

## Attachment 5 – Conditions of Development Consent

### 1. PARAMETERS OF THIS CONSENT

- 1.1. Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

**Architectural Plans by:** John Hancock, SJH Planning & Design

Drawing	Description	Sheets	Issue	Date
A1	Modification to existing dog kennels, Section A-A & Section B-B, Site Plan	A1	C	16.10.20
A2	Evening house, Section A-A & Section B-B, Detail 1	A2	B	16.06.20

#### Supporting Documentation

Document	Prepared by	Date
Bushfire Assessment Report, ref. 20-097	Australian Bushfire Consulting Services	18 May 2020
Noise Assessment Report, Ref. TL417-01F02 (r2) Noise Assessment	Renzo Tonin & Associates	20 July 2020
Revise Noise Assessment - TL417-03F02	Renzo Tonin & Associates	5 November 2020
Wastewater Management Plan (OSSM), Rep.No. 20053-B	Larry Cook Consulting Pty Ltd	25 July 2020
Plan of Management – FindAFrenchie Day to Day	Kris Lewis	6 November 2020

- 1.2. This consent is for a twelve (12) month period only and accordingly the development must cease at the expiration of twelve (12) months from the determination date of this consent.

Any extension of the approved use beyond twelve (12) months will require the prior submission and approval of an application under section 4.55 of the *Environmental Planning and Assessment Act, 1979*. In considering any application for the extension of this consent, Council would have regard for relevant matters under the *Environmental Planning and Assessment Act 1979*, including any submissions received during the period.

Note: Any application to modify this condition should be submitted to Council three (3) months prior to the date the consent will lapse.

- 1.3. Submit an application to Council under the provisions of section 68 of the Local Government Act 1993 for an approval to install an on-site sewage management system. The system must be designed generally in accordance with the Wastewater Management Report, reference number 20053-B, dated 25 July 2020, prepared by Larry Cook. The section 68 application can be found on Council's website: [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au)
- 1.4. Obtain an Approval to Operate the on-site sewage management system from Council.
- 1.5. The improvements to the evening house and outdoor dog kennels must be carried out in accordance with the approved plans under Condition 1.1 of this consent and be completed within 30 days from the determination date of this consent.
- 1.6. A Building Information Certificate must be obtained for the evening house and outdoor dog kennels within 30 days from the determination date of this consent.

## 2. ONGOING

- 2.1. Waste generated by the development to be separated into mixed and recyclables waste streams and stored in sealed containers prior to disposal.
- 2.2. Animal waste is to be double bagged and sealed for servicing by a private commercial waste contactor at determined intervals to ensure no nuisance odour. Note: No animal waste to be placed in Council Domestic Waste bins.
- 2.3. All waste generated on the premise shall be stored in a manner so that it does not pollute the environment.
- 2.4. All waste generated on the premise shall be transported to a facility which is licensed to receive that material.
- 2.5. Waste storage containers are to be screened and/or stored out of public view.
- 2.6. Comply with the Plan of Management – FindAFrenchie Day to Day as listed under Condition 1.1 of this consent.
- 2.7. Obtain certification by a visiting veterinarian as to the satisfactory and safe conduct of the breeding facility to ensure continued compliance with relevant legislation including the Animal Welfare Code of Practice – Breeding Dogs and Cats every 6 months.
- 2.8. Do not erect advertising sign(s) on or in conjunction with the use and / or development without development consent unless the advertisement is exempt development or otherwise permitted without development consent.
- 2.9. No more than 30 dogs are permitted in the dog breeding facility at any time.

- 2.10. The dog breeding facility is to breed French Bulldogs only.
- 2.11. Restrict the use of outdoor dog kennels to between 10.00am and 05:30pm daily.
- 2.12. Comply with the recommendations under Part 8.0 of the Bushfire Assessment Report, ref. 20-097 dated 18 May 2020, prepared by Australian Bushfire Consulting Services.
- 2.13. Operate and manage the site in accordance with the Revised Noise Assessment report TL417-03F02, prepared by M. Chung of Renzo Tonin and Associates, dated 5 November 2020.
- 2.14. Do not give to offensive noise as defined in the *Protection of the Environment Operations Act 1997*.
- 2.15. Undertake an acoustic assessment prepared by an acoustic consultant, one (1) month after operational consent of DA/97/2020. The acoustic consultant must have a current membership to the Association of Australasian Acoustical Consultants. The acoustic assessment must compare operational noise levels to the predicted noise levels and identify any areas where further noise mitigation measures **will be required**. Monitoring shall be undertaken at the nearest residential receivers. Offensive noise is also to be considered. A copy of the Assessment must be submitted to Council's Environment and Public Health team within fourteen (14) days of the review being undertaken. Any recommendations must be implemented within thirty (30) days of the Assessment being undertaken.
- 2.16. Prepare a policy on complaints handling and dispute resolution and maintain a complaint register in accordance with the following:
- Prepare a policy detailing how to deal with disputes or complaints;
  - Retain a log of related communication and actions taken;
  - Respond to complaints and take effective action;
  - Maintain a complaint register which includes date and time complaint received, name and designation (e.g. guest, neighbour, council, police etc.) of complainant and contact details of complainant, nature of complaint;
  - Action taken (by whom and when);
  - Outcome and/or further action required (e.g. community consultation, meet with Council, meet with local police, review management systems or issue resolved).
  - Appoint a manager who shall be contactable 24 hours per day. Provide adjoining neighbours with the phone number of the manager for them to contact in case there is a need to address an immediate concern regarding the use of the property for dog breeding facility.