

**NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION**  
**CROWN DEVELOPMENT CONSENT**  
**Environmental Planning and Assessment Act, 1979**  
**DA10-0128**

**TO:**

Caldis Cook Group, Level 2, 45 Chippen St, Chippendale NSW 2008

being the applicant(s) for DA10-0128 relating to:

**64-68 Frome Street MOREE 2400 Lot 1 DP 631314 & Lot 1 DP 665969 Parish: Moree**

**APPROVED DEVELOPMENT: Demolition of existing buildings and erection of nine temporary modular buildings & ancillary works**

**BCA CLASSIFICATION(s):**

**DETERMINATION DATE:**

**18-Nov-10**

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

**CONSENT TO OPERATE FROM:**

**18-Nov-10**

**CONSENT TO LAPSE ON:**

**18-Nov-15**

**DETAILS OF CONDITIONS**

The conditions of consent and reasons for such conditions are set out as follows:

**Demolition Conditions**

- 1 This consent will be void if not physically commenced within five (5) years from the date of approval.

**Reason:** To ensure that the development is commenced within a satisfactory timeframe.

- 2 The development is to be undertaken to the satisfaction of Council and in conformity with the Environmental Planning and Assessment Act, the Local Government Act, appropriate Australian Standards, Environmental Planning Instruments where applicable

**Reason:** To confirm and clarify the terms of Council's approval.

- 3 Demolition and associated works are to be inspected during demolition to ensure compliance with conditions of development consent and relevant Australian Standards.

**Reason:** To ensure compliance with the conditions of the Development Consent.

- 4 All waste must be appropriately disposed of to Council's licensed land-fill site with the site being left in a clean state and free of all demolished rubble and waste.

**Reason:** To ensure all construction waste is disposed of at a licensed land fill site and that the site is left free of all demolition waste.

- 5 Building work is permitted between the hours of 8.00 am and 6.00 pm Monday to Friday and between 8.00 am and 1.00 pm Saturday. No building work shall take place on Sunday or Public Holidays.

**Reason:** To ensure that the environmental quality of adjoining land is not adversely affected by the generation of excessive noise levels, etc.

- 6 Before commencement of any work a sign(s) is/are required to be erected in a prominent, visible position:
- (i) stating that "unauthorised entry to the work site is prohibited";
  - (ii) showing the name of the person in charge of the work site (principal contractor) and a telephone number at which that person can be contacted outside working hours; and
  - (iii) the sign(s) must be removed when all building work has been completed.

**Reason:** To ensure the requirements of the Environmental Planning and Assessment Act are satisfied.

- 7 Any damage caused to Council's infrastructure, due to the Demolition works undertaken, shall be restored at the Applicant's expense.

**Reason:** To ensure the maintenance of Council's infrastructure.

- 8 All vehicular movements over the footpath for the removal of demolition material from the site, are to be carried out under the supervision of a properly qualified person and necessary precautionary measures taken to ensure the safety of members of the public.

**Reason:** To ensure the development is undertaken in a manner which is conducive to maintaining public safety.

- 9 All existing sewer connections are to be capped and sealed prior to the completion of the demolition operation. The sewer is to be excavated at the shaft, capped and adequately sealed at the sewer junction by a licensed plumber/drainier.

**Reason:** To ensure minimum public health standards are maintained.

- 10 Arrangements are to be made with a licensed plumber to cap the existing water services.

**Reason:** To ensure disused service does not cause a nuisance to adjoining properties.

- 11 All demolition work shall be undertaken by an appropriately licensed contractor.

**Reason:** To ensure compliance with the Department of Fair Trading license requirements for contractor undertaking residential demolition work.

**General Planning Conditions**

- 12 The development being undertaken in accordance with the Environmental Planning and Assessment Act 1979, the Local Government Act 1993, environmental planning instruments, Council's Codes and Policies, appropriate standards, the application made, markings of the identified plans noted (**Caldis Cook Group, Project: Moree Police Station, Drawings DA-01, DA-02, DA-03, DA-04**) and specification attached, except as modified by the conditions of this consent.

**Reason:** To confirm and clarify the terms of Council's approval.

- 13 The design of the proposed building and all building work must be carried out in strict accordance with the provisions of the Building Code of Australia and any Australian Standards adopted thereunder.

**Reason:** To ensure compliance with the provisions of the Building Code of Australia and associated Australian Standards.

- 14 Pursuant to section 94A(1) of the *Environmental Planning and Assessment Act 1979*, and the *Moree Plains Development Contributions Plan 2006*, a levy shall be paid to Council in respect of the development, being 1% of the cost of carrying out the development as determined by the Council in accordance with the Act and Environmental Planning and Assessment Regulation 2000.

The amount to be paid is to be adjusted at the time of the payment, in accordance with the provisions of the *Moree Plains Development Contributions Plan 2006* and the Regulation.

**Reason:** To ensure the provision of Community facilities and services pursuant to section 94A of the *Environmental Planning and Assessment Act, 1979*.

- 15 Before commencement of any work a sign(s) is/are required to be erected in a prominent, visible position:
- (i) stating that "unauthorised entry to the work site is prohibited";
  - (ii) showing the name of the person in charge of the work site (principal contractor) and a telephone number at which that person can be contacted outside working hours; and
  - (iii) the sign(s) must be removed when all building work has been completed.

**Reason:** To ensure the requirements of the Environmental Planning and Assessment Act are satisfied.

- 16 The whole of the site must be kept in a clean and tidy manner at all times with provision made on site for the containment of all material that could become windborne.

**Reason:** To ensure adequate provision is made for public safety.

- 17 Toilet facilities must be provided at or in the vicinity of the work site prior to commencement of building works.

**Reason:** To ensure the requirements of the Environmental Planning and Assessment Act 1979 are satisfied.

#### **Annual Fire Safety Statement**

- 18 In accordance with clause 175 of Environmental Planning & Assessment Act Regulations 2000, the owner of a building, each year, must cause the Council to be given an annual fire safety statement for the building

An annual fire safety statement for the building;

- a) must deal with each essential fire safety measure in the building and
- b) must be given within 12 months after the last such statement was given or after the final fire safety certificate was first issued for the building

**Reason:** To ensure compliance with the provisions of the Environmental Planning and Assessment Act and Regulations.

- 19 The floor level of the proposed temporary building shall not be lower than R.L. 209.25 AHD, which is 150mm above the estimated level of the 1% AEP flood in accordance with Council's requirements for commercial development.

**Reason:** To ensure the development satisfies the requirements of Moree Plains Shire Council DCP 2008.

- 20 All vehicular movements to and from the site shall be in a forward direction. Under no circumstances shall vehicles be permitted to reverse on or off a public road.

**Reason:** To confirm and clarify Council's approval.

- 21 All loading and unloading of goods is to take place within the site and not from the footpath or roadway for the life of the development.

**Reason:** To ensure that loading and unloading of goods does not interfere with the use of public footpaths or roadways.

- 22 A concreted or sealed entrance driveway to the proposed development shall be constructed from Frome Street. The design and construction of the access shall be in accordance with the following standard requirements with respect to location, size and type of driveway.

- 1) Moree Plains Shire Council – Standard Drawing for Driveways, Footpaths and Vehicular Crossings.
- 2) Lay backs shall be created within the kerb and gutter at the driveway location.

**Reason:** To ensure that safe and adequate access is available to the site.

- 23 A Traffic Control Plan for construction work in the Road Reserve shall be produced and implemented in accordance with RTA standards prior to the commencement of roadwork.

**Reason:** To confirm and clarify this approval.

- 24 The car park area shall be sealed or concreted. The layout and dimensions of the proposed car parking area shall comply with Chapter 3 – Parking from Moree Plains Shire Council DCP 2008.

**Reason:** To ensure that the car parking area is functional and constructed to a high standard.

- 25 A physical barrier such as concrete kerb, timber logs or landscaping is to be provided along the front of the parking bays.

**Reason:** To prevent vehicles from protruding onto the footpath or adjoining property or causing damage to fencing.

- 26 The applicant must ensure that the peak storm water discharge rate in a 1 in 20 year event from the proposed development will be no greater than was previously produced by the site. Overland flows from the site should not impact upon adjoining or adjacent land or Council's infrastructure. On-site storm water detention shall be utilized for the car park area and all storm water from the site shall be discharged to Council's storm water system.

**Reason:** To ensure appropriate storm water disposal from the site.

- 27 The vehicular entrance and exit driveways and the direction of traffic movement within the site shall be clearly indicated by means of suitable signs and pavement markings.

**Reason:** To ensure that clear direction is provided to the drivers of vehicles entering and leaving the premises.

## **NOTES**

*Development Consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the lapse date except where a condition specifies a limit to the duration of the consent.*

*Where construction work is proposed, the granting of development consent is the first step in the process. Before construction work may commence, a Construction Certificate must be obtained from Council or an accredited certifier.*

*Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council*

*Where there is an inconsistency between the documents lodged with this application and the conditions, the conditions shall prevail to the extent of that inconsistency.*

**COVENANTS**

*It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which effect the land.*

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Rodgers', is written over the printed name and title.

**Mr Lester Rodgers**  
**DIRECTOR OF PLANNING & DEVELOPMENT**