

The following conditions have been imposed in accordance with the requirements of Section 80A of the *Environmental Planning Assessment Act 1979* having regard to the relevant matters identified under Section 79C of the Act.

PARAMETERS OF THIS CONSENT

- 1.** The development shall be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

| Plan No./ Supporting Document | Version | Prepared by | Dated |
|---|----------------|-------------------------------------|-----------------|
| Statement of Environmental Effects | - | McNeil Architects | 31 January 2017 |
| Flood Study for Kempsey Airport International Aviation College | - | Dex Constulting Pty Ltd | December 2016 |
| Flood Study - Letter | - | Dex Constulting Pty Ltd | 9 January 2017 |
| Wastewater Management Plan for Proposed Aviation College, Kempsey Regional Airport, Airport Road, Aldavilla | - | Whitehead and Associates | 19 January 2017 |
| Bushfire Hazard Assessment | - | Midcoast Building and Environmental | December 2016 |
| Traffic Engineering Kempsey Airport – Traffic Assessment | 2 | TTM Consulting Pty Ltd | 9/12/16 |
| Australian International Aviation College Kempsey Airport – Aircraft Noise Assessment | - | GHD | February 2017 |
| Proposed Site/ Locality Plan Drawing Number: D01_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Master Site Plan Drawing Number: D02_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Stage 1#1 Site Plan Drawing Number: D03_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Stage 1#2 Site Plan Drawing Number: D04_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Stage 1#1 Plan Drawing Number: D05_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Stage 1#2 Plan Drawing Number: D06_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Sections and Elevations Drawing Number: D07_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Hangar 1#2 Section & Elevations Drawing Number: D08_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Roof Plan & Drainage Strategy Drawing Number: D09_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Sediment Control Plan Drawing Number: D10_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Notification Plan Drawing Number: D11_B | DA Issue B | McNeil Architects | 25/1/2017 |
| Stage 2 Section & Elevations Drawing Number: D12_B | DA Issue B | McNeil Architects | 25/1/2017 |

| Plan No./ Supporting Document | Version | Prepared by | Dated |
|--|------------|-------------------|-----------|
| OLS Site Plan Drawing Number: D13_B | DA Issue B | McNeil Architects | 31/1/2017 |

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature shall be kept on site at all times while work is being undertaken.

2. No more than two-hundred fifty (250) students are permitted to be trained at the facility at any time.

Bushfire

3. The following bushfire protection requirements shall be completed in full and maintained in perpetuity:
 - a) An Asset Protection Zone as detailed in Section 3.1.1 of the *Bushfire Hazard Assessment Kempsey Airport Australian International Aviation College Lot 1 DP1144474 Airport Road Aldavilla* (Midcoast Building and Environmental, 2016) is to be maintained.
 - b) A water supply (including gas bottle supply) as detailed in Section 3.1.3 of the *Bushfire Hazard Assessment Kempsey Airport Australian International Aviation College Lot 1 DP1144474 Airport Road Aldavilla* (Midcoast Building and Environmental, 2016) is to be provided.
 - c) Landscaping principles in accordance with Section 3.1.4 of the *Bushfire Hazard Assessment Kempsey Airport Australian International Aviation College Lot 1 DP1144474 Airport Road Aldavilla* (Midcoast Building and Environmental, 2016) shall be adopted.
 - d) A Bushfire Emergency Management/Evacuation Plan shall be prepared and implemented for the pilot training facility. The plan shall be based on the Rural Fires Services Guide for Special Fire Protection Purposes.
4. This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.

| |
|------------------------------|
| PRESCRIBED CONDITIONS |
|------------------------------|

5. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.
6. All building work must be carried out in accordance with the requirements of the Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.

This condition does not apply:

- a) To the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - b) To the erection of a temporary building.
- 7.** The development shall comply with the *Disability (Access to Premises) Standards*.
- 8.** If the development involves an excavation that extends below the level of the base of the footings of any building, structure or work, the person having the benefit of the development consent must, at the person's own expense:
- a) Protect and support the 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.

| |
|---|
| THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE |
|---|

Airport operations

- 9.** Prior to the issue of any Construction Certificate, plans shall be submitted to Council for approval demonstrating compliance with the Obstacle Limitation Surfaces (OLS) restrictions in accordance with the Manual of Standards Part 139 – Aerodromes (Australian Government Civil Aviation Safety Authority, 2008). These plans shall also detail the setback between the new buildings and the runway centreline and airport taxiways.
- 10.** Prior to the issue of any Construction Certificate, the plans shall be referred to and endorsed by Airservices Australia. Evidence of this shall be provided to Council prior to the issue of the Construction Certificate.

Plans and documentation

- 11.** Prior to the issue of any Construction Certificate that includes civil works, engineer's details for all proposed civil works relevant to the Construction Certificate, including foundation, cut and fill, retaining walls, reinforcing, driveway and car parking area pavement, etc., shall be provided to the Certifier for approval. All engineer's details shall be prepared by an appropriately qualified, experienced and practicing Engineer in accordance with Council's *Development Control Plan 2013* and the current Building Code of Australia. These engineer's details shall be approved by the Certifier as part of the relevant Construction Certificate.
- 12.** Any Construction Certificate application relating to stormwater infrastructure shall be accompanied by:
- a) Stormwater calculations and detailed engineering plans in accordance with Council's Engineering Guidelines demonstrating that the existing and proposed stormwater infrastructure will be capable of managing a 10% AEP storm event; and
-

- b) Details demonstrating that areas associated with aircraft maintenance which will be subject to oils/ hydrocarbons and other chemicals do not discharge to the stormwater system.

Fire safety

- 13. Prior to the issue of any Construction Certificate, fire safety details in accordance with Division 2 of Part 9 of the *Environmental Planning and Assessment Regulation 2000* shall be provided to the Certifier for the preparation of a Fire Safety Schedule. These details shall be prepared by an appropriately qualified person and shall include sufficient information for the Certifier to prepare and issue a Fire Safety Schedule. These details shall specify current and proposed fire safety measures and nominate standard of performance, and identify each Fire Safety measure that is/are Critical Fire Safety Measures and the intervals at which supplementary fire safety statements shall be given to the Council in respect to each such measure. A Fire Safety Schedule shall be issued by the Certifier as part of any Construction Certificate.

Food safety

- 14. Prior to the issue of any Construction Certificate, details of any food preparation areas that are used to prepare food for consumption shall be provide to the Certifier for approval. These details shall demonstrate compliance with *AS 4674-2004: Design, construction and fitout of food premises*.

Flooding

- 15. Prior to the issue of any Construction Certificate, the Certifier is to be satisfied of the following:
 - (a) That the construction certificate plans make provision for adequate flood free storage. That is, storage is to be provided for equipment and goods above the 1% AEP Flood level of 15.5m AHD;
 - (b) That the applicant has provided details of suitable flood proofing procedures that will be in place, including outlining steps to protect aircraft that may be subject to minor inundation;
 - (c) A Structural Engineers Certificate has been provided to the Certifier advising that the structures can withstand the force of flowing floodwaters, including debris and buoyancy forces and details of flood vents or other flood proofing measures to ensure that all hangars and other structures can stand the associated hydrostatic forces; and
 - (d) A flooding evacuation procedure (having regard to the Kempsey Shire Local Flood Plan) has been provided to the Certifier, as the school will likely become isolated during the 1% AEP events. A copy of this procedure is to be provided to Council prior to the issue of the Construction Certificate.

Construction Management

- 16. Prior to the issue of any construction certificate, a Construction Management Plan shall be submitted to and approved by the Certifier.
-

The Construction Management Plan is to address, but not limited to:

- (a) the scope of works and staging;
 - (b) the ongoing airport operations and address any potential conflicts;
 - (c) compliance with these conditions of consent;
 - (d) local traffic routes to be used by construction vehicles and any measures to address any associated impacts;
 - (e) access and parking arrangements for construction staff and vehicles;
 - (f) any required road closures, Traffic Control Plans, etc.;
 - (g) location of any site sheds; and
 - (h) details pertaining to any cranes or concrete pumps required.
- 17.** Prior to the issue of any Construction Certificate that includes earthworks, a Sediment and Erosion Control Plan shall be submitted to the Certifier for approval. This Sediment and Erosion Control Plan shall be prepared by an appropriately experienced and qualified professional, in accordance with the most recent version of the Landcom publication "*Managing Urban Stormwater - Soils and Construction*." This Sediment and Erosion Control Plan shall include measures to manage weeds in and around the disturbed areas. This Sediment and Erosion Control Plan shall be approved by the Certifier as part of the relevant Construction Certificate.
- 18.** Prior to the issue of any Construction Certificate, a Site Waste Minimisation and Management Plan (SWMMP) shall be provided to the Certifier for approval. This SWMMP shall be prepared in accordance with Council's Development Control Plan 2013. This SWMMP shall be approved by the Certifier as part of any Construction Certificate.

Traffic

- 19.** Prior to the issue of any construction certificate, plans and details demonstrating traffic and parking requirements shall be provided to the Certifier for approval. These plans and details shall ensure:
- a) All vehicles enter and leave the site in a forward direction;
 - b) Bus set down and pick up areas are provided; and
 - b) All car parking and manoeuvring areas associated with the proposal must be in accordance with AS 2890; and
 - c) Appropriate pedestrian advisory signs are to be provided at the egress from the car parking area; and
 - d) The swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.
-

These plans and details shall be approved by the Certifier as part of the relevant Construction Certificate.

- 20.** Prior to the issue of any construction certificate, a Traffic Management Plan (or an updated Traffic Management Plan in the case of subsequent construction certificates) shall be submitted to and approved by Council.

The Traffic Management Plan:

- (a) shall be prepared by an appropriately qualified and experienced professional; and
- (b) be prepared in consultation with Council and the Roads and Maritime Service (as appropriate); and
- (c) reflect the requirements of this consent that the applicant is responsible for ensuring that all students, and all staff beyond Stage 1 Phase 1 commute to the facility via a bus shuttle service or via the public bus system if available; and
- (d) must include:
 - i. **Bus shuttle service** – details of the student and staff bus shuttle service including number of students and staff, type of buses (including capacity), number of buses, number of bus movements per day, bus route/s, and hours of operation;
 - ii. **Access, parking and manoeuvring** – details of integration with airport operations more generally, as well as within the pilot training facility;
 - iii. **Road Safety Audit** - prepared by an appropriately qualified and experienced traffic consultant in accordance with the *Guidelines for Road Safety Audit Practices* (RTA, 2011) to identify road safety deficiencies and areas of risk that need to be addressed prior to the facility (or next stage of the facility) being constructed. The Traffic Management Plan is to detail how and when the recommendations of the Road Safety Audit will be implemented;
 - iv. **Driver Code of Conduct** – for the bus shuttle service, addressing and including the following:
 - induction procedure;
 - hours of operation;
 - road safety;
 - measures to be adopted to reduce noise;
 - traffic safety consciousness and courteousness; and
 - program to monitor effectiveness of the Code of Conduct.

- 21.** Prior to the issue of any Construction Certificate that includes works within the road reserve, an approval under Section 138 of the *Roads Act 1993* shall be obtained from
-

Council. This approval shall be included by the Certifier as part of the relevant Construction Certificate.

Essential services

- 22.** Prior to the issue of any Construction Certificate, approval/s under Section 68 of the *Local Government Act 1993* for water supply works to service the proposal shall be obtained from Council. Such approval/s shall be included by the Certifier as part of the relevant Construction Certificate.
- 23.** Prior to the issue of any Construction Certificate, approval/s under Section 68 of the *Local Government Act 1993* for installation and/or operation of an on-site sewage management system to service the proposal (or that stage of the proposal) shall be obtained from Council.

This application for Section 68 approval shall be accompanied by a report prepared by a suitably qualified professional, which addresses the proposal in accordance with the *Local Government Act 1993*, the Regulations, the *Environment & Health Protection Guidelines 1998 – Onsite Sewage Management for Single Households*, and *Australian Standard AS 1547: On-site Domestic-Wastewater Management*. Such approval/s shall be included by the Certifier as part of the relevant Construction Certificate.

- 24.** Prior to the issue of any Construction Certificate, any relevant approval/s under Section 68 of the *Local Government Act 1993* for stormwater infrastructure to service the proposal shall be obtained from Council.
- 25.** Prior to the issue of any Construction Certificate, evidence of satisfactory arrangements (including a Section 68 approval under the *Local Government Act 1993* as relevant) for the management and disposal of trade waste shall be provided to Council. These details shall include (but not be limited to):
- a) Evidence that all areas associated with aircraft maintenance which will be subject to oils/ hydrocarbons and other chemicals will be managed as liquid trade waste; and
 - b) Grease arrestor specifications, including volume; brand and model; maintenance schedule; locations; etc.

Any approval/s shall be included by the Certifier as part of the relevant Construction Certificate.

- 26.** Prior to the issue of any Construction Certificate a Certificate of Compliance pursuant of Section 305 of the *Water Management Act 2000* shall be obtained from Council and provided to the Certifier.

Crime prevention

- 27.** Prior to the issue of any Construction Certificate that includes above ground works, a crime prevention report prepared in accordance with *Crime Prevention Through Environmental Design* principles shall be provided to the Certifier for approval. This report shall be prepared by an appropriately qualified and experienced professional, and shall include a schedule of safety measure to be implemented. This report shall be approved by the Certifier as part of the relevant Construction Certificate.
-

Glare and reflectivity

- 28.** Prior to the issue of any Construction Certificate, a light and reflectivity certification shall be submitted to and be to the satisfaction of the Certifier. This certification shall certify that:
- a) All building materials used on the facades and roof of the buildings have been designed so as not to result in glare that may affect aircraft safety; and
 - b) All outdoor lighting used in conjunction with the proposal has been designed/located/angled so as not to affect aircraft safety.

This light and reflectivity certification shall be approved by the Certifier as part of the relevant Construction Certificate.

Landscaping

- 29.** Prior to the issue of any Construction Certificate that includes above ground works, a landscape plan shall be provided to the Certifier for approval. This landscape plan shall be prepared by an appropriately qualified and experienced person, and shall include design, planting schedule (including a range of plant sizes), relation to building materials, maintenance schedules and re-planting regime for any plants that are damaged, dead, or removed for any reason, etc. The landscape plan shall be approved by the Certifier as part of the relevant Construction Certificate.

Long service levy

- 30.** Prior to the issue of any Construction Certificate, a Long Service Levy shall be paid to the Long Service Payments Corporation. The amount payable is currently based on 0.35% of the cost of the work. This is a State Government Levy and is subject to change without notice. The requirements of the State Government supersede this condition.

This payment may be made at Council's Customer Service Centre. Cheques shall be made payable to Kempsey Shire Council.

| |
|---|
| <p style="text-align: center;">THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH PRIOR TO ANY WORKS COMMENCING</p> |
|---|

- 31.** Council shall be notified of the commencement of works not less than two (2) days prior to any works commencing. The two (2) day notification to Council shall be in writing and specify the date of commencement.
- 32.** Prior to the commencement of any works adequate erosion and sedimentation controls shall be in place in accordance with the approved Sediment and Erosion Control Plan.
- 33.** Prior to the commencement of any works a sign or signs shall be erected in a prominent position at the frontage to the site:
- 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.

The sign/s shall be maintained while the building work, subdivision work or demolition work is being carried out, and shall be removed when the work has been completed. No sign is to have an area in excess of one (1) m².

| |
|--|
| THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH DURING ANY WORKS |
|--|

- 34.** Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:

- a) Monday to Friday, from 7:00am to 6:00pm.
- b) Saturday, from 8:00am to 1:00pm.

No construction work is to take place on Sundays or Public Holidays.

- 35.** Construction noise is to be limited as follows:

- a) For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation shall not exceed the background level by more than 20 dB(A); or
- b) For construction periods greater than four (4) weeks and not exceeding twenty-six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation shall not exceed the background level by more than 10 dB(A).

- 36.** All reasonable works shall be undertaken to control dust from the site. These works shall include, but are not limited to:

- a) Restricting topsoil removal; and
- b) Regularly and lightly watering dust prone areas; and
- c) Alter or cease construction work during periods of high wind; and
- d) Erect green or black shade cloth mesh or similar products 1.8m high around the perimeter of the work area.

- 37.** Vibration shall be in accordance with *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006).

- 38.** Works must not interfere in any way with the continued operation of the airport, the street, any other airport premises and/or adjoining premises, any public car parking areas, any pedestrian walkways, etc., unless such interference is authorised by the written consent from all affected parties and/or an approval under Section 138 of the *Roads Act 1993* to erect and maintain hoardings, as relevant to the case.
- 39.** Hoardings shall only be erected within the road reserve in accordance with a Section 138 approval obtained from Council. In addition to any condition of the Section 138 approval, the following hoarding requirements shall be complied with:
- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing; and
 - b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.
- 40.** All builders rubbish is to be contained on the site in 'Builders Skips' or an enclosure. Building materials are to be delivered directly onto the property. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.
- 41.** All erosion and sediment controls shall be in place and maintained at all times in accordance with the approved Sediment and Erosion Control Plan until the site has been stabilised by permanent vegetation or hard surface.
- 42.** A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal at the request of any officer of the PCA, Council, and/or any other Government Agency.

| |
|---|
| <p style="text-align: center;">THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH PRIOR TO THE OCCUPATION/USE OF ANY PART OF THE DEVELOPMENT</p> |
|---|

- 43.** Prior to the issue of any Occupation Certificate, the following shall be completed:
- a) All requirements of any approval issued under Section 68 of the *Local Government Act 1993* (e.g., for water supply, on-site sewage management systems, stormwater drainage, etc.); and
 - b) All requirements of any approval issued under Section 138 of the *Roads Act 1993* (e.g., for any works within the road reserve, etc.); and
 - c) All requirements of this consent and/or subsequently endorsed documents and/or certifications (e.g., for traffic, parking, lighting/reflectivity, landscaping, crime prevention, etc.); and
 - d) Certification from an appropriately qualified person that all outdoor lighting and reflectivity requirements have been completed; and
 - e) Certification from a qualified bushfire consultant shall be provided to the Principal Certifying Authority demonstrating that all bushfire requirements required by this consent have been completed in full.
-

- 44. An Occupation Certificate is not to be issued unless the PCA is satisfied that the on-site sewage management system for the development is installed, operational and has appropriate capacity having regard to the building for which an occupation certificate is being issued.
- 45. The cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the site as a result of construction works associated with the approved development, shall be met in full by the applicant/developer prior to the occupation/use of any part of the development.

| |
|--|
| THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES |
|--|

Noise

- 46. Ground based activities associated with the pilot training facility (including maintenance activities, for example engine tests and fixed and mobile mechanical plant) that are audible at any sensitive receiver off the airport site, shall only be undertaken between 7am and 6pm Monday to Friday, and between 8am and 1pm Saturday.
- 47. Ground based activities associated with the pilot training facility shall be undertaken in a manner that does not result in a noise level exceeding LAeq 15 minutes 35 dB(A) when assessed at any sensitive receiver, including a residence. NOTE: The assessment location to measure levels at a sensitive receiver shall be in accordance with the NSW Industrial Noise Policy.
- 48. Should Council receive a justifiable noise complaint, Council may request that a Noise Report be provided from a suitably qualified noise consultant to determine if the noise levels stipulated in Condition 47 are being complied with. If these levels are not being complied with, the Noise Report requested will need to include recommendations to bring the operation into compliance, which may require a variation to current practices or the provision of sound attenuation at the site.

Traffic management

- 49. A current Traffic Management Plan and Driver Code of Conduct, approved by Council, shall be in place and adhered to at all times. All shuttle bus drivers are to be provided with a copy of the *Driver Code of Conduct*.
 - 50. The applicant is responsible for ensuring that all students, and all staff beyond Stage 1 Phase 1, commute to/from the pilot training facility via the shuttle bus service provided or via the public bus service if available.
 - 51. All driveways and parking areas shall be available for use at all times.
-

Waste

52. All waste produced by the facility shall be collected and disposed of in a bulk garbage collection service provided at the facility. At no time shall any staff/patron/etc. be restricted/prohibited from disposing of waste in these bulk garbage collection service provided for the facility.

Lighting

53. All lighting is to be installed in accordance with the requirements of the *Manual of Standards Part 139 – Aerodromes* (Australian Government Civil Aviation Safety Authority, 2008).
54. In addition to any other limitation on outdoor/external lighting imposed by this consent, all external lighting shall comply with *AS4282: Control of the Obtrusive Effects of Outdoor Lighting* at all times.

Bunding

55. All chemicals, fuels, oils and lubricants used on-site are to be stored in appropriately bunded areas in accordance with, and that comply with, all relevant Australian Standards including *Australian Standard AS1940 – The Storage of and Handling of Flammable and Combustible Liquids*, and with WorkCover Authority requirements.
56. All chemicals, oils and hydrocarbons used for aircraft maintenance is to be stored above the 1% AEP Flood level of 15.5m AHD.

Airport operations

57. No part of the development, or any ancillary component of the development (e.g., buildings, aerals/masts, plant, equipment, etc.), shall be constructed/located so as to penetrate the Operational Limitations Surface (OLS) at any time in accordance with the *Manual of Standards Part 139 – Aerodromes* (Australian Government Civil Aviation Safety Authority, 2008).

| |
|--------|
| ADVICE |
|--------|

- A** Certain additional approvals and action are required by you prior to and during construction works. The *Environmental Planning and Assessment Act 1979* require you to:
- a) Obtain a Construction Certificate prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a *Construction Certificate*. An accredited certifier must obtain Council's approval to certain conditions of this development consent, where indicated before issuing the Construction Certificate.
 - b) Nominate a *Principal Certifying Authority* (PCA) which may be either Council or an accredited certifier and notify Council of that appointment. You cannot lawfully commence works without complying with this requirement.
-

- c) Give Council at least two (2) days notice of your intention to commence the erection of a building before commencing construction works by lodging the '*Notice of Commencement of Building Works and Appointment of the Principal Certifying Authority*' form enclosed. You cannot lawfully commence works without complying with this requirement.
- d) Obtain an *Occupation Certificate* before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign by lodging the '*Application for Occupation Certificate*' form enclosed. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

B This consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of any Construction Certificate.

A person may apply to Kempsey Shire Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the *Water Management Act 2000*. An application form is available from Council's website www.kempsey.nsw.gov.au or at Council Offices located at 22 Tozer Street, West Kempsey.

Please be advised that as a precondition to the granting of a Compliance Certificate, all infrastructure works to serve the development as listed in the Schedule of Works below must be completed to the satisfaction of Council, and a monetary contribution in accordance with the following Schedule of Contributions must be paid in full.

Schedule of Works

Extension and augmentation of water mains as necessary to service the proposal.

Schedule of Contributions

| Public service | No. of equivalent tenements (ET) | Contribution rate (amount per ET) | Contribution levied | Date until which contribution rate is applicable |
|----------------|----------------------------------|-----------------------------------|---------------------|--|
| Water | 4.5 ET | \$9,570.00 | \$43,065.00 | 30 June 2017 |
| TOTAL | | | \$43,065.00 | |

Contributions are levied in accordance with the *Kempsey Shire Council Macleay Water Development Servicing Plans for Water Supply Services* (July 2006) and the *Kempsey Shire Council Macleay Water Development Servicing Plans for Sewerage Services* (July 2006).

PLEASE NOTE:- The amount to be paid will be adjusted at the time of actual payment, in accordance with the provisions of the above mentioned development servicing plans. The amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment. The applicable contribution rates for specific dates can be obtained by contacting Council during office hours.

C All earthmoving contractors and operators should be instructed that, in the event of any bone, or stone artefacts, or discrete distributions of shell, being unearthed during earthmoving, work must cease immediately in the affected area, and the Local Aboriginal Land Council and officers of the National Parks and Wildlife Service, informed of the discovery. Work must not recommence until the material has been inspected by those officials and permission has been given to proceed. Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the *National Parks and Wildlife Act 1974*.

D This consent does not authorise:

- a) Any form of residential and/or tourist purposes. The proposal shall not be used for any form of accommodation at any time.
- b) The erection of any signage. Any proposed advertising signage and/or additional signage may require further development consent unless specifically listed as "exempt development" under an environmental planning instrument.

E The only fill material that may be received at the development site is:

- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and/or
- b) Any other waste-derived material the subject of a resource recovery exemption under Clause 91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material, excluding waste tyre.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions, which must be provided to Council or any other public authority on request.

Any waste-derived material that does not qualify for resource recovery exemption must not be received at the development site for any reason.
