W11	1	ACW 1812	1,840	1,210	Conceal	Alum Inert	Bath	Clear
SW-1	3	SW-1	1,500	500	Fixed	Alum Inert	Bed 1, 4, First Floor Hallway	Clear

**Niche Details 1:50**

**ccurate**  
 design and drafting  
 Office: 1a/10 Exchange Parade  
 Narrellan NSW 2557  
 Phone : 0246472552  
 Fax : 0246472553  
 E-mail: info@accuratedesign.com.au

LOT: 28 DP: 280018  
 4 Woodgrove Avenue,  
 Harrington Grove

Drawing:  
 Door & Window  
 Schedules

Scale:  
 1:50

Date:  
 02-05-15

Drawing No:  
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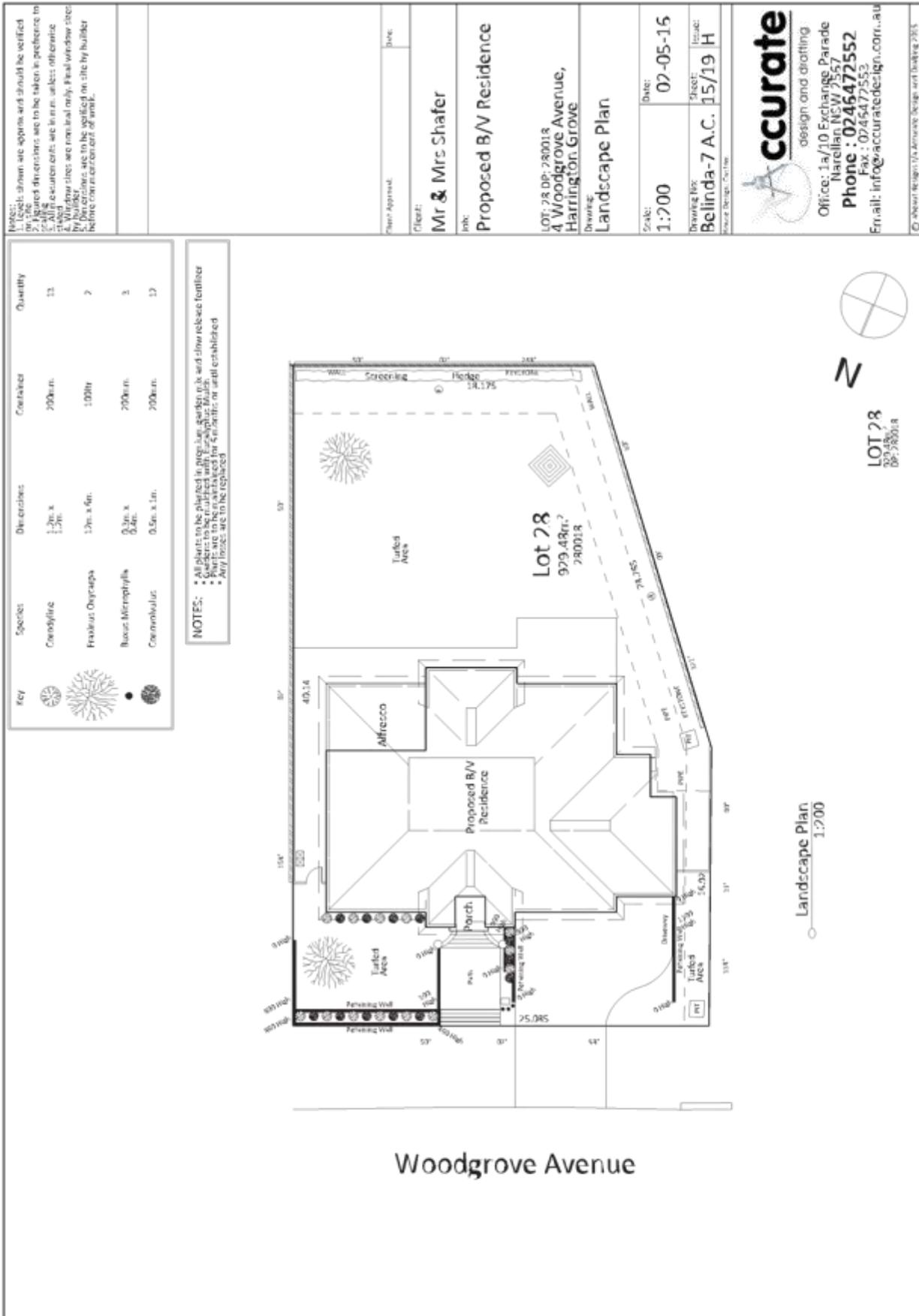
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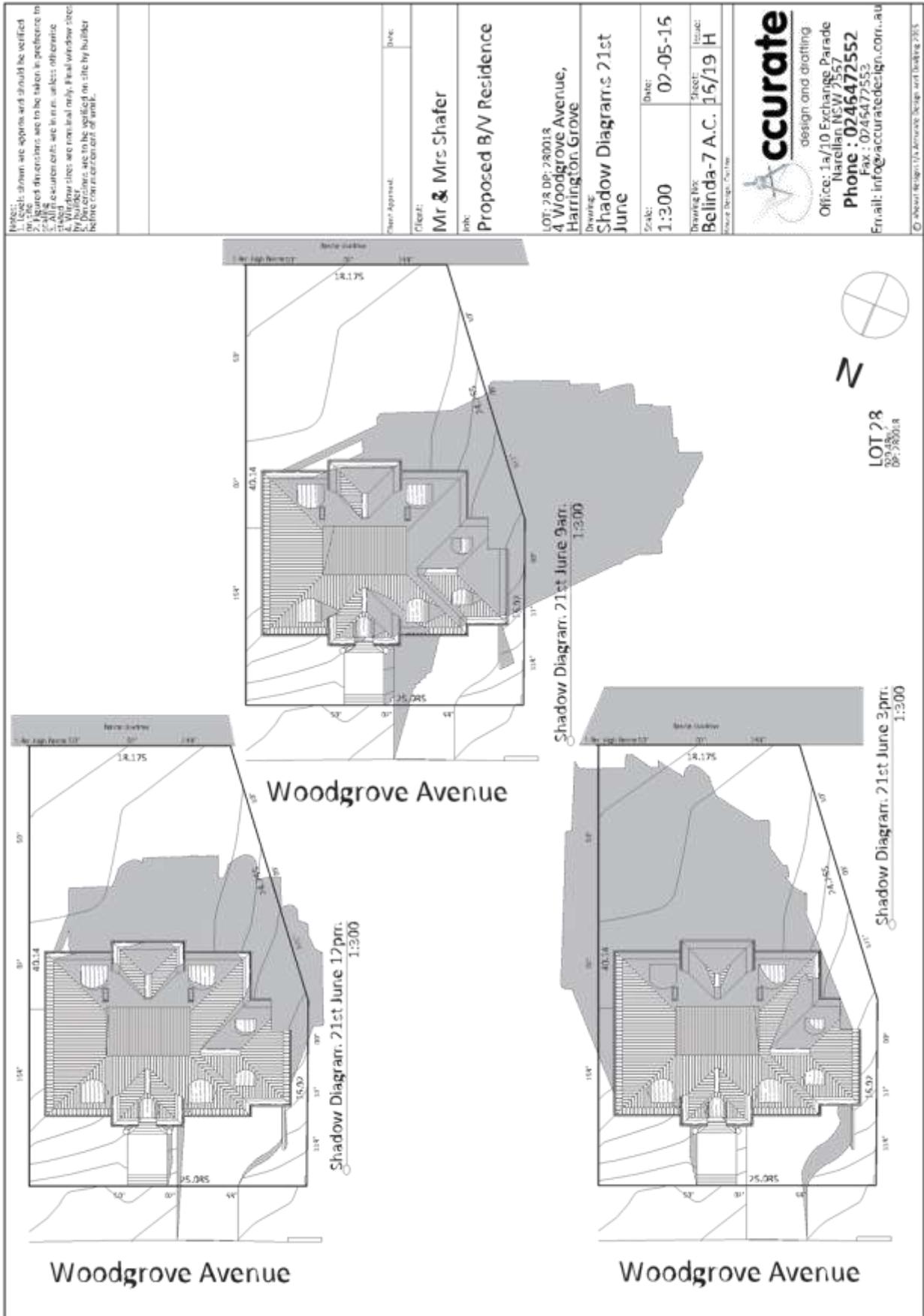
Client:  
 Mr & Mrs Shafer

Proposed B/V Residence

Plan Approval: \_\_\_\_\_ Date: \_\_\_\_\_

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## ATTACHMENT 1 - RECOMMENDED CONDITIONS

### 1.0 - General Conditions of Consent

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
DWG Belinda-7 A.C. Issue H	Garage floor plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Ground floor plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	First floor plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Front elevation	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Rear elevation	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Side elevations	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Section A-A and B-B	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Site plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Drainage plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Window Schedule	Accurate Design and Drafting	02/05/2016



DWG Belinda-7 A.C. Issue H	Garage electrical plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Ground floor electrical plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	First floor electrical plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Landscape plan	Accurate Design and Drafting	02/05/2016
DWG Belinda-7 A.C. Issue H	Shadow diagrams	Accurate Design and Drafting	02/05/2016

Document Title	Prepared by	Date
BASIX Certificate No.651426S_02	Abeaut Design Pty Ltd	14 January 2016
Waste Management Plan	Applicant	Undated

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:
    - i. has been informed in writing of the name and licence number of the principal contractor; and
    - ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
  - b) in the case of work to be carried out by an owner-builder;
    - i. has been informed in writing of the name of the owner-builder; and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.



- (5) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

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

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

## 2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Driveway Gradients and Design** - For all driveways that relate to development for the purposes of a dwelling house, the driveway gradient and design shall comply with AS 2890.1-2004 'Off street car parking' and:
  - a) the driveway shall comply with Council's Engineering Specifications;
  - b) the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - c) the level for the driveway across the footpath area shall achieve a gradient of 4%; and



- d) a Public Road Activity approval must be obtained prior to the commencement of any works.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (4) **Salinity (Dwellings & Outbuildings)** - The proposed dwelling, landscaping and associated works for the development shall comply with the requirements of the Camden Councils Current Policy – Building in Saline Prone Environments and the approved Salinity Management Plan.

Alternatively, a site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and Council's Building in a Saline Prone Environment Policy shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

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

### 3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and



- f) a telephone number on which the PCA may be contacted for business purposes
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
- the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;



- b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
- c) the name, address and telephone number of the PCA.

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

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

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

#### 4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
  - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
  - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and



- d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the drainage easement.
- Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.
- All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.
- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.
- (6) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (7) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.

#### 5.0 - Prior to Issue of an Occupation Certificate

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

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Footpath Crossing Construction** - A footpath crossing and driveway shall be constructed in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.



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

### 6.0 – Ongoing Use

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

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







**NOTES:**  
 ALL WORKS TO COMPLY WITH CURRENT VERSIONS OF BCA, AJI TITANIAN STANDARDS, COUNCIL REQUIREMENTS AND OTHER RELEVANT BUILDING REGULATIONS.  
 ALL WALLS AND URBAN WINDING SHALL BE FINISHED BY BUILDER / MANUFACTURER PRIOR TO COMMENCEMENT OF ANY WORK AND ANY DISCREPANCY THIS OFFICE MUST BE NOTIFIED.  
 DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION, EXHIBITS AND OTHER RELEVANT DOCUMENTATION.  
 DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.  
 ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.

**project:**  
 indosono duplex development  
 Lot 113 in DP 1194680, 2 Jones Street (Corner of Jones Street) Bourne Ridge, Ocean Park, NSW 2270

**client:**  
 Mr. Marco Guolo & David Guolo

**drawing title:**  
 SHADOW DIAGRAM

**designed:**  
 PETERHAR ABDULLAH  
 3, 4th Fl, 40, Pitt Street, Sydney, NSW  
 Australia Ph: 61 2 9221 1870

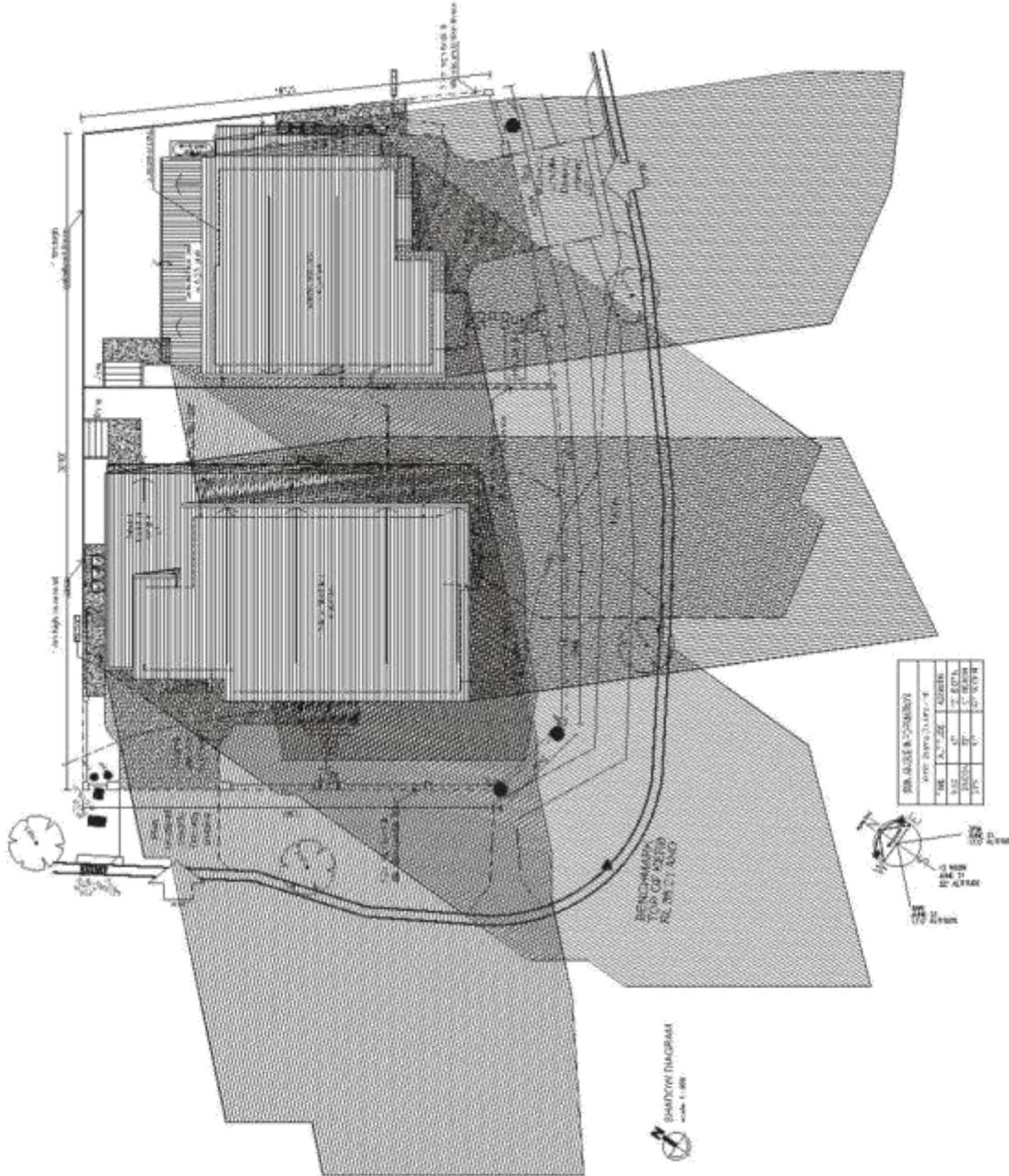
**design dev & drawn:**  
 S (I. B. ARCH)  
 M (M. ARCH)

**checked:**

**ideas** interior+architecture  
**interior+design** asod

17 Wangmans Dr, Lurmeah, NSW 2231  
 Ph: 02 4557721, Mobile: 0404 881135  
 e-mail: info@ideas-design.com.au  
 ABN 36 657 403 382

**scale:** As Shown **date:** Oct 2011  
**pho:** **des:** A-J  
**revision:** A B C D E F G H I J



**ISSUE FOR DA SUBMISSION**

**NOTES:**  
 ALL WORKS TO COMPLY WITH CURRENT VERSIONS OF BCA, AS/NZS 1171:2009 STANDARDS, COVENANT REQUIREMENTS AND OTHER RELEVANT BUILDING REGULATIONS.  
 ALL WALLS AND UMBRELLA ROOFING SHALL BE CONSTRUCTED BY BUILDER. ANNOTATIONS PRIOR TO COMMENCEMENT OF ANY WORK AND ANY DISCREPANCY THIS OFFICE MUST BE NOTIFIED.

DESIGNING TO BE IN ACCORD WITH THE BUILDING REGULATIONS AND ALL RELEVANT COVENANT REQUIREMENTS.  
 ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.  
 ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.

PROJECT:

PROPOSED DUPLEX DEVELOPMENT  
 Lot 113 in DP 1146550, 2 Jona Street (Corner of Jones Street Bourne Ridge), Oran Park, NSW 2570

CLIENT:  
 Mr. Mervyn Dwyer & Doreen Dwyer

DRAWING TITLE:

ELEVATIONS (HOUSE A)

DESIGNED BY:  
 PETER AND ANNE ARCHITECTS  
 5/102-104 JONES STREET ORAN PARK NSW 2570  
 TEL: (02) 9631 0000 FAX: (02) 9631 0001

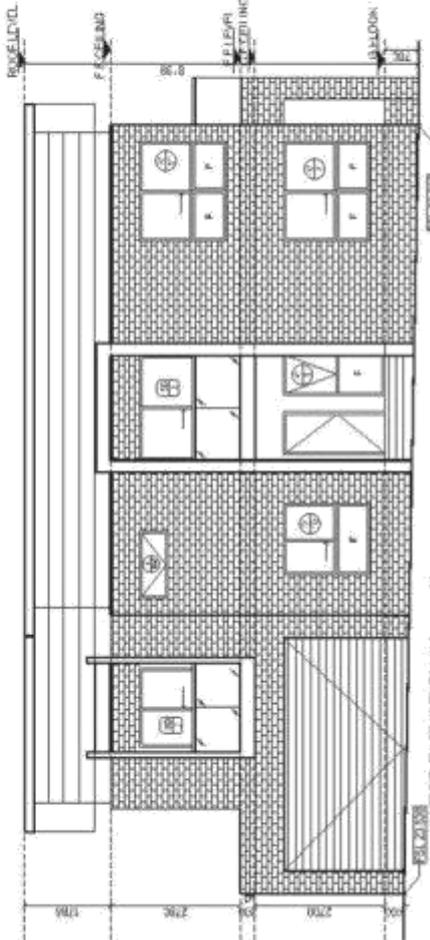
DESIGN AND DRAWN BY:  
 PETER ARCHITECT  
 ANNE ARCHITECT

CHECKED BY:

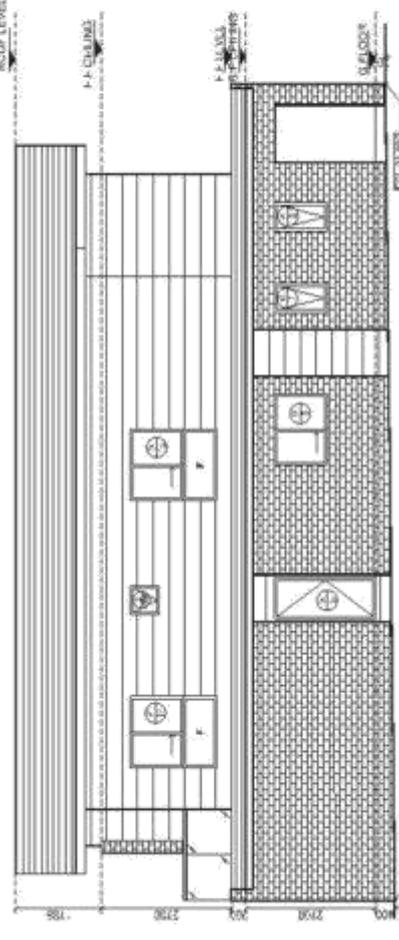
**ideas** Architecture + Interiors  
**insight+design aspd**

17 Warragamba Ct, Leumeah, NSW 2145  
 Ph: 02 46237722 Mobile: 0404 981 322  
 e mail: info@ideasdesign.com.au  
 ABN: 96 017 103 502

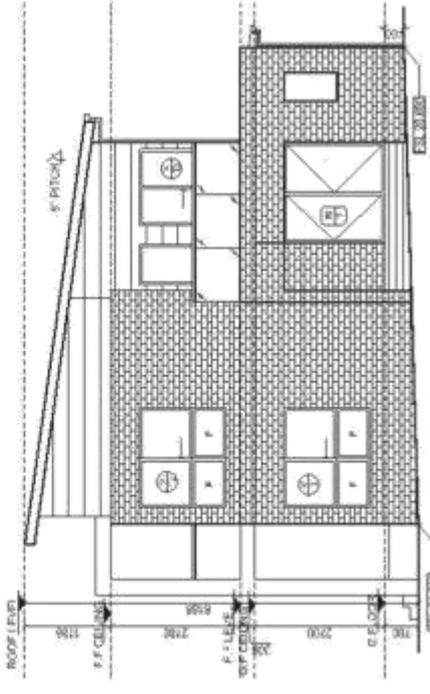
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 P/NO: dwg. no: A-HA-1  
 REVISIONS: ABCDEFGHIJ



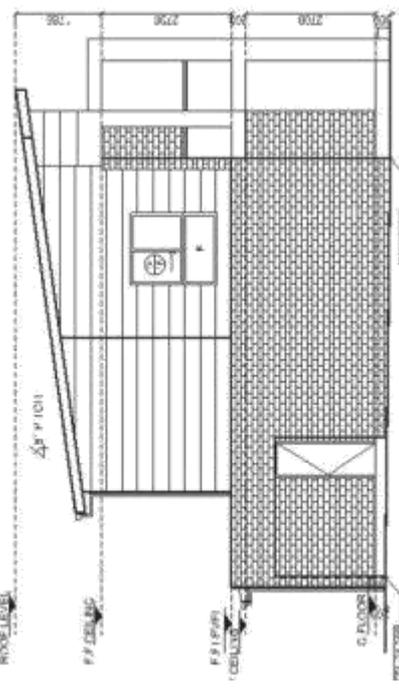
WEST ELEVATION (House A)  
 scale 1 : 100



EAST ELEVATION (House A)  
 scale 1 : 100



SOUTH ELEVATION (House A)  
 scale 1 : 100



NORTH ELEVATION (House A)  
 scale 1 : 100

**ISSUE FOR DA SUBMISSION**



**Details of Conditions:****1.0 - General Conditions of Consent**

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
A-01	Sediment Control Plan & Location Map	Iftekhar Design and Associates	October 2015
A-02	Site Analysis Plan	Iftekhar Design and Associates	October 2015
A-03	Area Calculation & Site Development Plan	Iftekhar Design and Associates	October 2015
A-04	Ground Floor Plan & Streetscape	Iftekhar Design and Associates	October 2015
A-05	First Floor Plan & Roof Plan	Iftekhar Design and Associates	October 2015
A-07 Rev B	Subdivision Plan	Iftekhar Design and Associates	29 April 2016
A-HA-01	Floor Plan (House A)	Iftekhar Design and Associates	October 2015
A-HA-03	Elevations (House A)	Iftekhar Design and Associates	October 2015
A-HB-01 Rev A	Floor Plan (House B)	Iftekhar Design and Associates	18 April 2015
A-HB-02	Roof Plan & Section AA	Iftekhar Design and Associates	October 2015
A-HB-03 Rev A	Elevations (House B)	Iftekhar Design and Associates	18 April 2015
15895A Issue A	Drainage Design	D&M Consulting Pty Ltd	8 December 2015
	3D View with Finish Schedule (House A)	Iftekhar Design and Associates	Submitted with DA documentation
	3D View with Finish Schedule (House B)	Iftekhar Design and Associates	Submitted with DA documentation
L-01	Landscape & Fence Elevation	Iftekhar Design and Associates	October 2015
2585 Issue C Sheet 1 of 1	Detail Survey Over Lot 113 in Drafted Plan	Sydney Registered Surveyors	30 September 2015

Document Title	Prepared by	Date
BASIX Certificate No. 680153S	Ideas Architects	15 November 2015
BASIX Certificate No. 680311S	Ideas Architects	15 November 2015
Waste Management Plan	Submitted with DA Documentation	Submitted with DA Documentation

- (2) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate(s) for the development to which this consent applies.
- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **Home Building Act** - Pursuant to Section 80A(11) of the *EP&A Act 1979*, residential building work within the meaning of the *Home Building Act 1989* shall not be carried out unless the PCA for the development to which the work relates:
- a) in the case of work for which a principal contractor has been appointed:
    - i. has been informed in writing of the name and licence number of the principal contractor; and
    - ii. where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.
  - b) in the case of work to be carried out by an owner-builder;
    - i. has been informed in writing of the name of the owner-builder; and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.
- (5) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

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

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

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

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

The proposed driveway for House A conflicts with the existing lintel pit and is required to be relocated to be 1m clear of the lintel pit.

Amended plans or documentation demonstrating compliance shall be provided to the Certifying Authority and Council prior to the issue of a Construction Certificate

## 2.0 – Prior to Issue of a Construction Certificate

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

- (1) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (2) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (3) **Driveway Gradients and Design** - For all driveways that relate to development for the purposes of a dwelling house, the driveway gradient and design shall comply with AS 2890.1-2004 'Off street car parking' and:
- the driveway shall comply with Council's Engineering Specifications;
  - the driveway shall be at least 1m from any street tree, stormwater pit or service infrastructure;
  - the level for the driveway across the footpath area shall achieve a gradient of 4%; and
  - a Public Road Activity approval must be obtained prior to the commencement of any works.

Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.

- (4) **Salinity (Dwellings & Outbuildings)** - The proposed dwelling, landscaping and associated works for the development shall comply with the requirements of the Salinity Management Plan under 'Section 9' in the report titled 'Report on Salinity Investigation and Management Plan: Proposed Residential Subdivision Tranche 10 Stage 1 Oran Park', prepared by Douglas Partners Project 34272.06, dated December 2012.

Alternatively, a site specific analysis including recommendations, prepared by a suitably qualified consultant and referencing Australian Standard AS2870-2011 and

Council's Building in a Saline Prone Environment Policy shall be submitted to the Certifying Authority.

Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (5) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.
- (6) **Section 94 Contributions – Monetary (Turner Road and Oran Park)** - A contribution pursuant to the provisions of Section 94 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
Oran Park and Turner Road Precincts Section 94 (OP & TR) Contributions Plan	Open Space & Recreation Land Acquisition	\$13,599.00 per lot or dwelling	\$ 13,599.00
OP & TR Contributions Plan	Open Space & Recreation Capital Work	\$8,798.00 per lot or dwelling	\$8,798.00
OP & TR Contributions Plan	Open Space & Recreation Project Management	\$194.00 per lot or dwelling	\$194.00
OP & TR Contributions Plan	Community Facilities Land Acquisition	\$155.00 per lot or dwelling	\$155.00
OP & TR Contributions Plan	Community Facilities Capital Work	\$1,710.00 per lot or dwelling	\$ 1,710.00
OP & TR Contributions Plan	Community Facilities Project Management	\$38.00 per lot or dwelling	\$ 38.00
		per net developable hectare	
	<b>Total</b>		<b>\$24,494.00</b>

A copy of the Oran Park and Turner Road Precincts Section 94 Contributions Plan may be inspected at Council's Camden office at 37 John Street, Camden or can be accessed on Council's website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

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

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

- (8) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (9) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (10) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (11) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

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

- a) Measures to control noise emissions from the site;
- b) Measures to suppress odours and dust emissions;
- c) Soil and sediment control measures;
- d) Measures to control air emissions that includes odour;

- e) Measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) Any other recognised environmental impact; and
- g) Community Consultation.

### 3.0 - Prior to Commencement of Works

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

- (1) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
  - a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (2) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
  - a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (3) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:

- a) a Construction Certificate has been issued by a Certifying Authority;
- b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
- c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
- d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and

the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.

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

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

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

- (7) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (8) **Performance Bond** - Prior to commencement of works a performance bond of \$5000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.

**Note** – An administration fee is payable upon the lodgement of a bond with Council.

#### 4.0 - During Works

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

- (1) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
  - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
  - b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and
  - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (4) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the (select option a, b, c or d):
  - a) street gutter;
  - b) drainage easement;
  - c) existing drainage system;
  - d) stormwater drainage is to be installed as per the approved hydraulic drainage plan. Stormwater must be clear of and not impact upon the effluent management area as shown on the approved sustainable effluent management plan.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

- (5) **Works by Owner** - Where a portion of the building works do not form part of a building contract with the principal contractor (builder) and are required to be

completed by the owner, such works shall be scheduled by the owner so that all works coincide with the completion of the main building being erected by the principal contractor.

- (6) **Survey Report** - The buildings and front fences shall be set out by a registered land surveyor. A peg out survey detailing the siting of the buildings in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (7) **Easements** - No changes to site levels, or any form of construction shall occur within any easements that may be located on the allotment.
- (8) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
- a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc, an application shall be made for a Road Opening Permit and an approval under Section 138 of the *Roads Act 1993*;
  - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138 of the *Roads Act 1993*.
- Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.
- (9) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (10) **Site Management Plan** – The following practices shall be implemented during construction works:
- a) A sign shall be erected at all entrances to the subdivision site. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:  
"WARNING UP TO \$1500 FINE. It is illegal to allow soil, cement slurry or other building material to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."  
  
The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.
- (11) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

## 5.0 - Prior to Issue of a Subdivision Certificate

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

- (1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Show Easements/ Restrictions On The Plan Of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (3) **Burdened Lots To Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (4) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the PCA.
- (5) **Fill Plan** - A fill plan shall be provided to the PCA prior to the issue of any Subdivision certificate. The plan must:
  - a) Show lot boundaries;
  - b) Show road/drainage/public reserves;
  - c) Show street names;
  - d) Show final fill contours and boundaries; and
  - e) Show depth in filling in maximum 0.5m Increments

It is to be provided electronically in Portable Document Format (.PDF) at 150dpi with a maximum individual file size not exceeding 2 megabytes and provide both on compact disk and an A1 paper plan.

- (6) **Incomplete Works** - Prior to the issue of the Subdivision Certificate the applicant is to lodge a bond with Camden Council for the construction of incomplete works, including concrete footpath and/or pedestrian/cycle shared way, in accordance with Camden Council's current Engineering Construction Specifications.

**Note** – An administration fee is payable upon the lodgement of a bond with Council.

- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the PCA, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (8) **Soil Classification** - A soil classification report prepared by a suitably qualified person in accordance with AS 2870 'Residential Slabs and Footings', detailing the general classification of soil type generally found within the subdivision, shall be provided to the PCA. A classification shall be provided for each lot within the subdivision. The soil classification report shall also be provided to Council.
- (9) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:

- a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development;
  - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and
  - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (10) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.
- Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).
- (11) **Defects and Liability Bond** - The applicant is to lodge a defects and liability bond in the form of an unconditional bank guarantee or cash bond, being \$5000, with Council.
- The bond covers any defects and liabilities of the public infrastructure.
- Note** – An administration fee is payable upon the lodgement of a bond with Council.
- (12) **Special Infrastructure Contribution** - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the Minister administering the *EP&A Act 1979* under Section 94EE of that Act and as in force on the date of this consent. This contribution shall be paid to the DP&E.
- Evidence of payment of the SIC shall be provided to Council and the PCA.

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

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

- (1) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the buildings and front fences in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
- (3) **Footpath Crossing Construction** - A footpath crossing and driveway shall be constructed in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.
- (4) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.

- (5) **Registration of Land**– Documentary evidence shall be provided to the PCA confirming that the two lot Torrens title subdivision subject to this DA has been registered with NSW Land & Property Information prior to the issue of the Occupation Certificate for dwelling works.

### 7.0 – Ongoing Use

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

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

### Reasons for Conditions:

- (1) To ensure that the development complies with statutory requirements including the *Environmental Planning and Assessment Act 1979*, the *Environments Planning and Assessment Regulation 2000*, the *Building Code of Australia* and applicable Australian Standards.
- (2) To ensure that the development meets the aims, objectives and requirements of the environmental planning instruments, development controls plans, Council policies and Section 94 contribution plans that apply to the site and development.
- (3) To ensure that the development complies with the submitted plans and supporting documentation.
- (4) To ensure that the development will be constructed/operated in a manner that will minimise impacts upon the environment.

### Advisory Conditions:

- (1) **Plan Compliance** – The development consent requires compliance with the approved plans and documents that form part of the approval. Specific conditions of consent are also to be complied with, and amendments to achieve compliance with conditions of the consent are permitted.

All other modifications to plans and documents need to be confirmed with either Council or the certifying authority for the development. Changes to a development may require formal modification via Section 96 of the *Environmental Planning and Assessment Act, 1979*.

- (2) **Shoring and Adequacy of Adjoining Property** – If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- protect and support the adjoining premises from possible damage from the excavation, and
- where necessary, underpin the adjoining premises to prevent any such damage.

This requirement 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.

(3) **Erection of Signs** – A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work;
- b) showing the name of the 'principal contractor' (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is 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.

This clause does not apply to building work carried out inside an existing building that does not affect the external walls of the building.

The PCA and principal contractor must ensure that signs required by this condition are erected and maintained.

### **Responsibility for Other Approvals / Agreements**

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

### **Appeals**

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid for a development application within 6 months after the date on which the applicant received this notice.

### **Appeals – Third Party**

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

### **Determination Review**

If you are an applicant and you are dissatisfied with the determination, you may within 6 months from the date of determination, request Council, in writing, to review the determination.

### **Legal Notices**

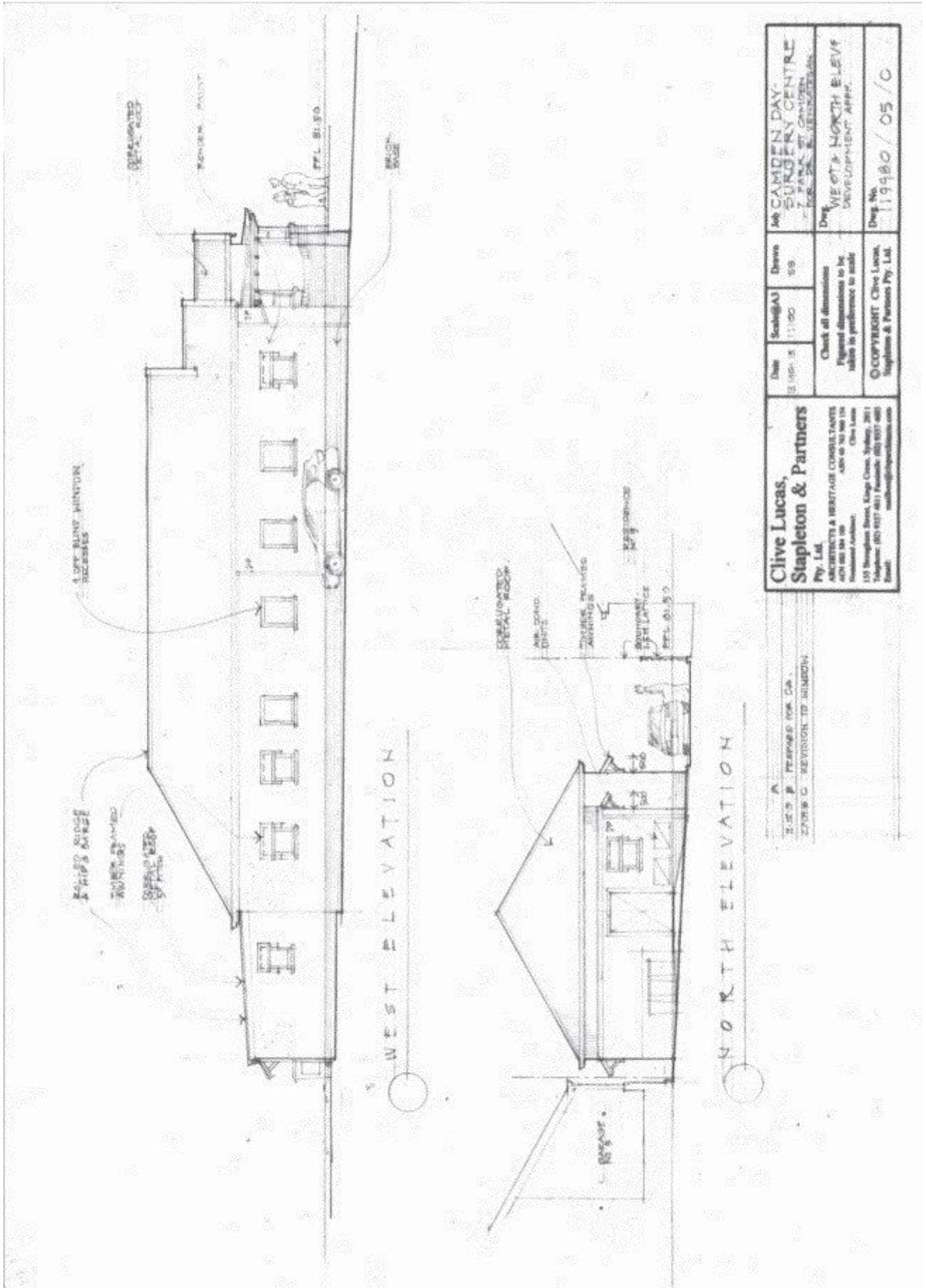
ORD03

Any advice or notice to the consent authority shall be served on the General Manager of Camden Council.

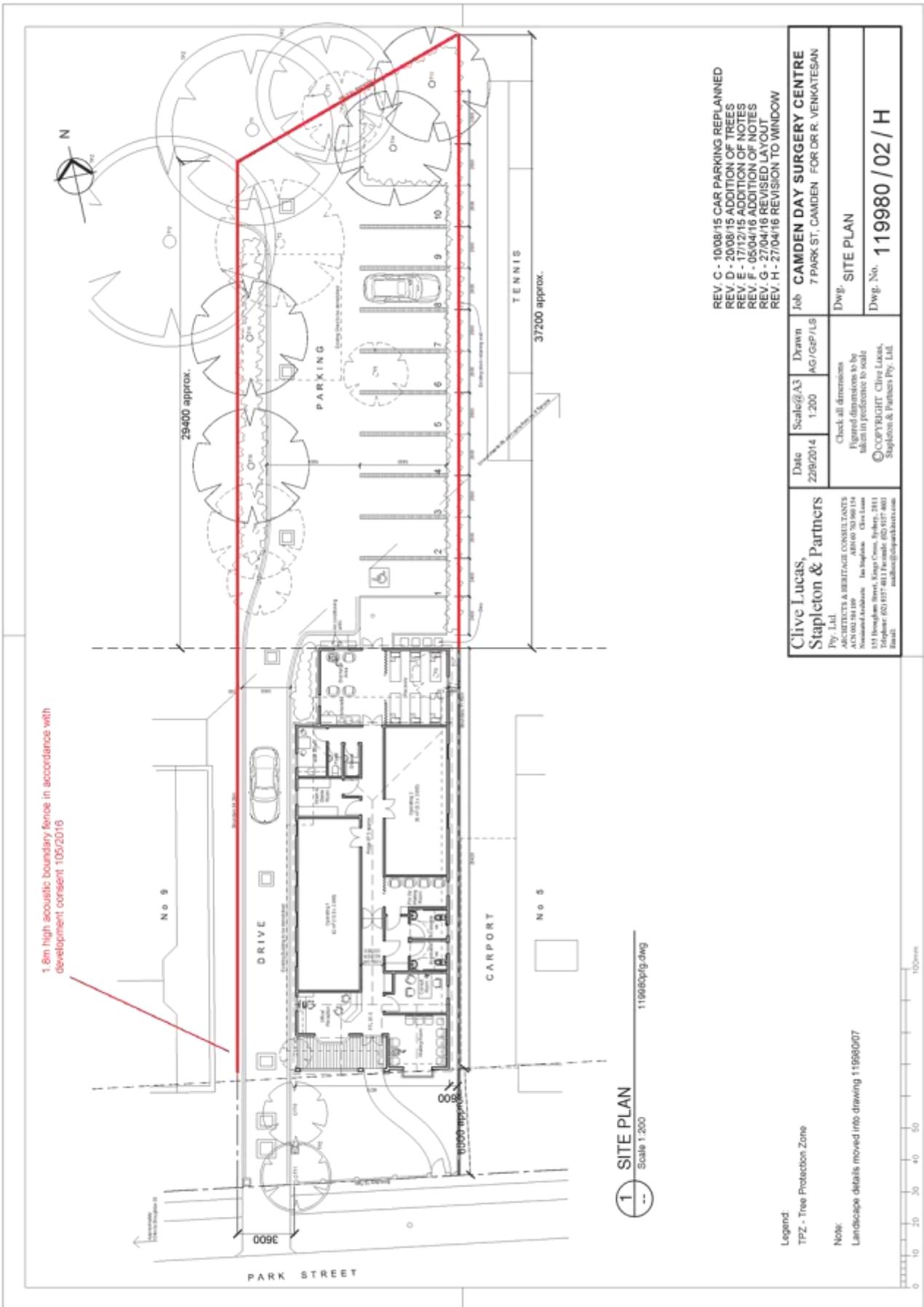
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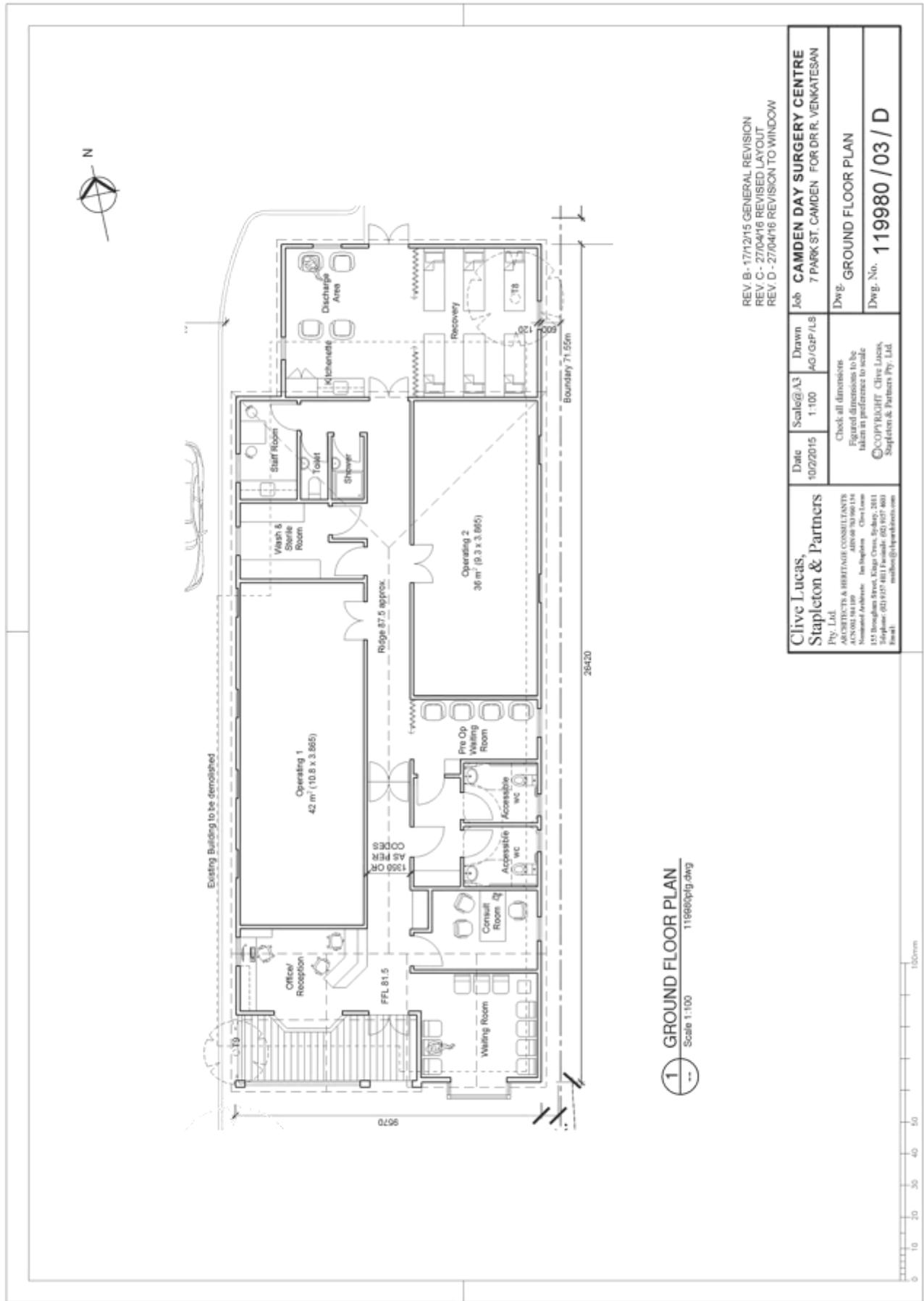
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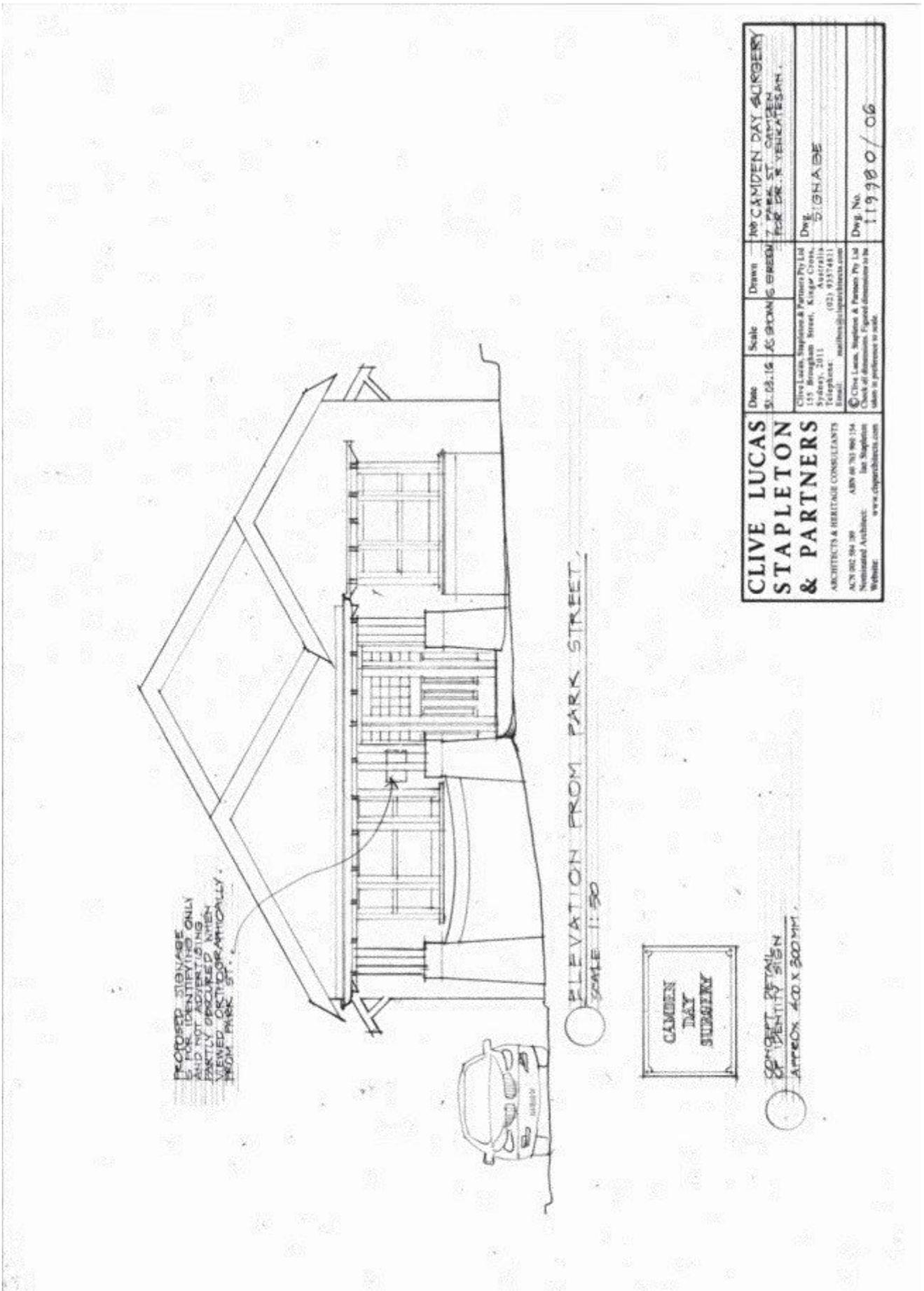


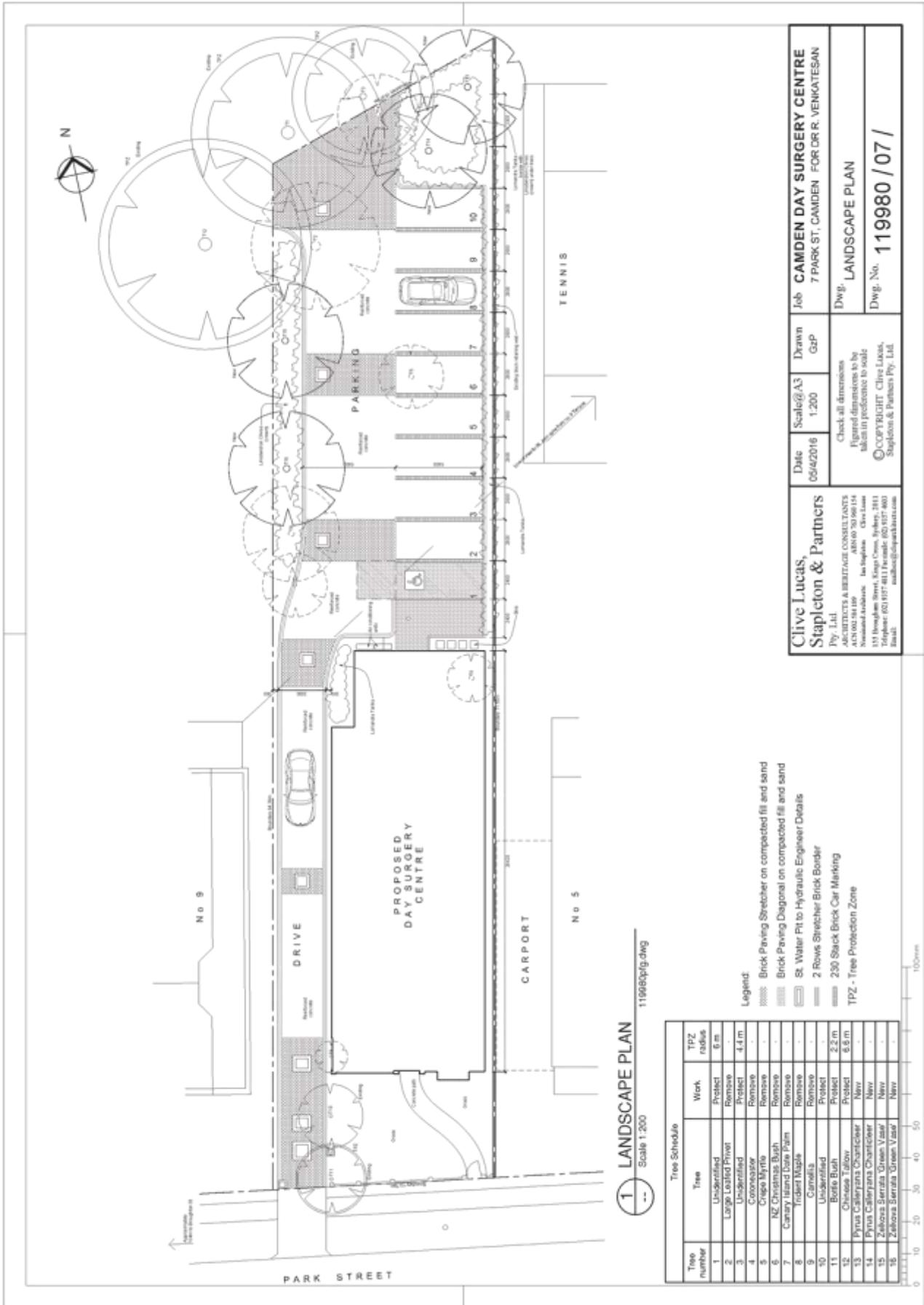


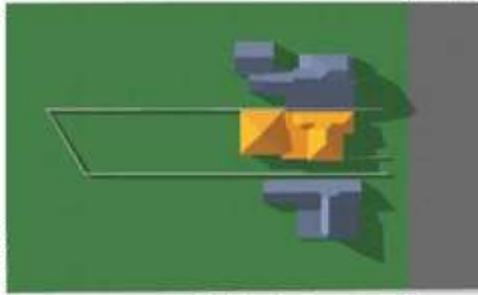
<b>Clive Lucas, Stapleton &amp; Partners</b> Py. Ltd. ARCHITECTS & HERITAGE CONSULTANTS 401 401 St. John Street Newcastle, Australia 155 Northgate Street, Kings Cross, Sydney, 2011 Telephone: (61) 02 937 4611 Facsimile: (61) 02 937 4603 Email: <a href="mailto:enquiries@stapleton.com.au">enquiries@stapleton.com.au</a>		Date: 21/05/15 Scale: A3 Drawn: SB	Mr CAMDEN DAY SURGERY CENTRE 7 BANK ST CAMDEN NSW 2820 AUSTRALIA
Check all dimensions Figure dimensions to be taken in preference to scale		Drawn: SB	Date: 11/05/15 Scale: A3 Drawn: SB
Copyright © Clive Lucas, Stapleton & Partners Py. Ltd.		Date: 11/05/15 Scale: A3 Drawn: SB	



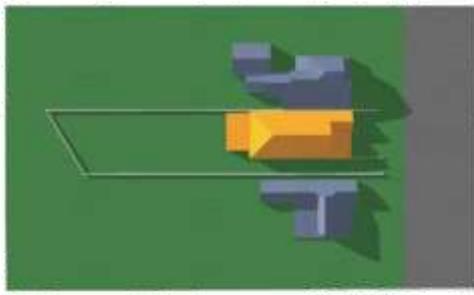




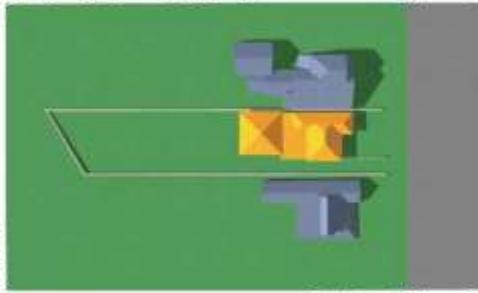




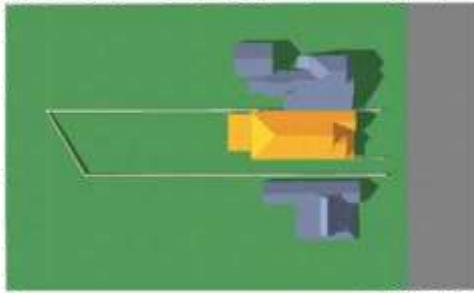
June 21<sup>st</sup> – 9:00am – Existing



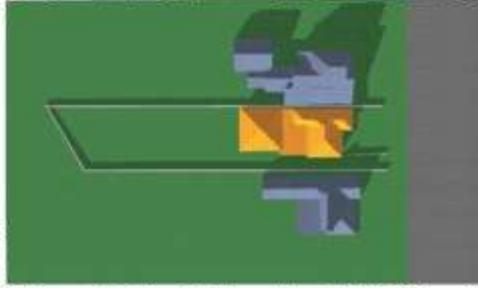
June 21<sup>st</sup> – 9:00am – Proposed



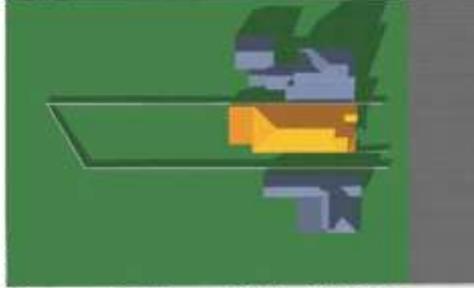
June 21<sup>st</sup> – 12:00pm – Existing



June 21<sup>st</sup> – 12:00pm – Proposed



June 21<sup>st</sup> – 03:00pm – Existing



June 21<sup>st</sup> – 03:00pm – Proposed

<b>CLIVE LUCAS STAPLETON &amp; PARTNERS</b> ARCHITECTS & HERITAGE CONSULTANTS ACN 002 584 189 ABRN 60 703 968 154 Nominated Architect: Ian Stapleton Website: www.clivestapleton.com	Date 13/04/2016	Scale@/A3 N/A	Drawn LS	Job CAMDEN DAY SURGERY CENTRE 7 PARK ST, CAMDEN FOR DR. VENKATESAN
				Dwg. SHADOW DIAGRAM
				Dwg. No. 119980 / 08 / -

**Recommended Conditions:****1.0 - General Conditions of Consent**

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

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Drawing No. 119980/04/D	East and South Elevations	Clive Lucas Stapleton and Partners	27 April 2016
Drawing No. 119980/05/C	West and North Elevations	Clive Lucas Stapleton and Partners	27 April 2016
Drawing No. 119980/02/H	Site Plan	Clive Lucas Stapleton and Partners	27 April 2016
Drawing No. 119980/03/D	Ground Floor Plan	Clive Lucas Stapleton and Partners	27 April 2016
Drawing No. 119980/06	Signage	Clive Lucas Stapleton and Partners	31 March 2016
Drawing No. 119980/07	Landscape Plan	Clive Lucas Stapleton and Partners	5 April 2016
Drawing No. 119980/08	Shadow Diagram	Clive Lucas Stapleton and Partners	13 April 2016

Document Title	Prepared by	Date
Statement of Environmental Effects'	Clive Lucas Stapleton and Partners	7 December 2015
Statement of Heritage Impact	Clive Lucas Stapleton and Partners	21 December 2015
Arboricultural Impact Assessment and Tree Management Report	Glenyss Laws	10 August 2015
Waste Management Plan	Clive Lucas Stapleton and Partners	1 February 2016

- (2) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (3) **Outdoor Lighting** - All lighting shall comply with AS 1158 and AS 4282.

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

The following procedures shall be strictly observed:

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

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

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

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

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

- (5) **Waste Bin Collection Points** - A waste bin collection point that is clear from the positioning of driveways, tree plantings (or tree canopies), street lighting or other fixtures must be provided for each approved lot. This area is to be 3 metres long x 0.9 metres wide and provide a 3.9 metre clear vertical space to allow for the truck-lifting arm.
- (6) **Separate Approval for Signs** - A separate development application for any proposed signs additional to those signs approved as part of this development consent, shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.
- (7) **Signage Illumination** - Any illumination of the wall sign approved by this development consent (105/2016) must be carried out in accordance with the Camden Development Control Plan 2011.
- (8) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

- (9) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:
- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
  - b) where necessary, underpin the building, structure or work to prevent any such damage.

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

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

- (10) **Tree Removal** - The 7 trees as shown in the approved landscape plan Drawing No. 119980/07 by Clive Lucas Stapleton and Partners dated 5 April 2016, identifying trees to be removed are approved for removal.

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

Where possible all green waste generated from the approved tree work is to be recycled into mulch or composted at a designated facility. All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.

- (11) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and must not be visible from the street.
- (12) **Building Design** - The design of the medical centre building must be in accordance with:
- a) Heritage Impact Statement by Clive Lucas, Stapleton and Partners Pty Ltd, dated 21 Dec 2015; and
  - b) Elevations by Clive Lucas, Stapleton and Partners Pty Ltd, Drawing No. 119980/04/D and Drawing No. 119980/05/C.
- (13) **Finished Colours** - The finished colours of the building must be sympathetic to surrounding development.
- (14) **Driveway Material** - The driveway is to be constructed from unit pavers of a neutral colour.

- (15) **Acoustic Boundary Fence** – A 1.8 metre high solid acoustic fence is required surrounding the carpark and along the length of the side (western) property boundary that finishes at the building façade line as shown on the approved plans. The fence is to be timber lapped and capped and is to have no gaps.
- (16) **Location of Air-conditioner/s Units** – All mechanical plant associated with the provision of air-conditioner unit/s must be located on the north - western (rear) corner of the building facing the rear property boundary. The plant must be located at ground level.
- (17) **No In-Patients Services Permitted** – this development is for out-patient services only, there is to be no overnight stays on the premises in order to meet with the definition of Medical Centre.

## 2.0 – Prior to Issue of a Construction Certificate

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

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

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

- (2) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (3) **Dilapidation Report – Adjoining Properties** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of the following adjoining properties. Details demonstrating compliance shall be provided to the Certifying Authority.
  - a) 5 Park Street, Camden; and
  - b) 9 Park Street, Camden.

All costs incurred in preparing the Dilapidation Report and complying with the conditions it imposes shall be borne by the applicant.

In the event that access for undertaking the Dilapidation Report is denied by an adjoining owner, the applicant shall demonstrate in writing that all reasonable steps have been taken to obtain access to and advise the affected property owner of the

reason for the survey and that these steps have failed. Written concurrence shall be obtained from the Certifying Authority in such circumstances.

- (4) **Hazardous Building Materials Assessment** - A hazardous building material assessment shall be undertaken on all buildings and structures to be demolished that identifies all hazardous components on site. A HBMA report shall be provided to the PCA and Council.

Once hazardous components are identified, all demolition works that involve the demolition and removal of the hazardous materials shall ensure that all site personnel are protected from risk of exposure in accordance with relevant NSW WorkCover Authority and NSW Demolition Guidelines. Premises and occupants on adjoining land shall also be protected from exposure to any hazardous materials.

- (5) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (6) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

A detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority with the Construction Certificate application.

- (7) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (8) **Salinity** - Due to the inherent characteristics of the Camden Local Government Area, buildings erected in the area may be susceptible to soil salinity levels that may have a cumulative damaging effect over time.

Camden Council therefore requires:

- a) A salinity investigation assessment report be undertaken; OR
- b) Compliance with the 'minimum requirements' specified in this condition.

#### Salinity Investigation Report

Prior to the issue of a Construction Certificate, a Salinity Investigation Report shall be prepared for the development in accordance with the requirements of "Site Investigation for Urban Salinity (Local Government Salinity Initiative)" prepared by the Department of Land and Water Conservation (2002).

The recommendations from this report shall be followed and incorporated into the design and construction of the development and are to be approved by the Certifying Authority.

#### Minimum Salinity Requirements for Camden LGA

Where a Salinity Investigation Report is not undertaken, the following construction inclusions shall be incorporated as a minimum in the building design to reduce/prevent any detrimental affect to the building from accumulative salt deposits:

- a) **Concrete Strength:** The minimum concrete strength to bored piers, piles, strip footings and concrete floor slabs in contact with the ground shall be 32MPa; and
- b) **Damp-Proofing Membrane:** Concrete floor slabs in contact with the ground shall be provided with a damp-proofing membrane that is a 0.2mm thickness polyethylene film and of "high impact resistance" (as determined in accordance with AS2870).

The above minimum requirements shall be incorporated in the structural design and construction of the development. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

**Note:** Consideration in the design and construction of the development should also be made to the following matters (where relevant):

- a) The provision of drainage to the building perimeter (including subsoil drainage), to prevent water ponding or soil waterlogging in the building vicinity;
  - b) External finished ground levels, including pavements, should not be higher than the base of the first course of brickwork, or the brickwork and mortar below a damp proof course (DPC) should be exposure rated;
  - c) DPC material must be carried through to the face of any applied finishes;
  - d) Retaining walls should be built of salinity resistant materials; and
  - e) Porous pavement products such as cement and clay pavers may show permanent efflorescence and salt corrosion. The use of these products should be confirmed with the manufacturer as being suitable for use in a saline environment, prior to installation.
- (9) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
  - (10) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
  - (11) **Retaining Walls** - All retaining walls shall be designed and certified by a suitably qualified structural engineer, in accordance with Council's Engineering Specifications.
  - (12) **Smoke Free Premises** - The construction and fit out of the premises shall comply with the *Smoke-Free Environment Act 2000* and Smoke-Free Environment

Regulation 2000. Details demonstrating compliance shall be provided to the Certifying Authority.

- (13) **Mechanical Ventilation** - Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (14) **Long Service Levy** - In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work that cost \$25,000 or more.

### 3.0 - Prior to Commencement of Works

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

- (1) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc.) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be contacted for business purposes.
- (3) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;

- d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a Certifying Authority;
  - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
  - c) the name, address and telephone number of the PCA.
- The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.
- (6) **Performance Bond** - Prior to commencement of works a performance bond of \$5,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- Note** – An administration fee is payable upon the lodgement of a bond with Council.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.

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

- (8) **Protection of Trees to be Retained** - Protection of trees to be retained shall be in accordance with Council's Engineering Specifications. The area beneath the canopies of the tree(s) to be retained shall be fenced. Tree protection signage is required to be attached to each tree protection zone, and displayed in a prominent position.
- (9) **Demolition Work** - Consent is granted for the demolition of the existing single storey dwelling currently existing on the property, subject to compliance with the following conditions:
- a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site;
  - b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address;
  - c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied;
  - d) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times;
  - e) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the PCA for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials;
  - f) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal;
  - g) The burning of any demolished material on site is not permitted and offenders will be prosecuted; and
  - h) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc.) are not damaged. Any damage

caused to existing services is to be repaired by the relevant authority at the expense of the applicant.

- (10) **Construction Management Plan** - A construction management plan that includes construction waste, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
- (11) **Protection of Existing Street Trees** - No existing nature strip(s), street tree(s), tree guard(s), protective bollard(s), garden bed surrounds or root barrier installation(s) shall be disturbed, relocated, removed or damaged during earthworks, demolition, excavation (including any driveway installation), construction, maintenance and/or establishment works applicable to this consent, without Council agreement and/or consent.

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

- (12) **Hazardous Building Material Clearance** - Where a Hazardous Building Materials Assessment has detected the presence of hazardous materials, written clearance from a suitably qualified and experienced environmental consultant must be provided to the PCA confirming that the site is free of hazardous building materials.
- (13) **Waste Management Plan** - The waste management plan approved as part of this development consent (105/2016) is to be updated to provide details of the licensed waste contractor and the intended location for waste disposal.

#### 4.0 - During Works

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

- (1) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
- a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc, an application shall be made for a Road Opening Permit and an approval under Section 138 of the *Roads Act 1993*;
  - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138 of the *Roads Act 1993*.
- Note:** Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.
- (2) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.

- (3) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (4) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (5) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to: [www.environment.nsw.gov.au/waste/envguidlms/index.htm](http://www.environment.nsw.gov.au/waste/envguidlms/index.htm))

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

- (6) **Hazardous Building Materials Assessment** - All works (including demolition and materials handling, storage, transport and disposal) shall be undertaken in accordance with the requirements outlined in the hazardous building material assessment.
- (7) **Noise During Work** - Construction Noise Levels – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

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

- (9) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (10) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics;
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity"; and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material;
- i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
  - iv) is suitable for its intended purpose and land use; and
  - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations;
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

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

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (11) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (12) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

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

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

- (13) **Site Management Plan** - The following practices are to be implemented during construction:
- stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - waste shall not be burnt or buried on site, nor shall wind blown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal facility;
  - a waste control container shall be located on the site;

- e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc.);
- f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
  - i) be a standard flushing toilet connected to a public sewer; or
  - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
  - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (14) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (15) **Room Fit-out** - Fit-out of any rooms used for medical procedures shall be in accordance the Australian Health Infrastructure Alliance "Australian Health Facilities Guidelines".
- (16) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

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

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

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

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

- (17) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:
  - a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;

- b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
  - c) retaining walls shall not be erected within drainage easements; and
  - d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.
- (18) **Stormwater – Collection and Discharge Requirements** - The roof of the subject building(s) shall be provided with guttering and down pipes and all drainage lines, including stormwater drainage lines from other areas and overflows from rainwater tanks, conveyed to the (select option a, b, c or d):
- a) street gutter;
  - b) drainage easement;
  - c) existing drainage system;
  - d) stormwater drainage is to be installed as per the approved hydraulic drainage plan. Stormwater must be clear of and not impact upon the effluent management area as shown on the approved sustainable effluent management plan.

Connection to the drainage easement or kerb shall only occur at the designated connection point for the allotment. New connections that require the rectification of an easement pipe or kerb shall only occur with the prior approval of Camden Council.

All roofwater shall be connected to the approved roofwater disposal system immediately after the roofing material has been fixed to the framing members. The PCA shall not permit construction works beyond the frame inspection stage until this work has been carried out.

### 5.0 - Prior to Issue of an Occupation Certificate

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

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan (as amended in accordance with condition 3.13) referred to in this development consent.
- (3) **Compliance Certificate** - Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the PCA. Verification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.

- (4) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this Development Consent.
- (5) **Vehicular Signage** – Prior to the issue of an Occupation Certificate, a "Give Way to Entering Traffic" sign must be mounted on the building facing the car park.
- (6) **Security Gate** – Prior to the issue of an Occupation Certificate, a gate to be installed on the driveway between the side boundary and western elevation. The gate is to be secured outside of the business hours to prevent access to the rear of the site.
- (7) **Security Lighting** – Prior to the issue of an Occupation Certificate, security light shall be installed. The lighting shall be directed away from adjoining neighbours so as to not be a nuisance.
- (8) **Directional signage** – Prior to this issue of an Occupation Certificate, a small discreet sign shall be erected at the front of the premises to direct cars to the carpark at the rear. The sign shall be of materials which are sympathetic to the heritage conservation area and shall be no greater than 0.7m<sup>2</sup>.

## 6.0 – Ongoing Use

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

- (1) **Medical Waste** - Waste disposal containers with securely fitting lids shall be kept on the property for the storage of any clinical, contaminated or related waste prior to the final disposal of the material at a facility approved by the EPA.  
  
All clinical waste is to be stored and disposed of in accordance with the NSW Health 'Waste Management Guidelines for Health Care facilities'. The removal of medical waste is not to occur before 7am or after 6pm.  
  
The business proprietor shall enter into a commercial contract for the collection of medical waste. A copy of this agreement shall be held on the premises at all times.
- (2) **Liquid Waste** - All liquid waste shall be collected and disposed of in a manner which does not pollute waters as defined under the *Protection of the Environment Operations Act 1997*.
- (3) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (4) **Compliance with Internal Noise Levels** – During the hours of operation, the internal noise levels for theatre rooms, waiting rooms and reception rooms within the medical practice must be demonstrated to comply with internal sound levels in accordance with "AS 2107:2000- Acoustics – Recommended design sound levels and reverberation times for building interiors". Where non-compliance is determined, sufficient internal noise attenuation works must be undertaken to ensure compliance with AS2107:2000 for the above mentioned rooms.

- (5) **Amenity** - The business shall be conducted and customers controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.
- (6) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.
- (7) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (8) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday	8:00am till 5:00pm
Tuesday	8:00am till 5:00pm
Wednesday	8:00am till 5:00pm
Thursday	8:00am till 5:00pm
Friday	8:00am till 5:00pm
Saturday Sunday and Public Holidays	No operation permitted

- (9) **Storage or Hazardous Goods** - Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover Authority requirements, dependant on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.
- Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and the NSW WorkCover Authority.
- (10) **Deliveries** – No van or truck deliveries are not to occur before 7am or after 6pm on any day of operation.
- (11) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.
- (12) **Approved Signage Maintenance** - The approved signs shall be maintained in a presentable and satisfactory state of repair.
- The level of illumination and/or lighting intensity used to illuminate the sign/s shall comply with AS 1158 and AS 4282.
- (13) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (14) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (15) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.

- (16) **Medical Procedures** - Medical procedures carried out at the premises are to be done by a health practitioner registered under the Health Practitioner Regulation National Law (i.e. Doctor and Nurse) in the course of providing a health service.
- (17) **Out-Patient Services** – This Medical Centre is only permitted to undertake out-patient services, no overnight stays are permitted.
- (17) **Ongoing Use – Environmental** - All activities associated with the use of the premises must be carried out in an environmentally satisfactory manner as defined under the *Protection of the Environment Operations Act 1997*.
- (18) **Ongoing Use – Cleanliness** - The premises must be maintained in a clean and sanitary condition at all times.
- (19) **Infection Control** - The use and operation of the premises shall comply with the requirements of the NSW Health Infection Control Policy.
- (20) **Air Conditioning Units** – The operation of air conditioning units must:
- a) Be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays; and
  - b) Not emit a sound pressure level when measured at the boundary of any neighbouring residential property at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a Leq 15 minute.
- (21) **Front Garden** - The front garden is to be retained and maintained as a domestic garden, with lawn and shrubs.
- (22) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have for a 12 month period, the establishment and maintenance responsibility for all landscaping associated with this Consent.
- The Date of Practical Completion (DPC) is taken to mean completion of existing garden bed planting and street tree installation.
- The 12 month maintenance period includes the Applicant's responsibility for the successful establishment of all plantings.
- At the completion of the 12 month landscaping maintenance and establishment period, all garden beds must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth.
- (23) **Staff Numbers** – The maximum number of staff on the premises at any one time shall be limited to 6.

**Reasons for Conditions:**

- (1) To ensure that the development complies with statutory requirements including the *Environmental Planning and Assessment Act 1979*, the *Environments Planning and Assessment Regulation 2000*, the *Building Code of Australia* and applicable Australian Standards.

- (2) To ensure that the development meets the aims, objectives and requirements of the environmental planning instruments, development controls plans, Council policies and Section 94 contribution plans that apply to the site and development.
- (3) To ensure that the development complies with the submitted plans and supporting documentation.
- (4) To ensure that the development will be constructed/operated in a manner that will minimise impacts upon the environment.

**Advisory Conditions:**

- (1) **Component Certificates (where Council is PCA)** - Where Council is appointed as the PCA for the development, the following component certificates, as relevant to the development, shall be provided prior to the issued of a final Occupation Certificate:
  - a) Insulation installation certificates;
  - b) Termite management system installation certificates;
  - c) Smoke alarm installation certificate from installing licensed electrician;
  - d) Survey certificate(s), prepared by a registered land surveyor, certifying that the building has been correctly and wholly located upon the subject allotment;
  - e) Certification attesting that retaining walls have been constructed in accordance with Engineers details or manufacturers specifications as applicable;
  - f) All certificates or information relating to BASIX compliance for the development;
  - g) An 'Approval to Operate a Sewage Management System' issued by Council (for areas that are not serviced by a Sydney Water sewer);
  - h) A certificate certifying that the wet areas have been waterproofed in accordance with the requirements of the Building Code of Australia;
  - i) All certificates relating to salinity, as required by conditions of the Development Consent; and
  - j) Any other certificates relating to the development (for example, engineering certification for foundations, piers, reinforcing steel or hydraulic certification for all stormwater drainage works).

Where the appointed PCA is not Council, the matters listed in this condition should be regarded as advisory only.

**Note:** The above certification does not override any requirements of the *EP&A Act 1979* with respect to any required critical stage inspections.

- (2) **Works in the Public Road Reserve:**

**Public Road Activity approval** - A Public Road Activity application shall be made to Council for the carrying out of any work that will impact upon a Public Road in such a manner that impact the normal vehicle movement, peak hour and school zone traffic, or immediate residents enjoyment of local amenity or pedestrian thoroughfares. The following activities on a Public Road will require an approval:

- a) New footpath, gutter crossings or stormwater kerb adaptor;
- b) Roadworks;
- c) Hoarded Zones and Truck Zones;
- d) Surveying;
- e) Outdoor Cafés;
- f) Crane / Cherry Picker / Concrete Pump operation;
- g) Shoring / Ground Anchors / Formwork; and
- h) Landscaping.

Most public road activities will require a Traffic Control Plan drawn up by a suitably qualified person. Activities involving temporary traffic control measures (e.g. diversion of traffic to alternative routes; changes to traffic control devices and on-street parking restrictions; potential impact on traffic operation of Regional and State Roads) shall be referred to Council at least two (2) months in advance of works for consideration and concurrence by the Camden Local Traffic Committee.

Public Road Activity application forms are available from Council's Customer Service Counter or downloaded from Council's website.

The Public Road Activity application shall include:

- a) Supporting information that details all proposed activities;
- b) A Certificate of Currency for an appropriate Public Liability Policy;
- c) A Traffic Control Plan prepared by a Roads and Maritime Services accredited person or organisation; and
- d) Details of the notification process to be applied, for affected street residents.

**Changes to Regulatory Signage, Line-Markings and Devices** - Permanent changes to regulatory signage, line-marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads, and the Roads and Maritime Services on State roads.

**Costs for Adjustment or Relocation of Public Utility Service** - The cost of adjustment or relocation of any public utility service shall be borne by the owner/applicant. Where the finished levels of the new works will result in changes to the existing surface levels, the cost of all necessary adjustments or transitions beyond the above scope of works shall be borne by the owner/applicant.

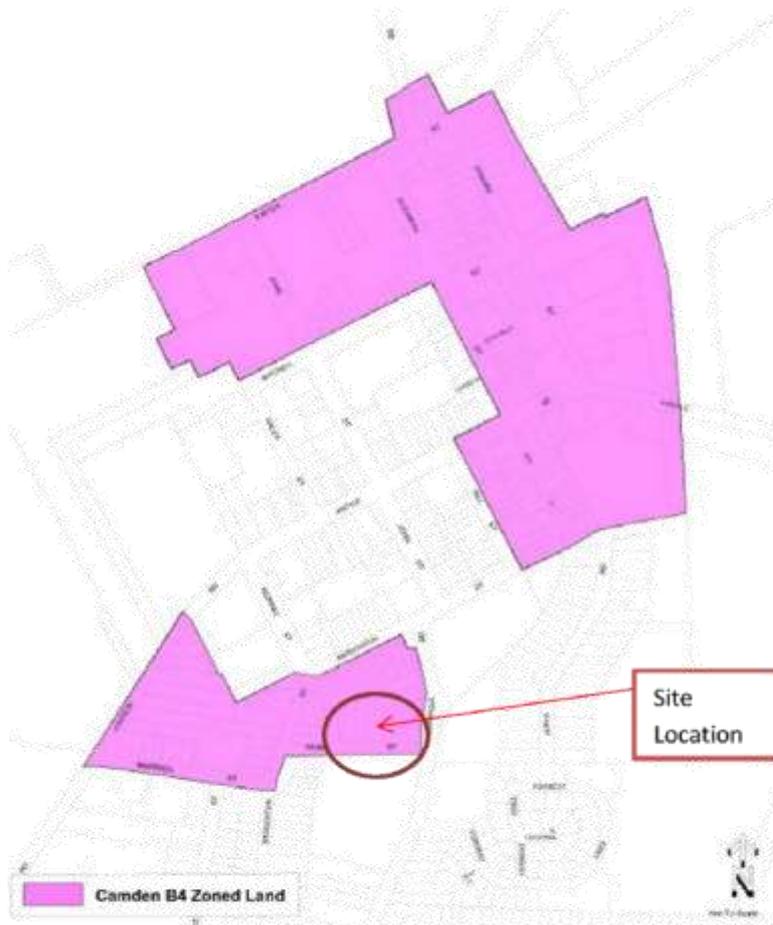
ORD04

- (3) **Securing Work Sites** - If the approved work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public property to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence will be required to be erected between the work site and the public property.

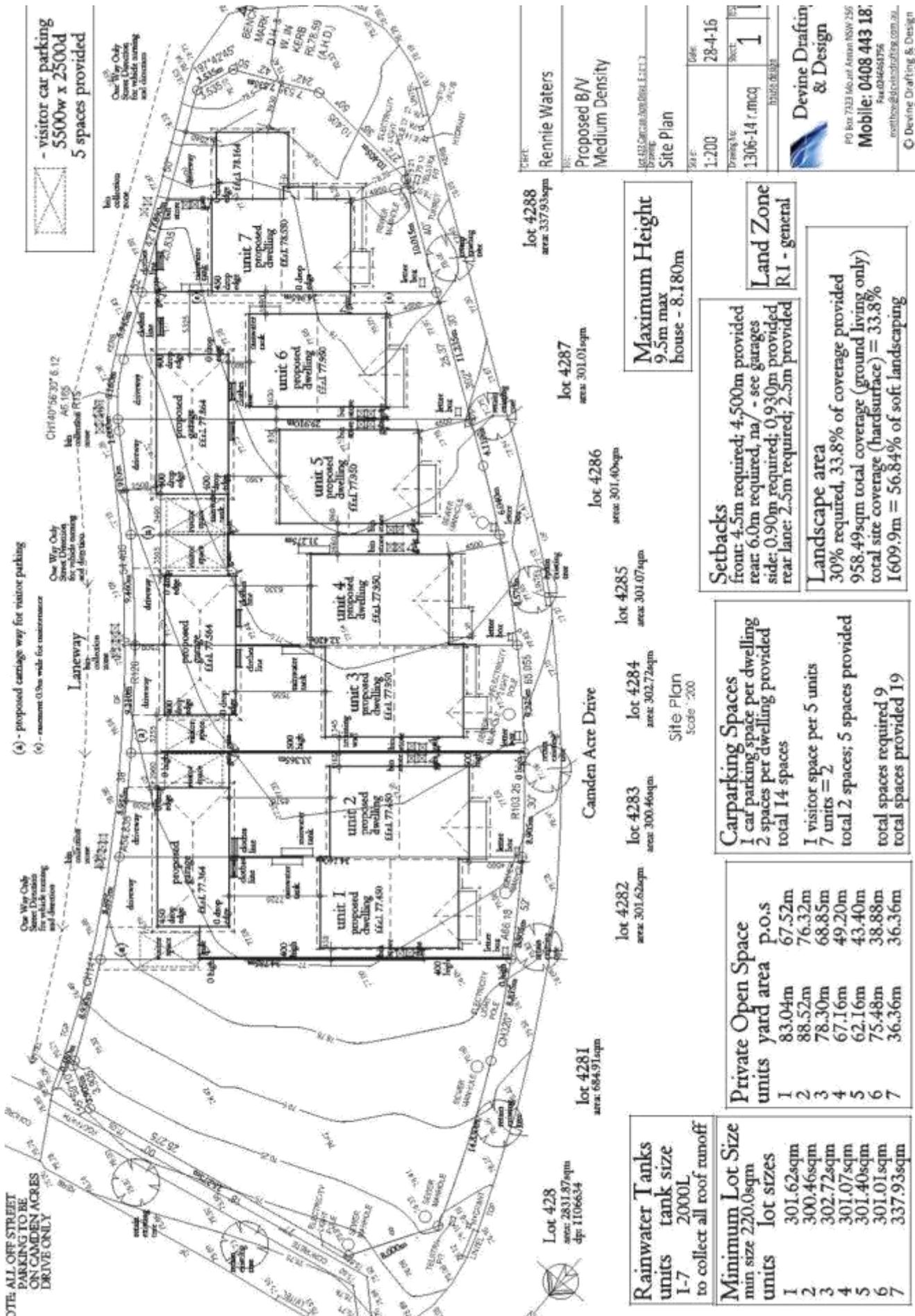
It is noted that separate approval is required to erect a hoarding or temporary fence on public property. Approvals for hoardings and/or scaffolding on public land shall be obtained and clearly displayed on site for the duration of the works.

- (4) **Responsibility for damage for tree removal/pruning** - The applicant is responsible for any damage caused to existing public utilities, footpaths or public roads during the cutting down, grinding, removal and disposal of the timber and roots. Care must also be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicants' agent may be liable to pay compensation to any adjoining owner if, due to tree works, damage is caused to such adjoining property.

Attachment 2



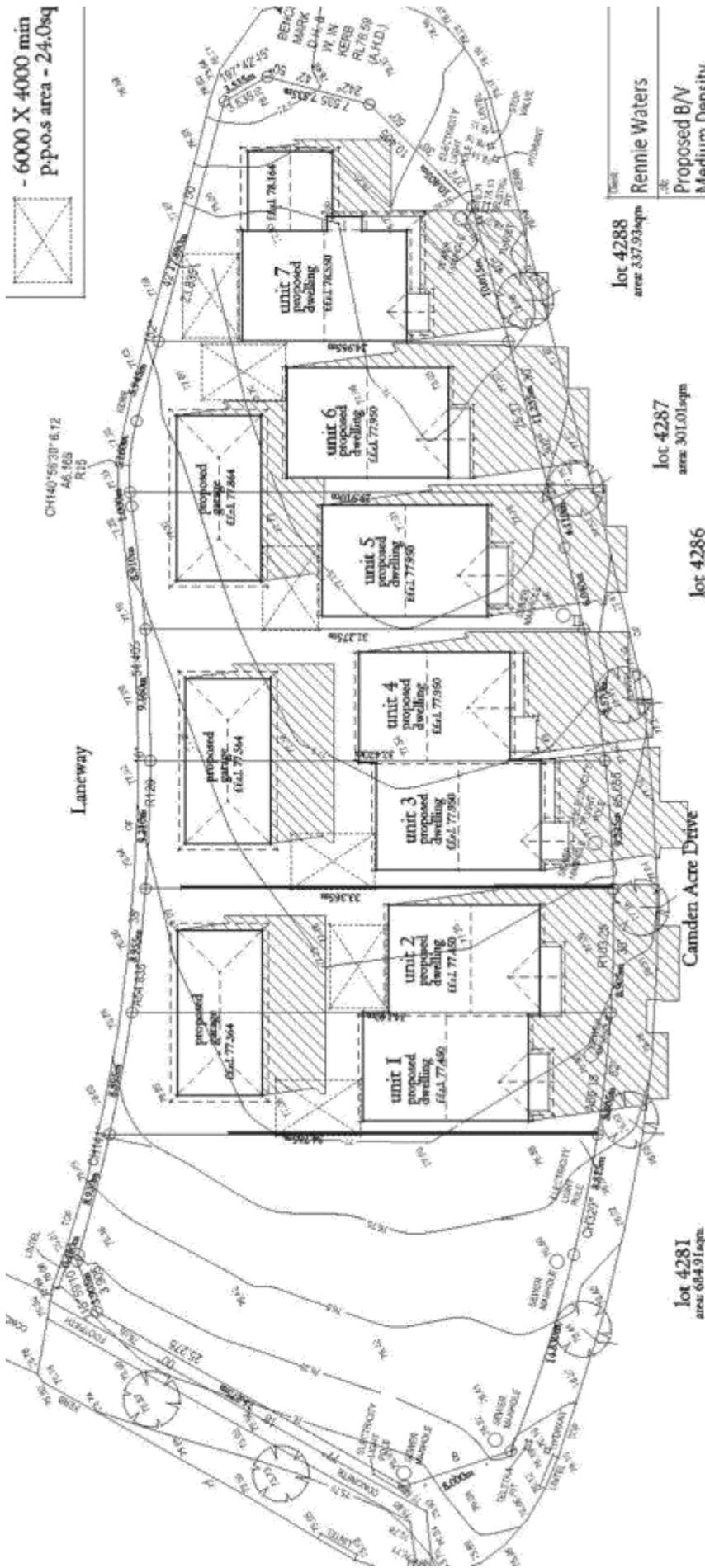




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Attachment 2

- 6000 X 4000 min  
p.p.o.s area - 24.0sq

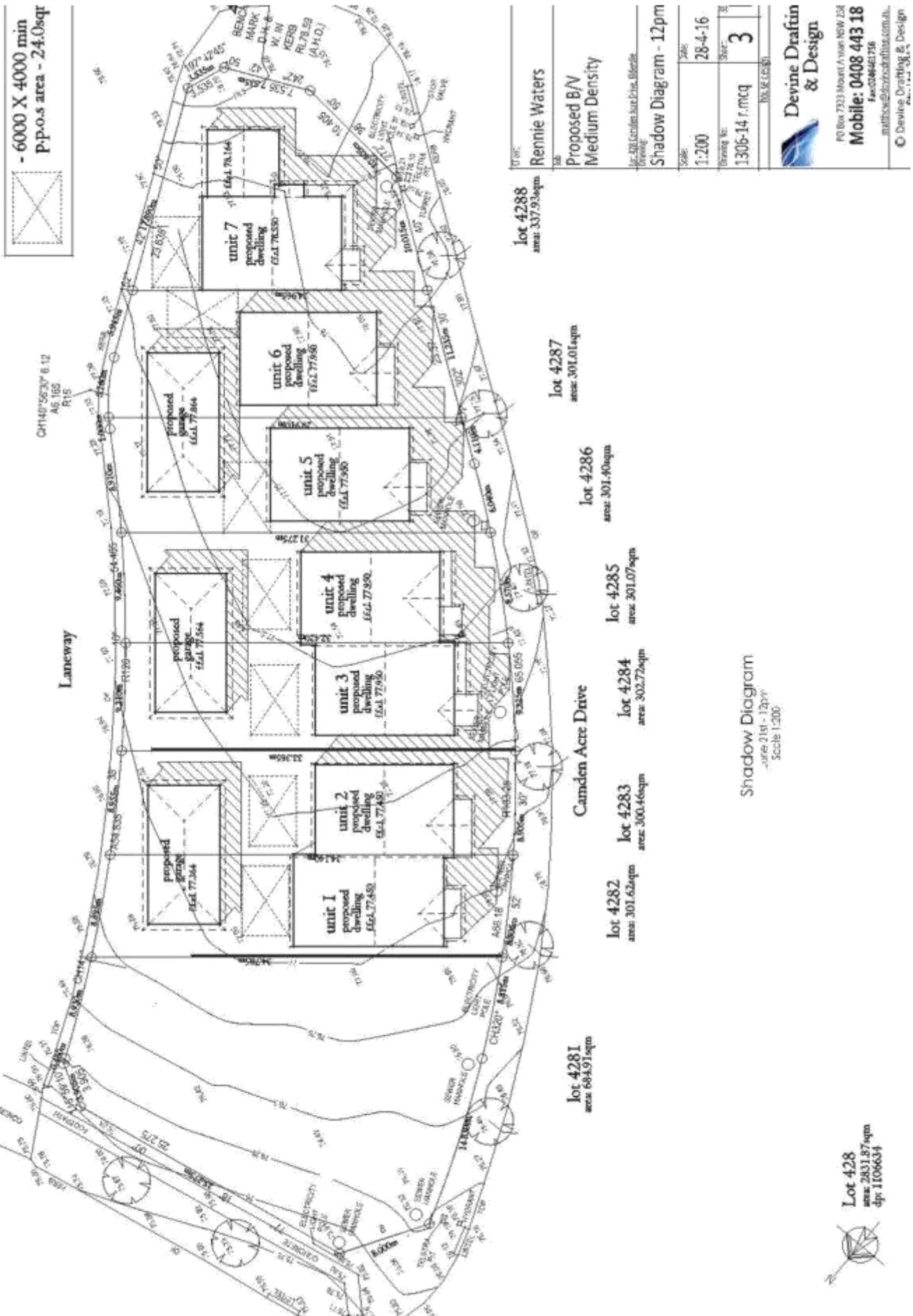
Lot 4288 area: 337.93sqm	Rennie Waters
Lot 4287 area: 301.01sqm	Proposed B/V Medium Density
Lot 4286 area: 301.40sqm	Shadow Diagram - 9am
Lot 4285 area: 301.07sqm	Scale: 1:200
Lot 4284 area: 302.72sqm	Date: 28-4-16
Lot 4283 area: 300.46sqm	Sheet: 2
Lot 4282 area: 301.62sqm	1306-14 r.m.cq
Lot 4281 area: 684.91sqm	house design

Lot 428  
area: 2831.87sqm  
dp: 1106634



Shadow Diagram  
June 21st - 9am  
Scale 1:200

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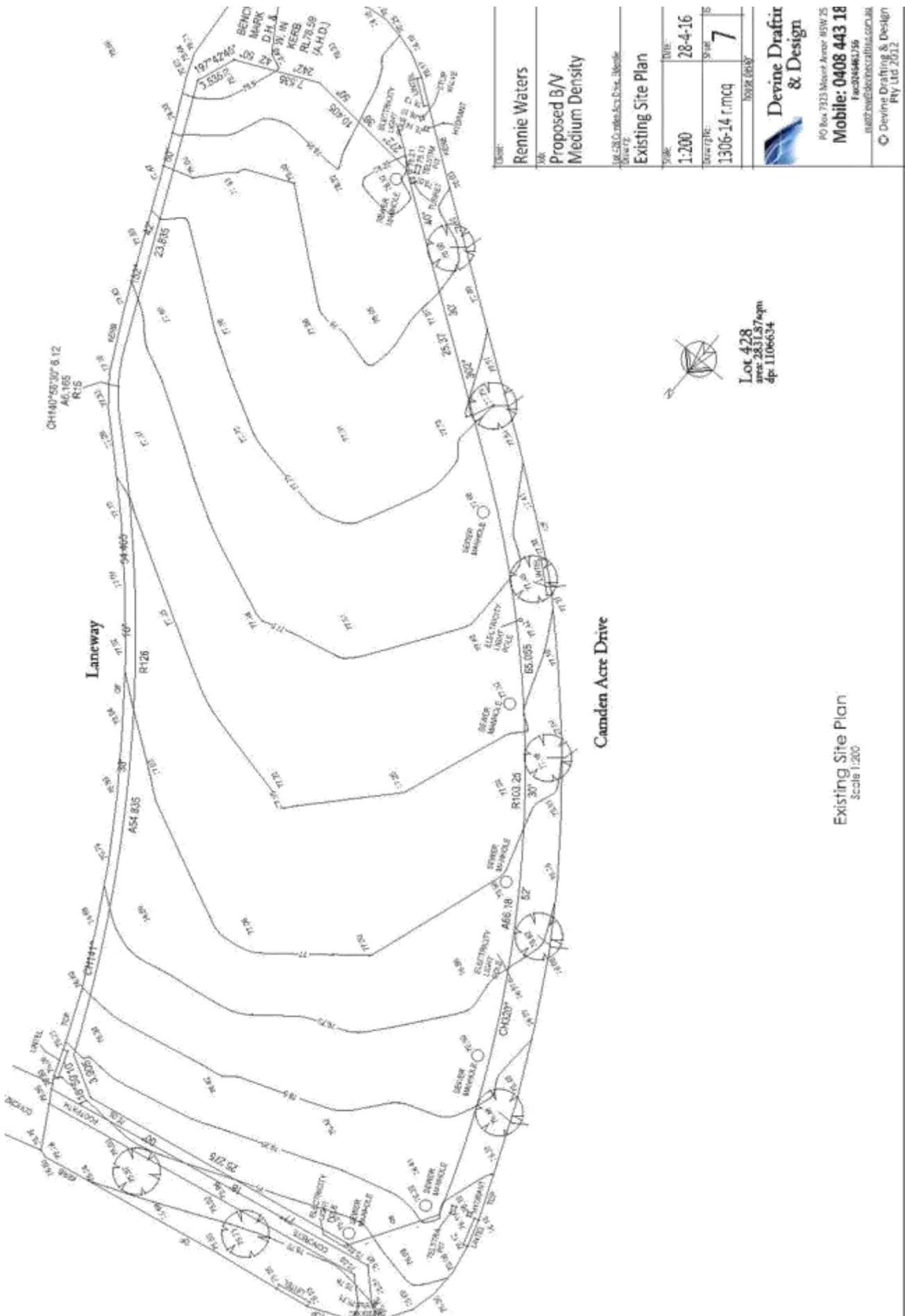
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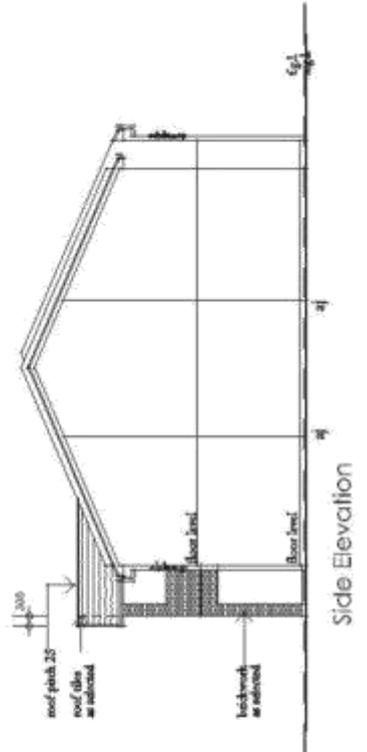
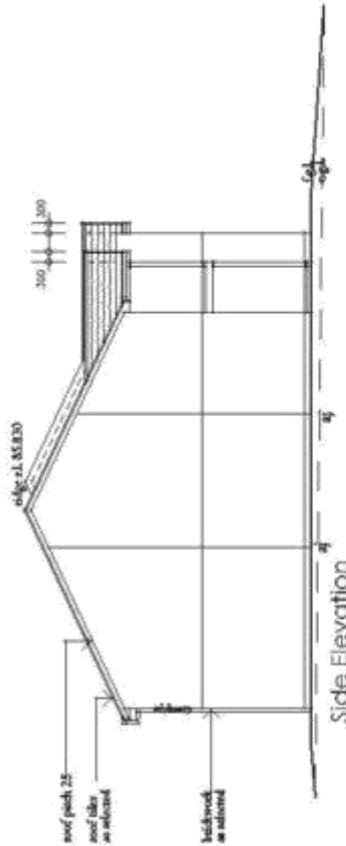
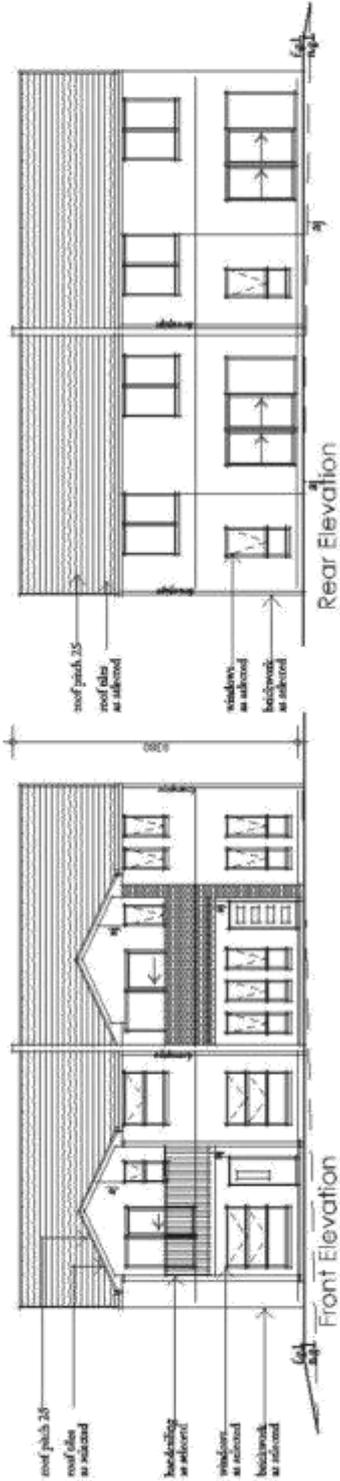
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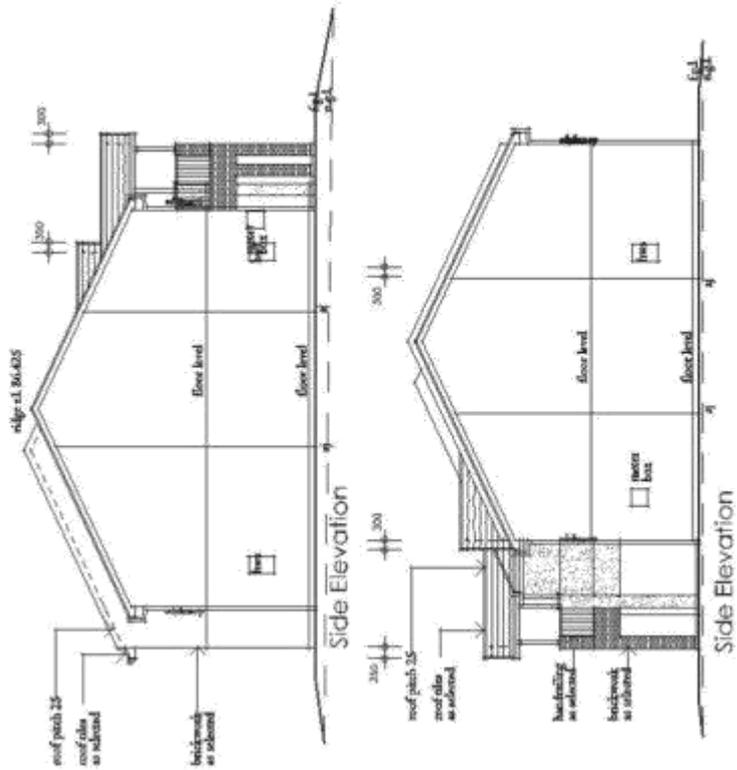
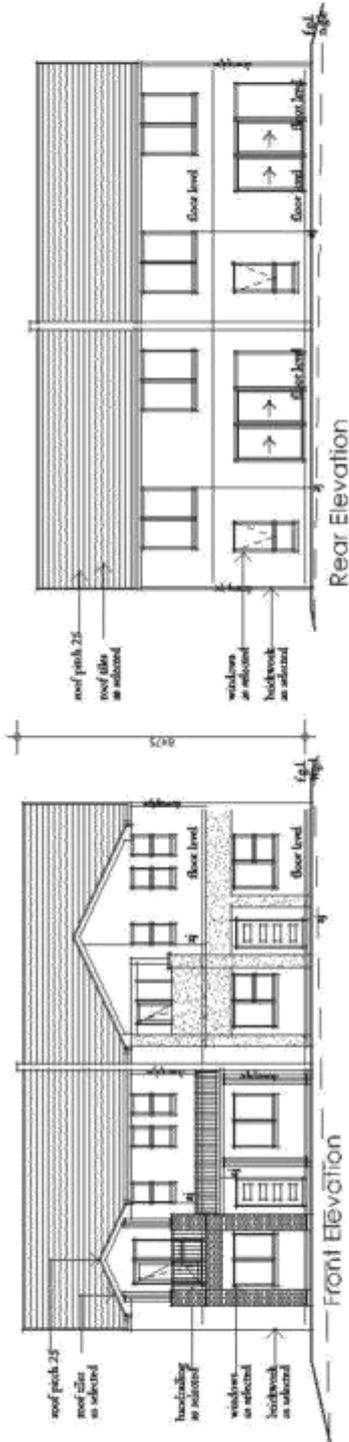




Client:	Rennie Waters		
Job:	Proposed B/V Medium Density		
Lot:	Lot 438 Camden Acre Drive, Elkevale		
Drawing:	Elevations		
Scale:	1:100	Date:	28-4-16
Drawing No:	1306-14 r.mcq	Sheet:	10 L
		ISSUE:	house design



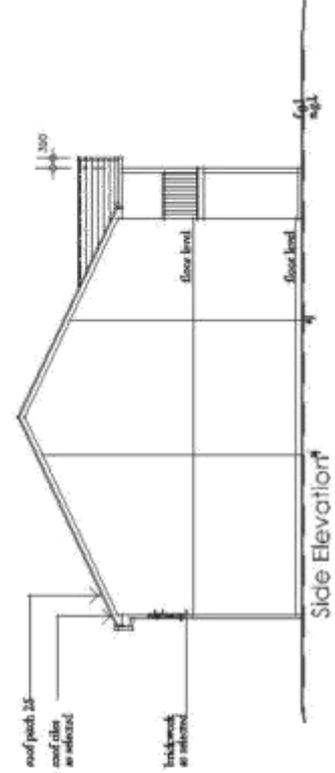
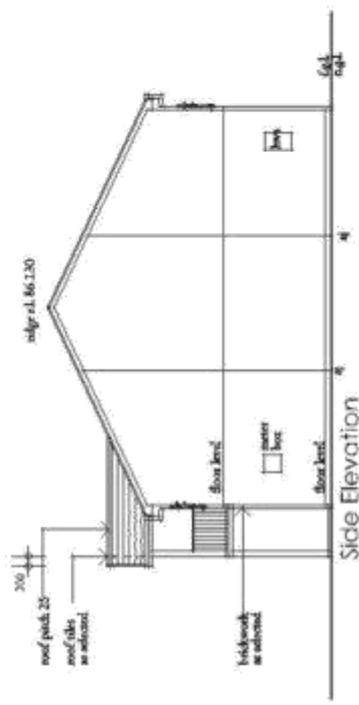
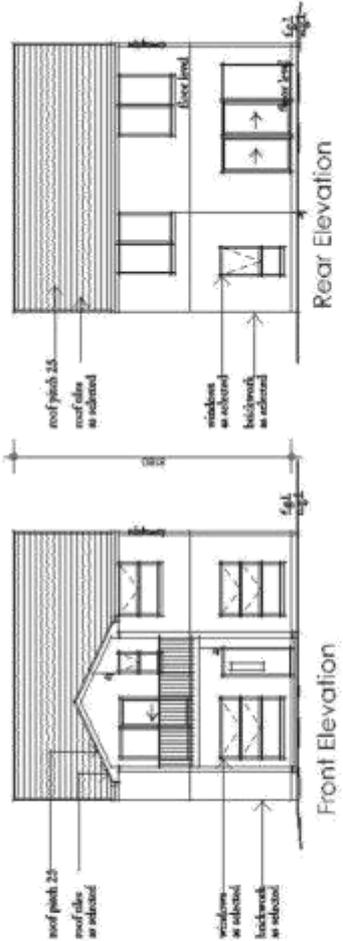
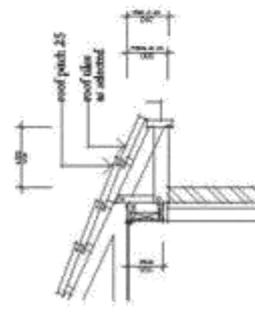
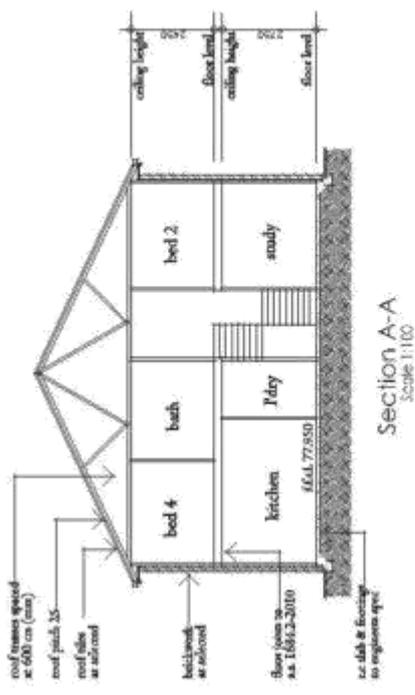
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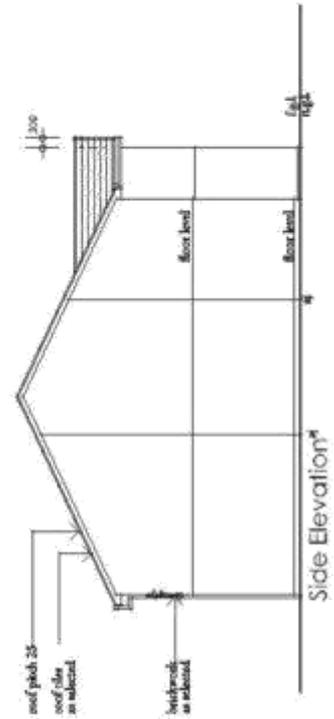
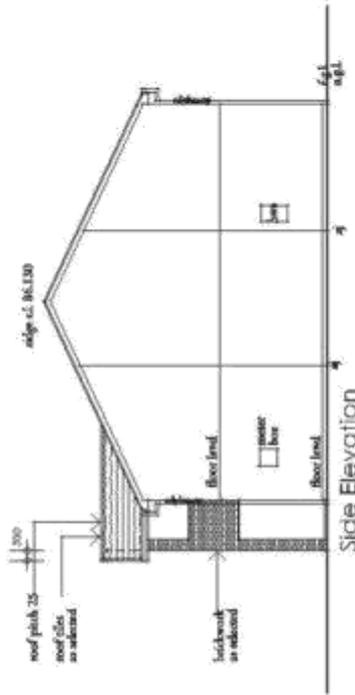
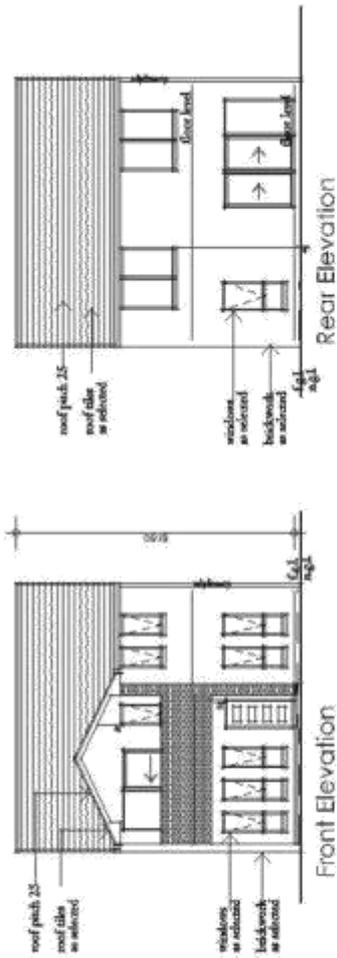
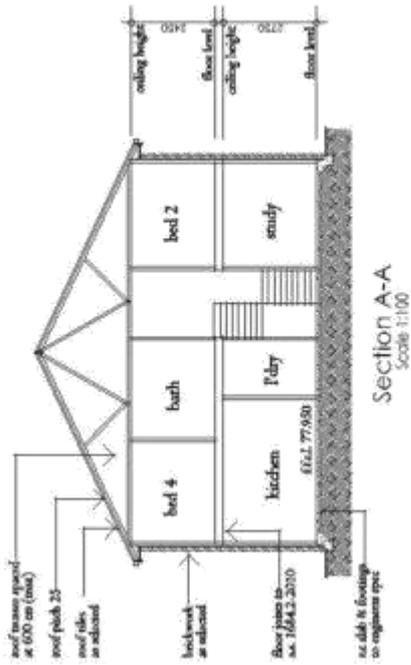
Client:	Rennie Waters
Job:	Proposed B/V Medium Density
Lot:	Lot 428 Camden Area Dr. W. Elderslie
Drawing:	Elevations
Scale:	1:100
Date:	28-4-16
Drawing No.:	1306-14 r.mcq
Sheet:	13 L
ISSUE:	HOUSE DESIGN



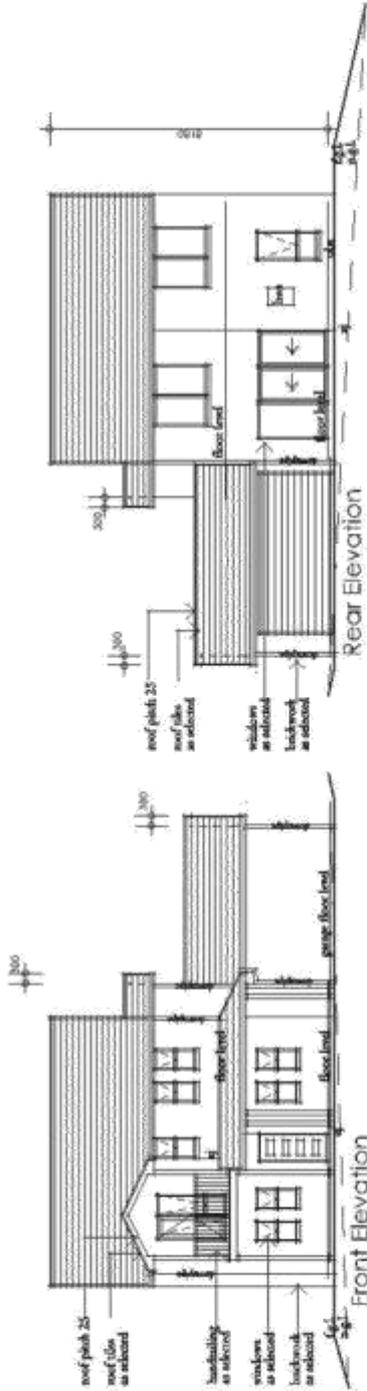
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Client:	Rennie Waters
Job:	Proposed B/V Medium Density Elevations
Lot 428 Camden Acre Drive, Ebenele	
Drawing:	
Scale:	1:100
Date:	28-4-16
Drawing No.:	1306-14 r.mcq
Sheet:	15 L
ISSUE:	
FIGURE DESIGN	
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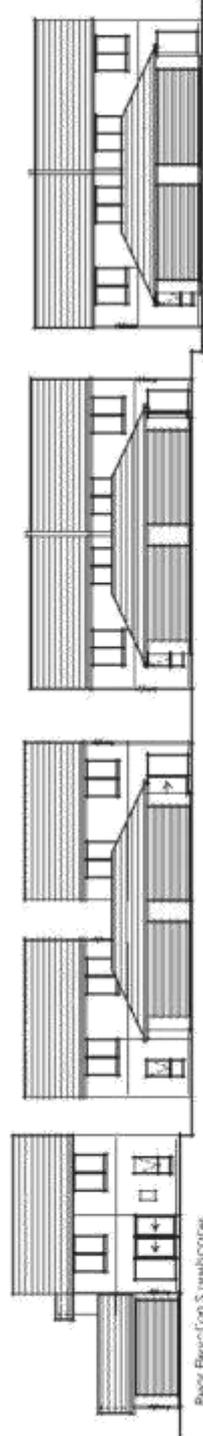
Client:	Rennie Waters
Job:	Proposed B/V Medium Density
Plot:	103, 104, Camden Lane Drive, Elderslie
Drawing:	Elevations
Scale:	1:100
Date:	28-4-16
Drawing No:	1306-14 r.mcc
Sheet:	17
Issue:	L
house design	
PO Box 7323 Mount Annan NSW 2567 <b>Mobile: 0408 443 187</b> Fax: 02 46461756 matthew@devinedrafting.com.au	
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Client:	Rennie Waters		
Job:	Proposed B/N Medium Density		
	lot 428 Camden Acre Drive, Ebe side		
Drawing:	Elevations		
Scale:	DWA:	28-4-16	ISSUE:
1:100			20 L
Drawing No:	Sheet:	HOUSE DESIGN	
1306-14 r.mcq			
 <b>Devine Drafting &amp; Design</b> PO Box 7323 Mount Annan NSW 2567 <b>Mobile: 0408 443 187</b> Fax: 0246461756 matt@devinedrafting.com.au Devine Drafting & Design Pty Ltd 2012			







CLIENT:	Rennie Waters
PROJECT:	Proposed B/V Medium Density Streetscape
101-103 Curzon Ave. Duns. E. 1421, 2 Dunedin	
DATE:	28-4-15
SCALE:	NOT TO SCALE
PROJECT NO:	1306-14 r.mcc
SHEET NO:	23
 <b>Devine Draffair &amp; Design</b> PO Box 7213 Mount Remarkable ZS <b>Mobile: 0408 443 18</b> Fax: 0446 51756 <a href="http://www.devinedraffair.co.nz">http://www.devinedraffair.co.nz</a> © Devine Draffair & Design Pty Ltd 2012	

**RECOMMENDED CONDITIONS**

- (1) **General Terms of Approval** - The General Terms of Approval from state authorities shall be complied with prior to, during, and at the completion of the development.

The General Terms of Approval are:

- Mine Subsidence Board – Stamped plans dated 3 May 2016.

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

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
1306-13 Sheet 1	Site Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 5	Subdivision Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 6	Landscape Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 8	Unit 1 & 2 Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 9	Unit 1 & 2 Upper Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 10	Unit 1 & 2 Elevations	Devine Drafting & Design	28 April 2016
1306-13 Sheet 11	Unit 3 & 4 Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 12	Unit 3 & 4 Upper Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 13	Unit 3 & 4 Elevations	Devine Drafting & Design	28 April 2016
1306-13 Sheet 14	Unit 5 Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 15	Unit 5 Elevations	Devine Drafting & Design	28 April 2016
1306-13 Sheet 16	Unit 6 Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 17	Unit 6 Elevations	Devine Drafting & Design	28 April 2016
1306-13 Sheet 18	Unit 7 Floor Plan	Devine Drafting & Design	28 April 2016
1306-13 Sheet 19	Unit 7 Upper Floor Plan	Devine Drafting & Design	28 April 2016

1306-13 Sheet 20	Unit 7 Upper Elevations	Devine Drafting & Design	28 April 2016
1306-13 Sheet 21	Garage 1 & 2	Devine Drafting & Design	28 April 2016
1306-13 Sheet 222	Garage 3, 4, 5 & 6	Devine Drafting & Design	28 April 2016
1306-13 Sheet 23	Streetscape	Devine Drafting & Design	28 April 2016

Document Title	Prepared by	Date
BASIX Certificate – 642114M_03	Devine Drafting & Design	28 April 2016

- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (4) **BASIX Certificate** - The applicant shall undertake the development strictly in accordance with the commitments listed in the approved BASIX certificate for the development to which this consent applies.
- (5) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (6) **Noxious Weeds Management** - Noxious weeds management shall occur in accordance with Camden Development Control Plan 2011.
- (7) **Waste Bin Collection Points** - A waste bin collection point that is clear from the positioning of driveways, tree plantings (or tree canopies), street lighting or other fixtures must be provided for each approved lot. This area is to be 3 metres long x 0.9 metres wide and provide a 3.9 metre clear vertical space to allow for the truck-lifting arm.
- (8) **Salinity Management For Construction of Residential Buildings and Landscaping** – all residential buildings and landscaping proposed to be constructed on "Lots 4281 - 4289." must be built in accordance with "Mandatory Building Requirements" contained within Camden Council's Policy – Building in Saline Prone Environments. Compliance with the policy must be demonstrated for any residential development application.
- (9) **Zero Lot Line Easement** - An easement for support and maintenance is required adjacent to all of the "zero" lot line walls.

- (10) **Home Building Act** - Pursuant to Section 80A(11) of the EP&A Act 1979, residential building work within the meaning of the Home Building Act 1989 shall not be carried out unless the PCA for the development to which the work relates:

in the case of work for which a principal contractor has been appointed:

has been informed in writing of the name and licence number of the principal contractor; and

where required has provided an insurance certificate with the name of the insurer by which the work is insured under Part 6 of that Act.

in the case of work to be carried out by an owner-builder;

has been informed in writing of the name of the owner-builder; and

if the owner-builder is required to hold an owner-builder permit under that Act; has provided a copy of the owner builder permit.

- (11) **Restriction on Laneway** – ‘No Parking’ signage must be erected on the laneway subject to approval from the local traffic committee.

## 2.0 Prior to Issue of a Construction Certificate

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

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

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

- (2) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority prior to issue of a Construction Certificate.
- (3) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (4) **Special Infrastructure Contribution** - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the

Minister administering the *EP&A Act 1979* under Section 94EE of that Act and as in force on the date of this consent. This contribution shall be paid to the DP&E. Evidence of payment of the SIC shall be provided to Council and the Certifying Authority.

- (5) **Section 94 Contributions – Monetary** - A contribution pursuant to the provisions of Section 94 of the *EP&A Act 1979* for the services and amounts detailed below.

Plan Name	Contribution Type	Indexed Rate	Amount Payable
Camden Contributions Plan 2011	Open Space, Recreation and Community Land.	\$5,321 per lot or dwelling	\$37,247.00
Camden Contributions Plan 2011	Open Space, Recreation and Community Facilities Works, Volunteer Emergency Services and Plan Preparation and Administration.	\$6,618 per lot or dwelling	\$46,326.00
Camden Contributions Plan 2011	Elderslie Local Component	\$27,778 per lot or dwelling	\$194,446.00
	<b>Total</b>		<b>\$278,019.00</b>

A copy of the Section 94 Contributions Plan may be inspected at Council's Camden office at 37 John Street, Camden or can be accessed on Council's website at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the applicable Index.

- (6) **Building Platform** - This consent restricts excavation or fill for the purposes of creating a building platform. The building platform shall not exceed 2.0m from the external walls of the building. Where the external walls are within 2.0m of any

property boundary, no parallel fill is permitted and a deepened edge beam to natural ground level shall be used. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.

- (7) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (8) **Soil, Erosion, Sediment and Water Management** - An Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (9) **Street Trees Protection Standards** - All existing Street Trees that may be impacted by this Development must be protected.

The protection installed must comply with the Australian Standard AS4970-2009 Protection of Trees on Development Sites.

In the event that a Street Tree is to be unavoidably impacted by the Development works, then approval must be sought from the Consent Authority (i.e. Camden Council) to relocate or replace the Street Tree.

Any relocations or replacements needed to the Street Trees, their garden bed surrounds, tree guards or root guard barriers, are to be completed with the same type, species, plant maturity, materials and initial installation standards and the works and successful establishment of the trees completed prior to the issue of the Construction Certificate.

- (10) **Structural Engineer's Details** - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any Geotechnical Report applicable to the site. A statement to that effect shall be provided to the Certifying Authority.
- (11) **Rural Fire Service Conditions** - Prior to the issue of a construction certificate, general terms of approval from the Rural Fire Service must be provided to the certifier.

### 3.0 - Prior to Commencement of Works

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

- (1) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the EP&A Act 1979, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
  - a) a Construction Certificate has been issued by a Consent Authority;

- b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the EP&A Act 1979;
  - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and
  - e) the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (2) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
  - b) the address of the land on which the work is to be carried out;
  - c) the registered number and date of issue of the relevant development consent;
  - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
  - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
  - f) a telephone number on which the PCA may be
- (3) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
  - b) a description of the work to be carried out;
  - c) the address of the land on which the work is to be carried out;
  - d) the registered number and date of issue of the relevant development consent and construction certificate;
  - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and the date on which the work is intended to commence.

- (4) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited;
  - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours;
  - c) the name, address and telephone number of the PCA.

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

- (5) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the PCA. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.

An awning is to be erected that would sufficiently prevent any substance from the construction work falling onto public property. The work site shall be kept lit between sunset and sunrise if it is likely to be hazardous to persons on public property.

- (6) **Performance Bond** - Prior to commencement of works a performance bond of \$5,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.
- (7) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this Development Consent.
- Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).
- (8) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.
- (9) **Construction Management Plan** – A Construction Management Plan that includes construction waste, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the PCA.
- (10) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.

#### 4.0 - During Works

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

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

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

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

- (2) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction – Managing Urban Stormwater manual (Blue Book).
- (3) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks, and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- c) be prepared in accordance with:

Virgin Excavated Natural Material (VENM):

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

- d) confirm that the fill material:
  - i) provides no unacceptable risk to human health and the environment;
  - ii) is free of contaminants;
  - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
- iv) is suitable for its intended purpose and land use; and
- v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations,
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

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

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

**Note 1:** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (4) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (5) **Disposal of Stormwater** - Water seeping into any site excavations is not to be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (6) **Site Management Plan** - The following practices are to be implemented during construction:

- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
  - c) waste shall not be burnt or buried on site, nor shall wind blown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal depot;
  - d) a waste control container shall be located on the site;
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not be placed on public property (footpaths, roadways, public reserves, etc);
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer; or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (7) **Survey Report** - The building shall be set out by a registered land surveyor. A peg out survey detailing the siting of the buildings in accordance with the approved plans shall be provided to the PCA prior to the pouring of concrete.
- (8) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (9) **Noise** - All work shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act (1997)*.
- All work shall comply with the requirement of the NSW Industrial Noise Policy and the Environment Protection Authority' Environmental Noise Manual.
- (10) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (11) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (12) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the Erosion and Sediment Control Plan or Soil and Water

Management Plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.

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

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

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

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

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

- (14) **Construction Noise Levels** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

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

### 5.0 - Prior to Issue of an Occupation Certificate

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

- (1) **Occupation Certificate Required** - An Occupation Certificate shall be obtained prior to any use or occupation of the development.
- (2) **Footpath Crossing Construction** - A footpath crossing and driveway shall be constructed for each dwelling in accordance with this consent and the approved Construction Certificate prior to use or occupation of the development.
- (3) **Visitor Parking** – The 5 visitor car spaces must be cleared marked or sign posted as "Visitor Car Parking".

### 6.0 – Ongoing Use

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

- (1) **Residential Air Conditioning Units** - The operation of air conditioning units shall operate as follows:
  - a) be inaudible in a habitable room during the hours of 10pm – 7am on weekdays and 10pm to 8am on weekends and public holidays;
  - b) emit a sound pressure level when measured at the boundary of any neighbouring residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minutes) by more than 5dB(A). The source noise level shall be measured as a LAeq 15 minute; and
  - c) not discharge any condensate or moisture onto the ground surface of the premises or into stormwater drainage system in contravention of the requirements of the *Protection of the Environment Operations Act 1997*.

### 7.0 - Prior to Issue of a Subdivision Certificate

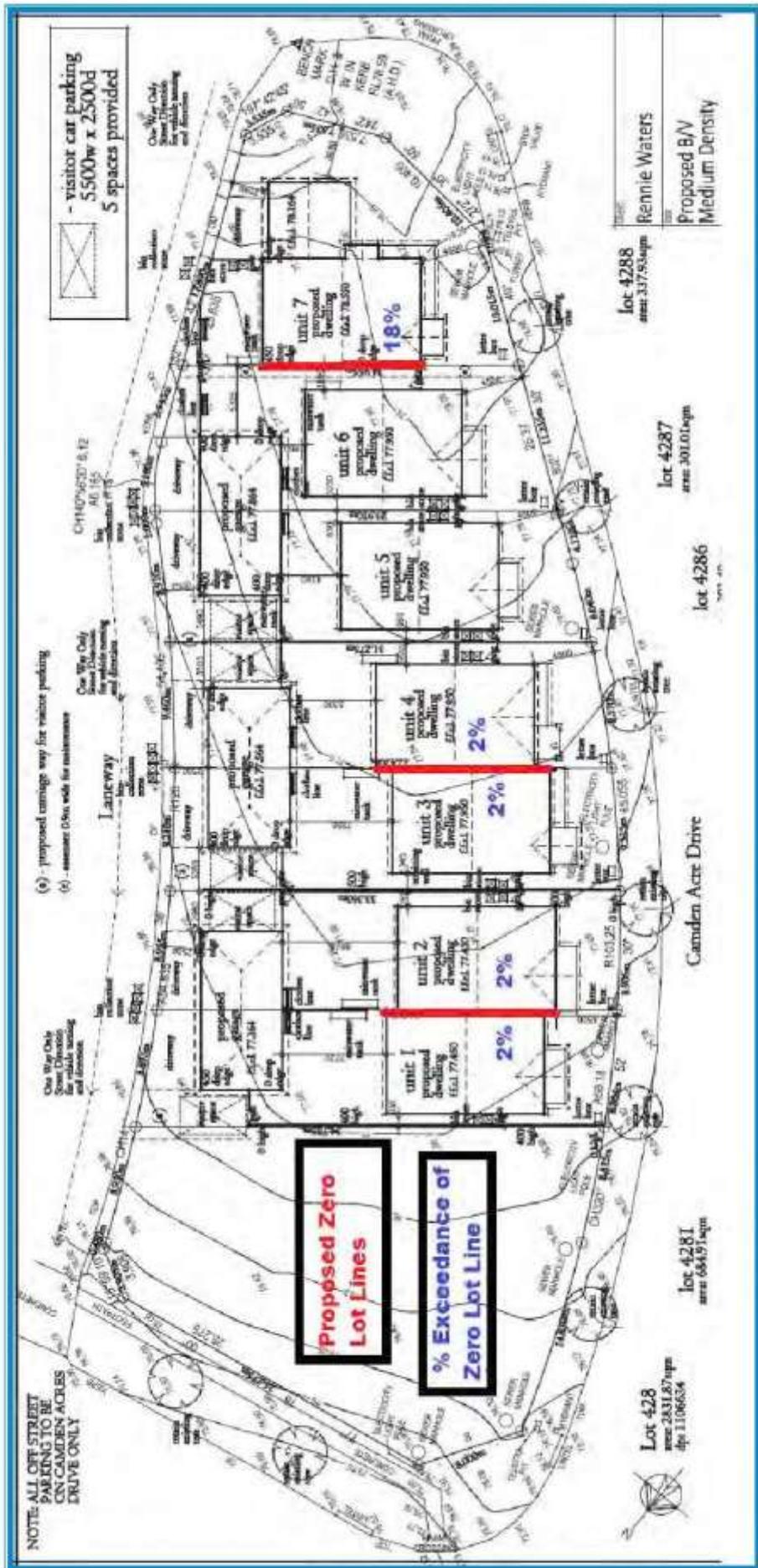
The following conditions of consent shall be complied with prior to the issue of a Subdivision Certificate.

- (1) **Requirement for a Subdivision Certificate** - The application for subdivision certificate(s) shall be made in accordance with the requirements of Clause 157 of the Environmental Planning & Assessment Regulation 2000.
- (2) **Subdivision Certificate** - The issue of a Subdivision Certificate is not to occur until all conditions of this development consent have been satisfactorily addressed and all engineering works are complete, unless otherwise approved in writing by the PCA.
- (3) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
  - a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development.
  - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.

- c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (4) **Show Easements/Restrictions on the Plan Of Subdivision** - The developer shall acknowledge all existing easements and/or restrictions on the use of the land on the final plan of subdivision.
- (5) **Burdened Lots To Be Identified** - Any lots subsequently identified during construction of the subdivision as requiring restrictions shall also be suitably burdened.
- (6) **Section 88B Instrument** - The applicant shall prepare a Section 88B Instrument for approval by the PCA which incorporates the following easements, positive covenants and restrictions to user where necessary:
  - (a) Easement for services.
  - (b) Right of carriageway for visitor parking spaces.
  - (c) Restriction as to user creating an easement for support and maintenance 900mm wide adjacent to the "zero" lot line wall.
  - (d) The plan of subdivision shall identify the building footprints of proposed lots 4282, 4283, 4284, 4285 and creation of party wall easements for the affected lots.
- (7) **Surveyor's Report** - Prior to the issue of the Subdivision Certificate a certificate from a registered surveyor must be provided to the PCA, certifying that all drainage lines have been laid within their proposed easements. Certification is also to be provided stating that no services or accessways encroach over the proposed boundary other than as provided for by easements as created by the final plan of subdivision.
- (8) **Subdivision Certificate** – Prior to the issue of a Subdivision Certificate for the development, the dwellings must be constructed.
- (9) **Street Trees Repair or Replacement** - During any development works relating to this Consent, the Applicant is responsible to ensure that any Street Trees, their tree guards, protective bollards, garden bed surrounds or root barrier installations which are disturbed, removed, or damaged must be restored or replaced at the time the damage or disturbance occurred.

Any repairs, relocations or replacements needed to the Street Trees, their garden bed surrounds, tree guards or root guard barriers, are to be completed with the same type, species, plant maturity and materials and the works and successful establishment of the trees completed prior to the issue of the Subdivision Certificate.

Zero Lot Line Plan



ORD07

Attachment 1



# Monthly Report

# Camden Council

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April 2016

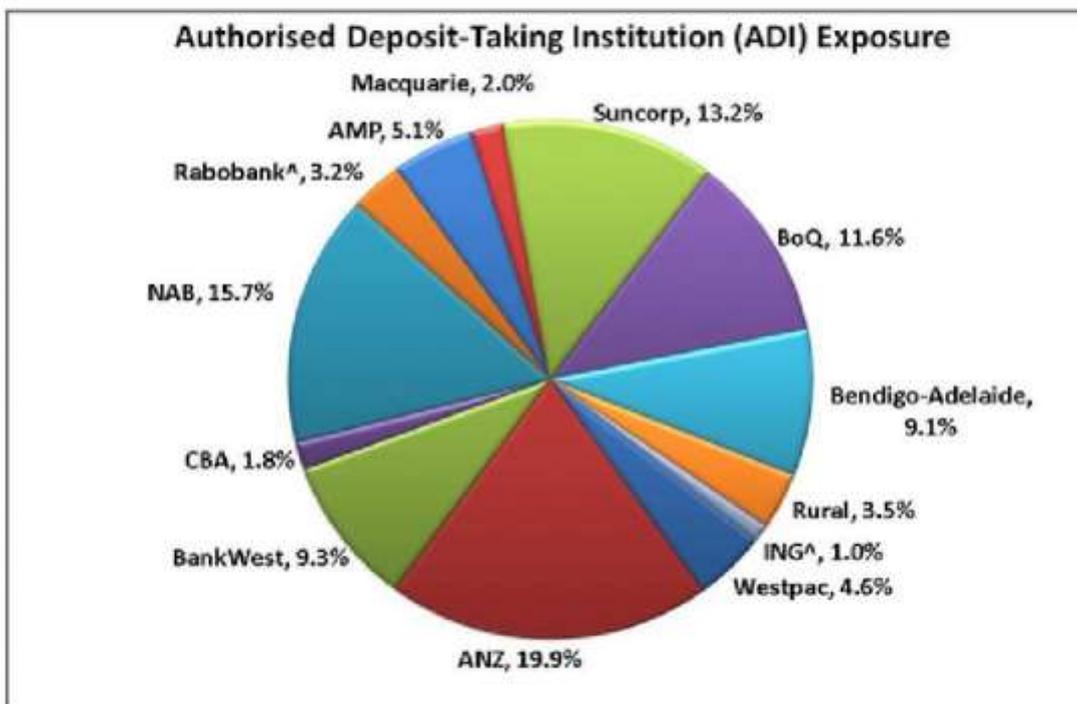
## Investment Exposure

Council's investment portfolio is mainly directed to the higher rated ADIs. Council will continue to diversify the investment portfolio across the higher rated ADIs (A1 or higher).

ADI	Exposure \$M	Rating	Policy Limit	Actual	Capacity
Westpac	\$4.50M	A1+	25.0%	4.6%	\$20.21M
ANZ	\$19.70M	A1+	25.0%	19.9%	\$5.01M
BankWest	\$9.20M	A1+	25.0%	9.3%	\$15.51M
CBA	\$1.73M	A1+	25.0%	1.8%	\$22.98M
NAB	\$15.50M	A1+	25.0%	15.7%	\$9.21M
Rabobank^	\$3.20M	A1	5.0%	3.2%	\$1.74M
AMP	\$5.00M	A1	15.0%	5.1%	\$9.82M
Macquarie	\$2.00M	A1	15.0%	2.0%	\$12.82M
Suncorp	\$13.00M	A1	15.0%	13.2%	\$1.82M
BoQ	\$11.50M	A1	15.0%	11.6%	\$3.36M
Bendigo-Adelaide	\$9.00M	A1	15.0%	9.1%	\$5.82M
Rural	\$3.50M	A1	15.0%	3.5%	\$11.32M
ING^	\$1.00M	A2	5.0%	1.0%	\$3.95M
<b>Total</b>	<b>\$98.83M</b>			<b>100.0%</b>	

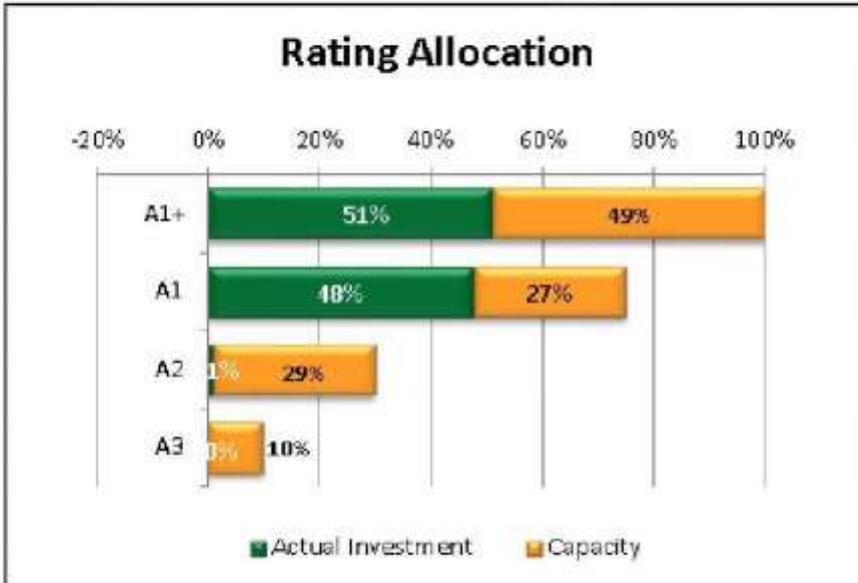
*^Foreign subsidiary banks are limited to 5% of the total investment portfolio as per Council's investment policy.*

The investment portfolio is predominately directed to the higher rated entities led by ANZ and NAB.



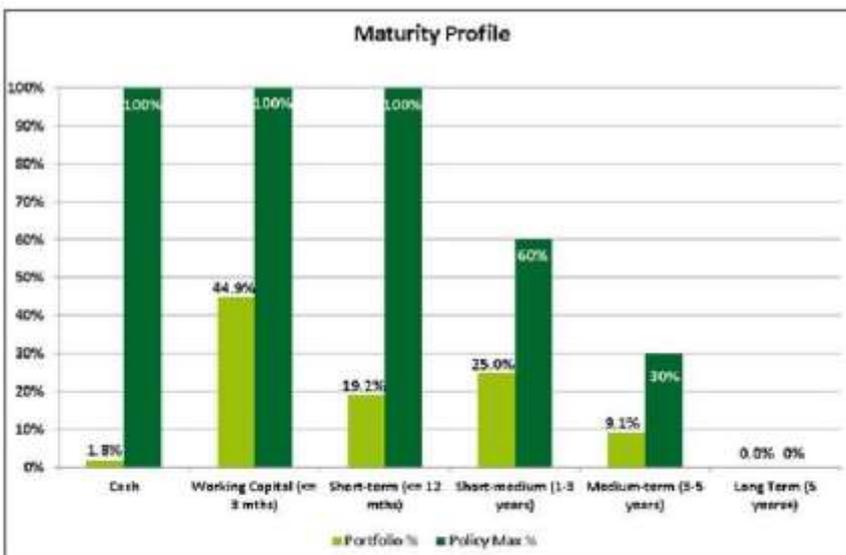
## Credit Quality

A1+ (the domestic majors) and A1 (the higher rated regionals) rated ADIs are the largest share of Council's investments. There is still capacity to invest across the entire credit spectrum.



## Term to Maturity

The portfolio remains adequately liquid with approximately 1.8% of investments at-call and another 44.9% of assets maturing within 3 months. In consultation with its investment advisors, Council has strategically diversified its investments across various maturities up to 5 years over recent years.



In the historic low interest rate environment, as existing deposits mature, they will generally be reinvested at much lower rates than preceding years. Maintaining current average interest rates will become increasingly difficult with the RBA's latest rate cut after month-end, down to a record low 1.75%. The futures market continues to factor in another rate cut by the beginning of 2017, potentially taking it to 1.50%.

## 2015-16 Budget

<b>Current Budget Rate</b>	<b>3.00%</b>
<b>Source of Funds Invested</b>	
Section 94 Developer Contributions	\$46,255,963
Restricted Grant Income	\$545,636
Externally Restricted Reserves	\$9,588,381
Internally Restricted Reserves	\$35,208,090
General Fund	\$7,231,930
<b>Total Funds Invested</b>	<b>\$98,830,000</b>

Council's investment portfolio has decreased by \$5,120,000 since the March reporting period. The decrease primarily relates to payments for capital works and operational expenses for the April period.

INTEREST RECEIVED DURING 2015/16 FINANCIAL YEAR					
	April	Cumulative	Original Budget	*Revised Budget	Projected Interest
General Fund	\$116,492	\$1,192,616	\$1,000,400	\$1,420,000	\$1,420,000
Restricted	\$161,052	\$1,554,058	\$951,200	\$1,840,000	\$1,840,000
<b>Total</b>	<b>\$277,544</b>	<b>\$2,746,674</b>	<b>\$1,951,600</b>	<b>\$3,260,000</b>	<b>\$3,260,000</b>

\*The Revised Budget is reviewed on a quarterly basis as part of the Budget Process

## Interest Summary

The portfolio's interest summary as at 30 April 2016 is as follows:

NUMBER OF INVESTMENTS	67
AVERAGE DAYS TO MATURITY	355
AVERAGE PERCENTAGE	3.50% p.a.
WEIGHTED PORTFOLIO RETURN	3.45% p.a.
CBA CALL ACCOUNT *	1.70% p.a.
HIGHEST RATE	5.10% p.a.
LOWEST RATE	2.80% p.a.
BUDGET RATE	3.00% p.a.
AVERAGE BBSW (30 Day)	2.07% p.a.
AVERAGE BBSW (90 Day)	2.26% p.a.
AVERAGE BBSW (180 Day)	2.43% p.a.
OFFICIAL CASH RATE	2.00% p.a.
AUSBOND BANK BILL INDEX	2.45% p.a.

\*Note: CBA call account is not included in the investment performance calculations

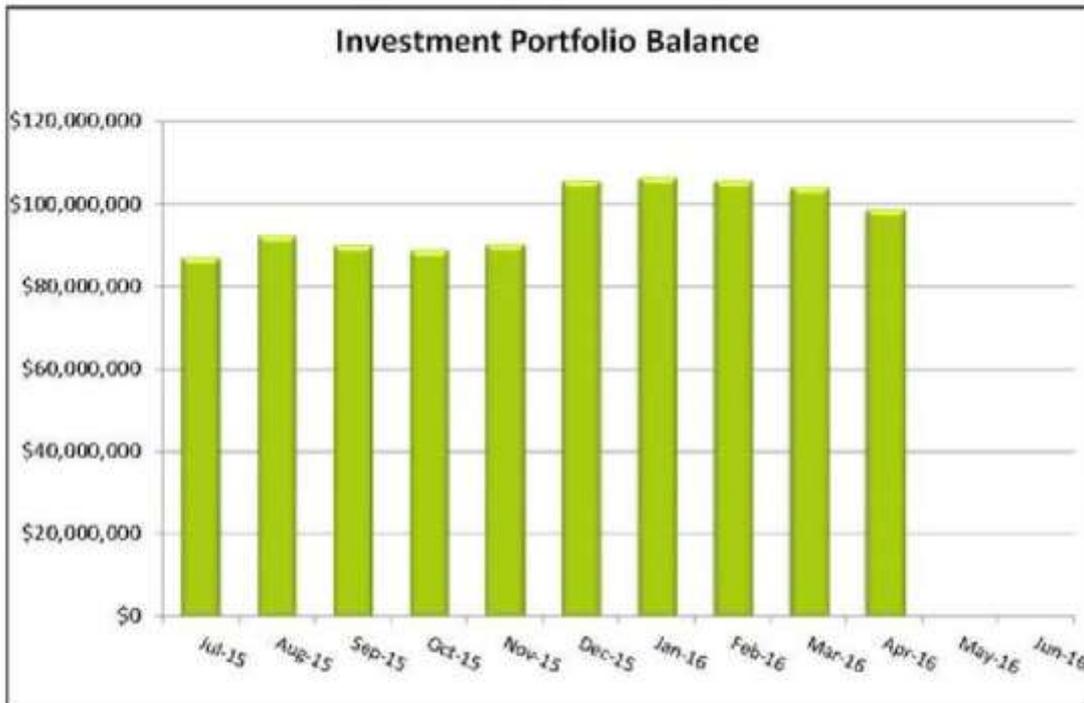


The portfolio's outperformance over the benchmark (AusBond Bank Bill Index) continues to be attributed to the longer-dated deposits in the portfolio. Deposits invested close to or above 4% will contribute strongly to outperformance over coming financial years. As existing deposits mature, performance will generally fall as deposits will be reinvested at much lower prevailing rates compared to previous years. Future budgets may be adjusted to reflect a longer period of low interest rates.

# Appendix A – List of Investments

Camden Council Investment Portfolio as at 30 April 2016								
Investment	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 30/04/2016
Westpac	TC	\$800,000.00	4.55%	17/05/2013	19/05/2016	1098	19	\$2,615.07
BOQ	TC	\$2,500,000.00	5.00%	4/11/2013	1/11/2018	1823	315	\$6,301.37
BOQ	TC	\$1,500,000.00	4.50%	7/11/2013	1/11/2016	1091	186	\$3,247.95
BOQ	TC	\$1,000,000.00	5.10%	25/11/2013	22/11/2018	1823	396	\$2,076.71
ING Bank	TC	\$1,000,000.00	4.63%	28/11/2013	23/11/2017	1456	572	\$2,295.89
BOQ	TC	\$3,000,000.00	4.85%	28/11/2013	23/11/2017	1456	572	\$2,260.27
BOQ	TC	\$1,000,000.00	4.50%	28/11/2013	24/11/2016	1092	308	\$3,602.74
BOQ	TC	\$1,000,000.00	4.65%	27/02/2014	22/02/2018	1456	663	\$8,133.42
Rabobank	TC	\$1,000,000.00	5.00%	28/02/2014	28/02/2019	1826	1034	\$8,630.14
Rabobank	TC	\$1,200,000.00	5.00%	1/03/2014	1/03/2019	1829	1040	\$9,678.61
Westpac	TC	\$1,500,000.00	4.55%	15/05/2014	15/05/2019	1826	1110	\$65,613.18
Westpac	TC	\$1,500,000.00	4.55%	21/05/2014	22/05/2019	1827	1117	\$64,697.26
Genoig Acelaide Bank	TC	\$1,500,000.00	4.05%	22/05/2014	24/05/2017	1096	389	\$5,071.23
Genoig Acelaide Bank	IL	\$1,000,000.00	4.05%	21/05/2014	31/05/2017	1100	396	\$5,026.03
Genoig Acelaide Bank	TC	\$2,000,000.00	4.05%	30/05/2014	31/05/2017	1097	306	\$74,706.30
NAB	TC	\$2,000,000.00	4.00%	3/06/2014	7/06/2017	1098	403	\$72,547.95
Misquarie Bank	TC	\$1,000,000.00	4.00%	1/08/2014	31/07/2017	1095	457	\$8,021.40
BOQ	TC	\$1,000,000.00	4.15%	5/08/2014	1/08/2018	1457	823	\$8,698.63
Rabobank	TC	\$1,000,000.00	4.10%	27/11/2014	27/11/2019	1826	1306	\$17,523.28
Genoig Acelaide Bank	TC	\$1,500,000.00	4.25%	28/11/2014	4/12/2019	1832	1313	\$17,071.92
NAB	TC	\$1,500,000.00	4.00%	16/12/2014	11/12/2019	1821	1320	\$20,620.55
Misquarie Bank	TC	\$1,000,000.00	3.85%	19/12/2014	19/12/2019	1826	1328	\$14,134.25
Rural Bank	TC	\$2,000,000.00	3.70%	3/01/2015	3/01/2018	1096	613	\$2,503.59
Rural Bank	TC	\$1,500,000.00	3.70%	14/01/2015	15/01/2018	1097	625	\$16,421.92
Westpac	TC	\$1,000,000.00	3.90%	2/02/2015	1/02/2020	1826	1378	\$8,578.53
NAB	TC	\$1,000,000.00	3.15%	27/02/2015	1/03/2017	738	305	\$3,254.31
AMP	TC	\$1,000,000.00	2.90%	19/09/2015	11/05/2016	272	11	\$20,616.40
AMP	TC	\$2,000,000.00	2.90%	19/09/2015	18/05/2016	273	10	\$40,679.45
Genoig Acelaide Bank	TC	\$1,000,000.00	3.00%	14/10/2015	10/10/2017	735	506	\$16,420.26
AHZ	TC	\$2,000,000.00	3.80%	4/11/2015	1/02/2017	462	384	\$77,463.01
NAB	IL	\$1,000,000.00	2.95%	18/11/2015	11/05/2018	100	11	\$11,881.26
Genoig Acelaide Bank	TC	\$2,000,000.00	3.00%	20/11/2015	22/11/2017	738	571	\$26,794.52
BOQ	TC	\$1,000,000.00	3.05%	25/11/2015	29/11/2017	735	578	\$13,201.74
Suncorp Metway	TC	\$1,000,000.00	3.00%	2/12/2015	25/05/2016	175	25	\$11,410.96
AMP	TC	\$1,000,000.00	2.85%	3/12/2015	7/12/2016	364	221	\$11,249.84
AHZ	TC	\$2,000,000.00	3.07%	10/12/2015	1/05/2016	150	8	\$24,033.34
Suncorp Metway	TC	\$1,200,000.00	3.10%	11/12/2015	29/04/2016	201	60	\$14,472.39
Suncorp Metway	TC	\$1,300,000.00	3.05%	11/12/2015	27/07/2016	229	98	\$15,579.75
Suncorp Metway	TC	\$1,500,000.00	3.05%	11/12/2015	24/06/2016	257	116	\$17,798.63
Suncorp Metway	TC	\$2,000,000.00	3.00%	22/12/2015	18/05/2016	148	18	\$21,564.98
Bankwest	TC	\$1,000,000.00	3.00%	7/01/2016	4/05/2016	110	4	\$9,452.05
AHZ	TC	\$1,700,000.00	3.10%	11/01/2016	4/05/2016	114	4	\$24,683.37
Bankwest	TC	\$2,000,000.00	3.00%	13/01/2016	1/06/2016	140	32	\$17,517.83
NAB	TC	\$1,500,000.00	3.00%	22/01/2016	25/05/2016	119	25	\$17,712.33
NAB	TC	\$1,500,000.00	3.00%	3/02/2016	1/06/2016	126	39	\$18,649.32
BOQ	TC	\$1,500,000.00	3.10%	3/02/2016	3/09/2016	102	29	\$11,238.06
NAB	TC	\$1,500,000.00	3.00%	3/02/2016	15/06/2016	127	46	\$18,109.59
NAB	IL	\$1,500,000.00	3.00%	3/02/2016	22/06/2016	134	53	\$18,109.59

Camden Council Investment Portfolio as at 30 April 2016								
Institution	Type	Amount	Interest Rate	Date Invested	Maturity Date	Original Term of Investment (days)	Days to Maturity	Interest Accrued as at 30/04/2016
Bankwest	TC	\$1,700,000.00	2.95%	10/02/2016	22/06/2016	139	53	\$11,123.18
Bankwest	TC	\$1,000,000.00	2.95%	17/02/2016	22/06/2016	126	53	\$5,930.82
HSB	TC	\$1,500,000.00	3.08%	24/02/2016	15/06/2016	112	46	\$8,250.27
AMP	TC	\$1,000,000.00	3.08%	2/03/2016	31/05/2016	182	123	\$4,931.51
HSB	TF	\$1,000,000.00	3.08%	2/03/2016	29/05/2016	119	60	\$4,931.51
Suncorp Metway	TC	\$1,500,000.00	3.05%	2/03/2016	24/05/2016	175	116	\$7,520.55
Suncorp Metway	TC	\$2,000,000.00	2.96%	2/03/2016	6/07/2016	126	67	\$3,771.51
ANZ	TF	\$1,000,000.00	3.05%	3/03/2016	29/05/2016	112	60	\$13,288.30
ANZ	TL	\$1,500,000.00	3.08%	22/03/2016	29/05/2016	99	60	\$4,931.51
ANZ	TC	\$1,000,000.00	3.08%	30/03/2016	13/07/2016	105	74	\$2,630.14
Suncorp Metway	TC	\$1,000,000.00	3.08%	30/03/2016	13/07/2016	105	74	\$2,630.14
Bankwest	TC	\$1,500,000.00	3.08%	30/03/2016	20/07/2016	112	81	\$3,945.21
ANZ	TC	\$2,000,000.00	3.08%	1/04/2016	27/07/2016	112	88	\$4,138.59
ANZ	TC	\$1,000,000.00	3.01%	3/04/2016	3/08/2016	117	95	\$3,793.42
ANZ	TC	\$3,500,000.00	3.01%	3/04/2016	10/08/2016	124	102	\$2,845.07
ANZ	TC	\$1,000,000.00	2.96%	13/04/2016	6/07/2016	84	67	\$1,459.79
Suncorp Metway	TC	\$1,500,000.00	2.95%	13/04/2016	13/07/2016	91	74	\$2,132.13
HSB	TC	\$1,500,000.00	3.08%	20/04/2016	17/06/2016	119	109	\$1,892.93
Bankwest	TC	\$2,000,000.00	3.08%	27/04/2016	10/06/2016	105	103	\$157.59
<b>TD Investments</b>		<b>\$7</b>	<b>3.45%</b>					<b>\$1,282,551.05</b>
CBA	Call Account	\$1,790,000.00	1.78%					
		<b>\$80,830,000.00</b>						



## Appendix B – Ratings Definitions

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### Standard & Poor's Ratings Description

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general credit worthiness of an obligor with respect to particular debt security or other financial obligation – based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment
- Nature and provisions of the obligation
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights
- The issue rating definitions are expressed in terms of default risk.

### S&P Short-Term Obligation Ratings are:

- **A-1:** This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
- **A-2:** A short-term obligation rated A-2 is somewhat more susceptible to the adverse changes in circumstances and economic conditions than obligations in higher rating categories. However the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
- **A-3:** A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

**S&P Long-Term Obligations Ratings are:**

- **AAA:** An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
- **AA:** An obligation/obligor rated AA differs from the highest rated obligations only in small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.
- **A:** An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligors in higher rated categories. However the obligor's capacity to meet its financial commitment on the obligation is strong.
- **BBB:** A short-term obligation rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
- **Unrated:** Financial Institutions do not necessarily require a credit rating from the various ratings agencies such as Standard & Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all authorised Deposit Taking Institutions (Banks, Building societies and Credit Unions).
- **Plus (+) or Minus(-):** The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories

Fitch and Moody's have similar classifications.

## Appendix C – Recently Invested ADIs

### Rural Bank

Historically, the Bank was formed as Elders Rural Bank and received its banking licence in 2000. In August 2009, Elders Rural Bank Limited changed its name to Rural Bank Limited and, in December 2010, Rural Bank became a fully-owned subsidiary of the Bendigo and Adelaide Bank Group.

In December 2010, Bendigo and Adelaide Bank announced that it would increase its shareholding in Rural Bank from 60% to 100% for \$165m, or approximately 1.2 times book value. As such, Rural Bank takes on its parent's company's long-term credit rating of A- by S&P.

Over the years, the bank's business model has expanded, but its core business has not changed. They specialise in lending to the agricultural sector in rural and regional centres across the country. Rural Bank's products and services are now available at more than 400 locations nationally.

#### *Financial Results*

As at 30 September 2015, Bendigo-Adelaide Bank's Tier 1 Capital Ratio stood at 10.48% and its Total Capital Ratio at 12.46%, well above Basel III minimum capital requirements.

At a group level, Bendigo-Adelaide Bank Ltd announced a statutory profit after tax of \$191.6 million for the 6 months ending 30 June 2014, an 6.0% decrease on the prior corresponding period. The cash earnings result is \$196.4 million for the 6 months ending 30 June 2014, a 5.7% increase on the prior corresponding period. Retail deposits stood at \$44.84 billion (up from \$42.65 billion in December 2013), an increase of 5.0%.

### Rabobank Australia

With over 110 years of history, the Rabobank Group is a leading provider of financial services around the world and has a strong historical presence for the global food and agriculture industry. Headquartered in Utrecht, the Netherlands, Rabobank is a cooperative bank with over AUD\$926.4 billion in assets (€732 billion)<sup>1</sup>, approximately 10 million clients, more than 59,000 employees, and a presence in 48 countries. Rabobank is one of the 30 largest financial institutions in the world based on Tier 1 Capital.

Rabobank established an office in Australia in 1990 and acquired the Primary Industry Bank of Australia (PIBA) operating in Australia and New Zealand in 1994. With headquarters in Sydney, Rabobank has 61 branches throughout Australia and 32 branches in New Zealand. As at December 2011, the Group employed more than 1,000 people in Australia and New Zealand, with more than half based in regional locations.

In early November 2014, ratings agency Standard & Poor's downgraded the Dutch Rabobank group, and therefore Australia's long-term credit rating from AA- to A+ (short-term rating from A-1+ to A-1). Rabobank Australia itself remains financially solid with a Tier 1 Capital of 11.27% and Total Capital Ratio of 12.99% as at September 2015.

<sup>1</sup> As a comparison, CBA has approximately AUD\$750 billion in total assets and 45,000 employees

From May 2015, new Rabobank Australia deposits will not be guaranteed by the global group, but existing deposits will have their guarantee grandfathered.

**BankWest**

Bankwest is an ADI based in Perth, Western Australia. Formerly a wholly owned subsidiary of HBOS plc but was sold in October 2008 to the Commonwealth Bank of Australia (CBA) for \$2.1 billion. BankWest continues to operate independently of its parent company but has the same long-term credit rating of CBA, being "AA-" by ratings agency S&P.

At a group level, as at 30/09/2015, CBA had a Tier 1 Capital of 11.8% and Total Capital Ratio of 13.3%.



# Camden Council Minutes

**Business Assurance and Risk Committee  
Meeting**  
**30 March 2016**

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**Camden Council  
Large Meeting Room  
19 Queen Street, Narellan  
6.00pm**



## **BUSINESS ASSURANCE AND RISK COMMITTEE**

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**Voting Members Present:**

John Gordon	Independent Member (Chair)
Bruce Hanrahan	Independent Member
Cr Peter Sidgreaves	Camden Council Councillor
Cr Therese Fedeli	Camden Council Councillor

**Attendees:**

Ron Moore	General Manager
Michelle Brockwell	Business Assurance Officer
Paul Rofe	Manager Finance and Corporate Planning

**Invitees:**

Dennis Banicevic	External Auditor
David Reynolds	Director Customer and Corporate Services
Vince Capaldi	Director Community Infrastructure
Patrick Mulqueeny	Manager Capital Works
Kevin Voegt	Manager Technology Solutions
Rick Weeding	Manager Infrastructure Services
Fiona Morrison	Organisational Development Officer
Andrew Stanton	Project Manager – Oran Park Civic Precinct
Peta Kinnane	Senior Governance Officer

**BUS04 Transition To Oran Park Presentation****RECOMMENDED**

That the Business Assurance and Risk Committee:

- i. Note the presentation provided to the Committee

**DISCUSSION****PRESENTATION – ORAN PARK ADMINISTRATION CENTRE**

The Manager of Capital Works, Mr Patrick Mulqueeny addressed the Committee in relation to the actions and responsibilities that have been undertaken for the coordination of activities associated with the Camden Council's new Administration Centre.

Council's Organisational Development Officer, Fiona Morrison updated the Committee on the project management and the Oran Park Relocation Project Plan.

The Manager of Technology Solutions, Mr Kevin Voegt presented on the technological elements of the project management.

The Manager of Infrastructure Services, Mr Rick Weeding presented on the facility management aspects of the Oran Park Administration Centre.

**DECISION**

**The Business Assurance & Risk Committee note the presentation provided to the Committee and thank the presenters for an informative session.**

Mr Mulqueeny, Ms Morrison, Mr Voeght, Mr Stanton and Mr Weeding left the Business Assurance and Risk Committee meeting after this item.

**BUS01 Apologies**

RECOMMENDED

That leave of absence be granted.

DECISION

There was no leave of absence to be granted.

**BUS02 Declaration Of Interest**

RECOMMENDED

That the Business Assurance and Risk Committee declarations be noted.

DECISION

No declarations of interest were made.

**BUS03 Minutes To The 2 December 2016 Business Assurance And Risk Committee Meeting**

RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Approve the minutes to the 2 December 2015 Business Assurance and Risk Committee meeting.

DISCUSSION

The Business Assurance and Risk Committee reviewed the Actions listing table noting all actions from the previous Minutes which have been completed or are underway.

DECISION

That the Business Assurance and Risk Committee approved the minutes to the 2 December 2015 Business Assurance and Risk Committee meeting.

**Moved:** Mr Hanrahan  
**Seconded:** Cr Sidgreaves

### Change in Committee Membership

Mr Gordon, as Chairperson, thanked Councillor Penny Fischer for her contribution to the Business Assurance and Risk Committee since its formation. Mr Gordon welcomed Councillor Therese Fedeli to the Committee.

### **BUS05 Policies And Procedures Internal Audit Report**

#### RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the Policies and Procedures Internal Audit Report.

#### DISCUSSION

(Mr Banicevic arrived 6.50pm).

Ms Brockwell outlined the findings from the Policies and Procedures Internal Audit Report for the Committee.

Mr Gordon commented on Council hitting the hard audits first and building the foundations. Mr Gordon commented on the positive customer satisfaction survey results for the internal audit work.

Mr Moore commented on the setting of a strong framework and structure and the transactional workloads that are ever increasing when it comes to policy and procedure reviews.

Mr Reynolds commented on 3.1, 3.2 and 3.3 in Appendix 1 – Target implementation plan.

Mr Gordon asked that a briefing be provided to the next Committee meeting on the processes currently underway.

#### DECISION

That the Business Assurance and Risk Committee:

- i. Noted the Policies and Procedures Internal Audit Report.
- ii. Be presented with a briefing on the progress in ensuring the high priority policies and procedures are reviewed. This should be presented within the next two meetings.

**BUS06 Procurement Internal Audit Status Update**RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the Procurement Internal Audit status update.

DISCUSSION

Ms Brockwell outlined the status of the audit and that the draft report is currently being finalised. Ms Brockwell advised that a workshop had been held with the Senior Management team on the findings. Ms Brockwell outlined the broad areas where improvement is required.

Mr Gordon asked whether the Business Assurance Officer should re-check that recommendations are implemented.

Ms Brockwell stated there is an audit of Inventory Management which will provide an opportunity for follow up on this review.

DECISION

That the Business Assurance and Risk Committee:

- i. Noted the Procurement Internal Audit status update.
- ii. Be presented with an update on the Business Assurance Officer's check that key short term recommendations have been implemented.

**BUS07 Other Audit And Risk Related Matters**RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the report on other audit and risk related matters.

DISCUSSION

Ms Brockwell outlined other reviews being undertaken as a result of audit and risk related matters brought to the Business Assurance Officer's attention.

Ms Brockwell advised that an audit firm had been engaged to assess controls implemented around the application of section 94 contributions. Mr Gordon asked when are Voluntary Planning Agreements scheduled for audit?

Ms Brockwell stated the review is scheduled for the third quarter of 2016-2017.

Ms Brockwell also advised a review had been undertaken on Councils controls around the payment of cheques.

DECISION

That the Business Assurance and Risk Committee noted the report on other audit and risk related matters.

**BUS08 Internal Audit Plan Status Update**

RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the Internal Audit Plan Status Update.

DISCUSSION

Ms Brockwell provided an update on the status of the implementation of Council's Internal Audit Plan.

Mr Gordon requested that because the next agenda will include approximately three audit reports, any presentations should be deferred to a future meeting.

DECISION

That the Business Assurance and Risk Committee noted the Internal Audit Plan Status Update.

**BUS09 Audit Report Recommendations - Implementation Status Update - March 2016**

RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the Implementation Status Update for March 2016
- ii. Approve the format and level of detail provided in the attached report

DISCUSSION

Ms Brockwell commented on the status of Management's progress in implementing recommendations from previous internal audits. Ms Brockwell stated Council's Interplan software will be used in future for the Status of Recommendations from past Audits Ms Brockwell stated the next version will look a bit different however the content will remain the same.

Ms Brockwell asked if the Business Assurance and Risk Committee is happy with the detail.

The members of the Committee stated they are happy with the detail.

DECISION

That the Business Assurance and Risk Committee:

- i. Noted the Implementation Status Update for March 2016; and
- ii. Approved the format and level of detail provided in the attached report

**BUS10 External Audit Update**RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the external audit update.

DISCUSSION

Mr Banicevic provided the Committee with an update on external audit matters that may impact Council.

Mr Banicevic advised that the draft Code of Accounting Practice has been released. Mr Banicevic also advised that the audit of Special Schedule 7 (Report on Infrastructure Assets) is not being conducted for the year ending 30 June 2016.

Mr Banicevic also discussed the future plans for the external audit of Councils to be conducted by the Auditor-General.

DECISION

That the Business Assurance and Risk Committee noted the external audit update.

**BUS11 Enterprise Risk Management Framework Update**RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the status update on the establishment of Council's Enterprise Risk Management Framework

DISCUSSION

Mr Reynolds provided an update on the recruitment process with the position of Risk Management Officer and stated that Council is conscious of the timeframe in relation to the Enterprise Risk Management Framework.

Mr Moore discussed further the increase in the capacity and the importance of the role of the Risk Management Officer.

Mr Gordon requested an update at the next meeting.

DECISION

That the Business Assurance and Risk Committee:

- i. Noted the status update on the establishment of Council's Enterprise Risk Management Framework; and
- ii. An update be provided at the next Business Assurance and Risk Committee meeting.

**BUS12 Proposed Phase 1 Local Government Act Amendments**RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note the report on proposed changes to the *Local Government Act 1993*.

DISCUSSION

Mr Gordon commented on the proposed changes to the *Local Government Act 1993* and specifically concerns around the proposed amendments for Audit Committees to endorse the Council Annual Reports as factually accurate.

Mr Banicevic discussed that the Auditor-General would be conducting performance audits and that these could be sector wide.

DECISION

That the Business Assurance and Risk Committee noted the report on proposed changes to the *Local Government Act 1993*.

**BUS13 General Business**RECOMMENDED

That the Business Assurance and Risk Committee:

- i. Note any General Business items discussed

DISCUSSION

Mr Gordon requested the Business Assurance and Risk Committee agenda periodically include the following:-

- Governance Section capturing:
  - i. referrals to and from ICAC;
  - ii. Public Interest Disclosures reporting;
  - iii. Government Information (Public Access) Act requests received; and
  - iv. Report on Complaints monitoring systems;
- An update on progress against Fit for the Future plans

DECISION

That the Business Assurance and Risk Committee:

- i. Noted any General Business items discussed; and
- ii. Include periodically in the Business Assurance and Risk Committee agenda
  - Governance Section capturing referrals to and from ICAC, Public Interest Disclosure reporting, Government Information (Public Access)

- Act requests received and complaints monitoring systems reporting; and
- An update on the progress against Fit for the Future plans

**Next Meeting:**

The next meeting of the Business Assurance and Risk Committee will be held on 1 JUNE 2016 at Narellan Large Meeting Room, commencing at 6.00 pm.

The Meeting closed at 8.25pm.