

19 June 2017



Ms Robyn Shelley
Customer Service Officer
MidCoast Council
PO Box 450
FORSTER NSW 2428

DA 521/2017

Dear Ms Shelley

Re: Development Application DA 521/2017

I refer to the above file that was received at the Taree Police Station that contains an application the proposed development of a Mixed Use Development at 34-36 West Street, Forster.

In response to your request for comment on the proposal, Senior Constable Ray Slade, Crime Prevention Officer and Senior Constable Linda Hedley, Licensing Coordinator from Taree Police Station have provided comprehensive reports addressing the key issues. Police have identified the development as a medium crime risk. A number of recommendations have been made by Police, and these are detailed in the attached report.

I trust I have been of assistance to you. If you require further information please contact Senior Constable Slade on (02) 6552 0317 or Senior Constable Hedley on (02) 6552 0350.

Yours sincerely

Paul Fuller
A/Superintendent
Local Area Commander
vgs

MANNING GREAT LAKES LOCAL AREA COMMAND
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Robyn Shelley
Customer Service Officer
Mid Coast Council
PO Box 450
Forster NSW 2428

RE: Development Application DA 521/2017 – Mixed Use Development 34 – 36 West St, Forster

On 14 June 2017 a Safer by Design Evaluation was conducted on Mixed Use Development at 34-36 West St, Forster

In April 2001 the NSW Minister for Planning introduced Crime Prevention Guidelines to Section 79C of the Environmental Planning and Assessment Act, 1979. These guidelines require consent authorities to ensure that development provides safety and security to users and the community. 'If a development presents a crime risk, the guidelines can be used to justify modification of the development to minimize crime risk, or, refusal of the development on the grounds that crime risk cannot be appropriately minimised'.

The Guidelines contain two parts. 'Part A details the need for a formal crime risk assessment (Safer by Design Evaluation) to be done in conjunction with trained police, and Part B outlines basic Crime Prevention Through Environmental Design (CPTED) principles and strategies that can be used by consent authorities to justify the modification proposals to minimize risk'. (DUAP 2001:2).

Crime Prevention Through Environmental Design (CPTED)

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension).

- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)
- Minimise the actual and perceived benefits of crime (removing, minimizing or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalization of inappropriate behaviour)

CPTED employs four key strategies. These are surveillance, access control, territorial reinforcement and space/activity management.

Site Description

The site is located on the corner of Lake, West and Middle Streets in Forster NSW. It is currently 3 vacant allotments, previously utilised as a public school.

The project consists of a multi-tower, multi-storey development which accommodates restaurants, cafes, retail tenancies, nightclub, library, gymnasium, cinema, childcare centre, visitor information centre, hotel, serviced apartments, residential units for seniors living, community lounge, activity rooms and associated car parking. It is a four stage development consisting of 143 1, 2, and 3 bedroom units, as well as 102 Hotel rooms. It is planned that permanent residents of the complex will be senior citizens.

It is also located within an area close the Wharf Street, Central Business District (C.B.D.) and licenced premises. This area is also used as a thoroughfare into the C.B.D, Similar multi level developments catering for tourists are located in this area, where there have been a number of malicious damages, stealing and break, enter & steal offences on these like developments, particularly to the garage areas due to easy access. This needs to be borne in mind with this new development.

The report into licenced premises on the location will be addressed in separate, attached report by the manning Great Lakes Local Area Command Licencing Officer, Senior Constable Hedley.

Site Risk Rating

The NSW Police Safer by Design Evaluation process is based upon Australia and New Zealand Risk Management Standard ANZS4360:1999. It is a contextually flexible, transparent process that identifies and quantifies crime hazards and location risk. Evaluation measures include crime likelihood (statistical probability), consequence (crime outcome), distributions of reported crime (hotspot analysis), socio-economic conditions (relative disadvantage), situational hazards and crime opportunity.

After conducting this process the rating for this development has been identified as, **Medium Crime Risk.**

With this in mind the following Crime Prevention Through Environmental Design (CPTED) treatments should be considered for the development in order to reduce opportunities for crime.

- *Natural*
 - *Technical/Mechanical (low)*
 - *Organised (low)*
-

Surveillance

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. *Natural surveillance* is a by-product of well-planned, well-designed and well-used space. *Technical/mechanical Surveillance* is achieved through mechanical/electronic measures such as CCTV, help points and mirrored building panels. *Technical/mechanical surveillance* is commonly used as a 'patch' to supervise isolated, higher risk locations. *Formal (or Organised) Surveillance* is achieved through the tactical positioning of guardians. An example would be the use of on-site supervisors at higher risk locations.

General Comments:

- Entry points should be designed so as to maximise surveillance opportunities to and from these areas from both inside as well as outside.
- Use of Closed Circuit Television (CCTV) can assist in detecting crime and act as a deterrent to would be offenders.
- The placement and orientation of common entry areas such as foyers, lobbies and lifts should maximise opportunities for natural supervision by caretakers, tenants and other guardians.
- Laminated glass walls and windows facilitate supervision of common entry areas.
- It is anticipated that the major crime issues affecting this development will involve steal from unattended motor vehicles, stolen motor vehicles, malicious damage (graffiti) and stealing from retail store (Shop lifting)

Recommended Conditions of Consent:

- CCTV should be considered within the interior of all commercial premises and car park area. The quality of the installation should be of a high quality digital system which allows a back up system of a minimum 28 days.
- Any CCTV be of a standard that prevents lighting, or natural lighting, from interfering with the quality captured on the system.
- Height of internal shelving should be considered to allow staff surveillance opportunities of potential shoplifters.
- Over use of promotional material on commercial premises windows should be discouraged. This allows natural surveillance by non patrons being able to see inside the store.

Lighting

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity (Painter, 1997). Good lighting can assist in increasing the usage of an area. There is no information with the plans, which were reviewed to indicate the lighting proposals for the development.

General Comments:

- It is stated in the CPTED report supplied by Coastplan Group Pty Ltd that all public areas within and around the site should be lit between sunset and sunrise to maximize surveillance of those areas..
- Lighting should be designed to the Australian and New Zealand Lighting Standards.
- A lighting maintenance policy needs to be established for the development.

- Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.

Specific Design Comments:

There is limited information in respect to lighting for the development. It is recommended that Australian Lighting Standards be adhered to, so that all pedestrian pathways, car parks and other related areas are appropriately lit.

Recommended Conditions of Consent:

- Australia and New Zealand Lighting Standard 1158 – Car parks must be used throughout the development.

Landscaping

Landscaping can be used to enhance the appearance of the development and assist in reducing opportunities for vandalism. However, landscaping can also provide concealment or entrapment areas for people involved in criminal behaviour.

General Comments:

- Some predatory offenders, particularly rapists, seek pockets and enclosures created by vegetation/landscaping. When selecting and maintaining vegetation, consideration should be given to the possibility of areas becoming entrapment sites in the future.
- A safety convention is to have 3 - 5 metres of cleared space on either side of pathways and bicycle routes. Thereafter, vegetation is stepped back in height to maximise sightlines.
- A safety convention for vegetation is: lower tree limbs should be above average head height, and shrubs should not provide easy concealment.

Specific Design Comments:

Recommended Conditions of Consent:

Landscaping close to the development should be regularly maintained to ensure that plants, particularly branches of those plants, cannot act as a natural ladder to gain access to higher parts of the building

Territorial Re-enforcement

Criminals rarely commit crime in areas where the risk of detection and challenge are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. *Territorial Re-enforcement* uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage

communal responsibility for public areas and facilities, and to communicate to people where they should/not be and what activities are appropriate.

General Comments:

- The boundaries of the development are reasonably well defined and re-enforced by fencing or walls.
- There is no information to indicate signage, which might be used in and around the development. Confusion resulting from vague entry design can legitimise exploration, trespassing and excuse making by opportunistic criminals. Entries should be legible and inviting.
- Car park design and definitional legibility can help (or hinder) way finding. Knowing how and where to enter, exit and find assistance can impact perceptions of safety, victim vulnerability and crime opportunity. Signage should reinforce (not be an alternative to) effective design.

Specific Design Comments:

The basement level car park should not be shared between residents and visitors. Shared use may cause confusion and provide excuse making opportunities for intruder/s to commit crime. By not clearly designating areas for authorized persons, this may cause a “bumper bar effect” and increase the risk of crime to occur within the development.

Recommended Conditions of Consent:

- A street sign should be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No.8.
- Signage also needs to be provided at entry/exit points and throughout the development to assist users and warn intruders they will be prosecuted.
- Signage needs to be provided within the car park to provide way finding to users of these areas.
- Signage also needs to be provided on the fire exit doors warning users that the doors are to be used for emergency purposes only.

Environmental Maintenance

All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

General Comments:

A management plan for maintenance of the public areas and external commercial areas shall be prepared and implemented, providing for daily maintenance of these areas in a clean state

and the removal of any graffiti, using Council's Graffiti Buster program or otherwise funded and implemented.

Recommended Conditions of Consent:

Police fully endorse the above suggestion that a management plan for the entire area be prepared and implemented.

Space/Activity Management

Space/Activity management strategies are an important way to develop and maintain *natural* community control. Space management involves the formal supervision, control and care of the development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

General Comments:

- The development proposed is a combined commercial/residential area.

Specific Design Comments:

- The number of entry/exit points to unauthorised areas should be restricted.

Recommended Conditions of Consent:

Access Control

Access control treatments restrict, channel and encourage people and vehicles into, out of and around the development. Way-finding, desire-lines and formal/informal routes are important crime prevention considerations.

Access control is used to increase the time and effort required to commit crime and to increase the risk to criminals. Natural access control includes the tactical use of landforms and waterways features, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens. Technical/Mechanical access control includes the employment of security hardware and Formal (or Organised) access control includes on-site guardians such as employed security officers.

Specific Design Comments:

- Reinforced glazing should be considered on the exterior display windows on the fit out along with reinforced glazing on the main entry sliding doors to discourage break ins through these areas.
- Bollards or appropriate planter boxes should be considered in front of the Commercial premises entrance to discourage ram raid type offences.
- Reinforced glazing should be considered on the exterior display windows, along with reinforced glazing on the main entry sliding doors to discourage break ins through these areas.

Recommended Conditions of Consent:

- A monitored intruder alarm system designed to the Australian Standard, Domestic & Commercial Alarm Systems AS: should be installed to enhance the physical security of your business.
- As a number of business premises have had telephone lines cut to prevent alarms being reported to the security monitoring company, a supplementary system such as Global Satellite Mobile (GSM) or Radio Frequency (RF) systems should be used to transmit alarm signal by either mobile telephone or radio frequency.
- A floor or wall safe subject to Australian Standards should be installed.
- 'Fire Exit doors for the development should also be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.
- Consideration should also be given to enhancing the staff access control treatments with electronic access control equipment to enhance physical security.
- Design of the multi storey residential area should be such that there are no points that enable persons to obtain access to higher levels by climbing external walls and balconies of the building.

Conclusion

The New South Wales Police have a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this evaluation, any person who does so acknowledges that:

1. It is not possible to make areas evaluated by the NSW Police absolutely safe for members of the community or their property
2. It is based upon the information provided to the NSW Police at the time the evaluation was made,
3. The evaluation is a confidential document and is for use by the consent authority or organizations referred to on page 1 only,
4. The contents of this evaluation are not to be copied or circulated otherwise than for the purposes of the consent authority or organization referred to on page 1.

The NSW Police hopes that by using the recommendations contained in this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

We would like to thank you for the opportunity of inspecting the plans for this development and should you require further information on the subjects mentioned within this report feel free to contact Senior Constable Ray Slade, Crime Prevention Officer, Manning Great Lakes LAC, Phone 65520317.

Yours sincerely

Senior Constable R Slade
Crime Prevention Officer
Ph: 65520317
14 June 2017



NSW Police Force

16 June, 2017
MidCoast Council
4 Breese Parade
Forster NSW 2428

RE: Development Application DA 521/2017 – Mixed Use Development 34-36 West Street Forster

On the 16 June 2017 Licensing Police conducted a Safer by Design Evaluation on the proposed Nightclub and Restaurants. With respect to the Nightclub, Police recommend the application be refused.

A Nightclub is defined as a 'public entertainment venue' pursuant to Part 3, Division 4 of the Liquor Act 2007. A nightclub is essentially a venue that provides music, live or otherwise, and alcohol.

The proposed venue is in close proximity to residential premises and will be a constant source of noise complaints, most likely from patrons entering and leaving the venue, then dispersing across the town. Further complaints of assault and offensive conduct by patrons, and malicious damage to surrounding businesses will no doubt arise. The most well intended management plan will not prevent the proposed venue from becoming a major source of alcohol related incidents and crime. As a result, it will have a considerable impact on law enforcement and other emergency services in the area. Police make specific reference to three cases in the Forster/Tuncurry area to support their position.

CASE 1: Nightclub licence held at 1/32 Wharf Street Forster which operated for many years under different management and business names of *'The Ant Ranch Nightclub'*, *'The Wharf Bar and Grill'*, *'The Wharf Bar and Tandoori'*, and *'Bee 52 Cocktail Bar & Lounge'*. This venue was for many years its own crime wave, and every primary trading night Police were required to remain at the venue for hours to prevent assaults, street offences and large scale public order incidents. Patrons were unable to be controlled by staff and security, and the level of intoxication of patrons leaving the venue was indicative of the venue purely focusing on the sale of alcohol rather compliance with the legislation and providing a safe venue option. Patrons leaving the venue would do so in an aggressive and intoxicated/ disorderly manner, yelling and pushing people around. There was the occasional damage to property, to street signs and nearby business shop fronts.

The documented incidents for this venue were disproportionately higher than existing late trading venues that did not provide nightclub style entertainment. The operation of the nightclub would draw many people to the area who were unable to access the venue due to age or previous bad behaviour. These people would then loiter in the park in Memorial Drive opposite the venue and consume liquor, abuse members of the public or those entering/leaving the venue. Occasionally they would become the source of violence and antisocial behaviour. It was very common to see patrons from the venue become involved in verbal and physical altercations with the loiterers, causing large scale public order incidents. In essence, the operation of this venue had a significant negative impact on Police and other emergency services. Police encountered numerous patrons with serious injuries, including head injuries, as a result of violent incidents in and around the venue. Police also sustained injuries while attending to incidents at the venue, and were essentially placed in harms way every time the venue opened for trade.

Manning/Great Lakes Police Command

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It must be noted that there is a requirement to respond to licensed venues in an escalated manner. This requirement was imposed by the Independent Liquor and Gaming Authority (ILGA) who are the decision makers for a raft of liquor and gaming matters. This response method typically consists of consultative meetings with the licensee and management, voluntary arrangements or conditions on a trial basis (usually for between 3 to 6 months), and then enforcement action. Once all these avenues have been exhausted then disciplinary proceedings may commence. Again this process takes many months of evidence gathering and documenting same in the approved format. Meanwhile the crime continues and the Police and community suffer the consequences. The volume of evidence required for Licensing Prosecutions is far greater than many criminal matters, and evidence must be obtained over several months in order to establish a pattern of non-compliance. Unfortunately a change of business owners means the escalated response process starts over. This occurred with the subject nightclub and as such the brief of evidence took a number of years to compile.

In 2007 Licensing Police lodged a complaint against the nightclub with the NSW Liquor Administration Board pursuant to s.104 of the Liquor Act 1982 (Quiet and Good order of the neighbourhood complaint). The Board found in favour of the Police and imposed a number of stringent conditions on the licence, including the removal of the extended trading hours. As such, the venue could not operate like a typical nightclub, the business owners eventually closed the nightclub and the licence has since been surrendered.

CASE 2: Registered Club Licence – *'Tuncurry Bowling Club Ltd'* provided nightclub style entertainment called *'Club 21'* from August 2008 to December 2010. The introduction of the nightclub saw an immediate rise in assaults and street offences in the area, and it became a constant source of alcohol related crime over a two year period. Police would often receive complaints from residents regarding the boisterous, uninhibited, incoherent behaviour of patrons entering and leaving the venue, and were frequently called to intervene in brawls and incidents of fail to quit involving heavily intoxicated patrons. Police would occasionally receive calls from residents about patrons urinating in the street or exposing themselves, or would come across such incidents while at the venue.

In response, Licensing Police held a number of intervention meetings with the Manager, and conducted covert and overt operations over an 18 month period while first response Police were tasked to conduct regular business inspections and high visibility in the vicinity in an effort to curb crime in the area. The venue was a significant drain on Police resources and for the most part the crime was occurring at a time when Police were required to deal with more pressing matters elsewhere in the Sector.

In 2008 a scheme was introduced to address the most violent venues in the State of New South Wales. The scheme lists the top 50 most violent venues known as 'Declared Venues'. Refer to attached **Annexure 1** for details of the scheme. The Club became a Declared Venue in Rounds 3 and 4 for the 2009 and 2010 period. In fact, in 2009 the Club was declared the 21st most violent venue in the State. Refer to **Annexures 2 & 3** for the declared venues list. The Club was subsequently subjected to a number of conditions while local enforcement action continued with prosecutions for Permit Intoxication and Contravene Licence conditions. Despite the existence of 8 security guards, 2 RSA Marshals, CCTV systems, patron transport, restrictions on nightclub operations, Police interventions and legislative sanctions, the Club remained a high risk venue and the highest risk venue in the Forster Police Sector. It was not until Police advised Management of pending disciplinary action that the nightclub entertainment was closed down and a new Manager appointed. The new Manager made a decision to permanently cease all nightclub entertainment and as a result the Club was removed from the Declared Premise list. Refer to **Annexure 4**.

CASE 3: Registered Club licence – **‘Forster/Tuncurry Memorial Services Club’** aka **‘Club Forster’**. The Club provides nightclub style entertainment on a Saturday evening and has been the source of a majority of the crime and anti-social behaviour in the Forster Police Sector since the closure of Club 21. The venue is currently the focus of Licensing Police and as such limited information can be supplied in relation to the current investigation. However, the Club became a declared venue in Round 9 for the 2012 calendar year and was removed in Round 10. Refer to **Annexures 5 and 6**. The Club was forced to participate in the Violent Venues review process for Round 15 (2015/2016) due to it reaching the initial threshold for violent incidents. Since becoming a declared venue the Club has reduced its trading hours from 3am to 1.30am and adopted the declared venue conditions on a voluntary basis.

The only other Declared Venues in the Manning/Great Lakes Police Command have been the **‘Royal Hotel’** in Taree and **‘Fotheringhams Hotel’** in Taree aka **‘The Victoria Hotel Taree’**. Both venues provided nightclub style entertainment at the time of their declaration. In addition, both premises underwent significant intervention, legislative sanctions, court and disciplinary action to the point where the **‘Fotheringhams Hotel’** management decided to cease trading in 2012 and it has remained closed since. The **‘Royal Hotel’** has ceased all nightclub operations and reduced its trading hours from 3am to 1.30am on its primary trading night.

It should be noted that violent incidents are not the only measure of venue/alcohol related adversity. Street crime, antisocial behaviour, noise and drink driving all contribute to the annoyance level and safety risk of a venue. Time constraints prevent a comprehensive analysis of alcohol related crime data however Licensing Police have recently compiled statistics on drink driving (Prescribed Concentration of Alcohol – PCA offences) and found the rate of offences was far greater in the Forster Police Sector compared to the Taree and Port Macquarie Police sectors. **Refer to Table 1.**

With respect to Tables 1 and 2, Forster Population is the total of *Forster Tuncurry Region (SA2) & (SUA), Hallidays Point Black Head (UCL), Diamond Beach (SSC) and Tallwoods Village (SSC)*. Taree population is the *Greater Taree LGA less the populations of Hallidays Point Black Head (UCL), Diamond Beach (SSC) and Tallwoods Village (SSC)*. Port Macquarie population is combined *Port Macquarie (SSC) & Port Macquarie West (SA2)*.

Table 1.

RESPONSIBLE SECTOR	POPULATION	TOTAL OFFENCES	RATE PER 100000
FORSTER	27261	107	392
TAREE	44397	134	301
PORT MACQUARIE	56500	147	260

PCA statistics from January 2017 to 20 May 2017 as per Table 2.

Table 2.

RESPONSIBLE SECTOR	POPULATION	TOTAL OFFENCES	RATE PER 100000
FORSTER	27261	56	205
TAREE	44397	62	140
PORT MACQUARIE	56500	61	108

Statistics also need to be assessed alongside the socio economics of an area and the number of incumbent venues. Based on the findings of these aspects, Police are not satisfied that the addition of another high risk venue is not going to have a detrimental impact on the Forster/Tuncurry community.

The Great Lakes is a popular tourist destination with an abundance of high rise apartments, caravan parks and holiday parks. However Forster suburb has an unemployment rate of 7.9% and Tuncurry 11.2%. The median age for Forster is 55 years and Tuncurry is 59.7 years. Forster-Tuncurry also has an indigenous population that is 4.1% of the total population. The Socio-economic Indexes for Areas (SEIFA) decile ratings for Forster suburb are low as follows (ABS 2011):

i)	Index of Relative Socio-economic Advantage and Disadvantage (IRSAD):	2 (1)
ii)	Index of Relative Socio-economic Disadvantage (IRSD):	2 (1)
iii)	Index of Economic Resources (IER):	2 (1)
iv)	Index of Educations and Occupation (IEO):	3 (1)

The decile ratings for Tuncurry are in brackets.

At present there are 3 Hotel premises and 6 Registered Clubs in the Forster –Tuncurry suburbs as follows:

- i) Bellevue Hotel – 19 Manning Street Tuncurry
- ii) **Lakeside Tavern – The Lakes Way Forster**
- iii) **Lakes and Ocean Hotel – Little Street Forster**
- iv) **Forster Bowling Club – Strand Street Forster**
- v) **Forster Tuncurry Golf Club – Strand Street Forster**
- vi) **Forster Tuncurry Memorial Services Club – Strand Street Forster**
- vii) Sporties Tuncurry – Beach Street Tuncurry
- viii) Tuncurry Bowling Club – Parkes Street Tuncurry
- ix) Great Lakes Country Club – Tuncurry Road Tuncurry

The venues in bold type are in close proximity to the proposed venue. In addition, there are an additional 40 premises in the Forster Sector that permit the consumption of liquor on their premises.

The Forster Tuncurry area is already saturated with licensed venues, venues that are competing for customers in a low socio economic area with a prevailing high rate of drink driving offences. The introduction of this nightclub will create a new area of concern requiring extensive management and intervention by law enforcement. While some degree of alcohol related disturbance and anti-social behaviour is inevitable with the operation of a licensed premise, history has demonstrated that nightclub entertainment provides risks to the community that simply cannot be mitigated.

If a determination is made that the nightclub be approved then Police respectfully request that council seek a separate development application for the nightclub so that relevant recommendations can be made to address some of the Police concerns. Police also note the proposed development includes four restaurants. Police envisage that the future lease holders will most likely seek to apply for a liquor licence in the form of an 'on-premise licence restaurant'. In doing so they may also apply for a 'Drink on premises authorisation' which allows patrons to consume liquor without dining. Unfortunately there is an emerging trend by some proprietors to exploit this authorisation and Police see venues trading more like a hotel/pub than a restaurant. This, combined with extended trading hours and possible takeaway options, may draw people to the area who have been drinking at other licensed establishments. The situation will no doubt create an additional crime hot spot similar to that created by Yum Yums Bakery in Wharf Street over a number of years before it ceased its late trading operations in 2008. Their closure was not before Police and Council took legal action against the business owner for not operating in accordance with his consent.

Given the risks identified, Police also seek a separate development application for each restaurant, and require further information from the applicant regarding any proposal to licence any other part of the development.

If you require further information, please do not hesitate to Senior Constable Linda Hedley, Licensing Coordinator, Manning/Great Lakes, Phone 65520350.



Linda Hedley
Licensing Coordinator
Manning/Great Lakes Police Command

Fact sheet FS3006

Violent venues scheme

If you're a liquor licensee, you need to know about the violent venues scheme, which has operated under Schedule 4 of the *Liquor Act 2007* since 1 December 2008. The scheme is designed to regulate licensed premises with high levels of assault and other violent incidents. Please note that the procedures outlined in **this fact sheet may be modified by the Government** at any time. We will notify all venues if this occurs.

You can find historical details about the scheme, including lists of violent venues for each round, on the [Liquor & Gaming NSW \(L&GNSW\) website](https://www.liquorandgaming.justice.nsw.gov.au).

Scheme overview

Under the violent venues scheme, licensed premises with high levels of alcohol-related violent incidents will be in one of these three categories based on the latest 12 months of alcohol-related violent incident data compiled by the NSW Bureau of Crime Statistics and Research (BOCSAR):

- ▲ Level 1 (generally 19 or more incidents)
- ▲ Level 2 (generally 12–18 incidents)
- ▲ Level 3 (generally 8–11 incidents).

Special licence conditions (such as, cessation of alcohol service 30 minutes prior to close, or no shots and drink limit restrictions after midnight, etc.) are imposed on Level 1 and Level 2 venues under Schedule 4 of the *Liquor Act 2007*. Level 3 venues **are effectively put on notice that they are near the threshold for regulatory intervention under Schedule 4**, and are encouraged to develop or review their venue safety plans. You should go to the [L&GNSW website](https://www.liquorandgaming.justice.nsw.gov.au) for information on how to conduct a risk assessment so you can identify appropriate ways to reduce the risk of alcohol-related violence at your premises.

Rounds of the scheme commence on 1 June and 1 December each year.

Notification of alcohol-related violent incident data

In March and September each year, BOCSAR provides L&GNSW with the latest 12 months of alcohol-related violent incident data. Data it provides in March relates to the previous calendar year, while data it provides in September relates to the previous financial year.

Before each round, L&GNSW writes to the licensee of each licensed premises that has recorded eight or more alcohol-related violent incidents in the latest 12 months of data. This is to notify you of your venue's possible categorisation as a Level 1, 2 or 3 venue in the next round of the scheme based on the total number of recorded incidents. For venues with a possible Level 1 or Level 2 category, advice includes further information about each incident, including event number, time and date of incident, and incident category.

The advice is usually sent to licensees in mid to late March and September of each year.

For existing Level 1 and 2 venues, the total number of recorded incidents will include some incidents attributed as part of the round of the scheme underway at the time. It may also include late reported incidents that occurred during the reporting period.

Licensed premises with 12 or more incidents **(possible Level 1 and 2 venues) will be invited to review the incidents with police to assess whether an incident should be attributed to their venue.** The approach to attributing incidents and review process is discussed below.

Attributing incidents

The circumstances of incidents vary greatly, and each incident must be considered on its merits. In general, the key considerations assessing whether an incident should be attributed to a particular licensed premises are:

- ▲ whether the incident meets the definition of a 'criminal incident'
- ▲ whether the incident falls within one of the categories of 'violent criminal incidents'

Violent venues scheme

- whether the incident is 'alcohol-related'
- whether the incident has occurred on the licensed premises, applying the police concept of 'on licensed premises'.

For the specific meanings of all these terms, refer to 'Definitions of terms' in this fact sheet.

Process for reviewing incidents

We encourage you as licensee to meet with your local licensing police regularly to discuss incidents at your venue and not simply as part of this scheme, particularly if you have concerns about the risk or impact of alcohol-related violence.

Before each round commences, licensed premises with 12 or more incidents in the latest 12 months of alcohol-related violent incident data (possible Level 1 and 2 venues) can review incidents with local licensing police to help assess whether an incident should be reviewed and attributed to their venue. However, incidents that were reviewed and attributed in the previous round of the scheme cannot be reviewed again and will remain attributed to the venue. Venues notified at Level 3 have no such review process available.

The police review process is multi layered. It involves input from local licensing police, the Local Area Commander (LAC) and the police Alcohol and Licensing Enforcement Command (ALEC).

To review these incidents, you must submit a completed Request for Review form to your local licensing police in the timeframe advised in your notification letter from L&GNSW. Review meetings must be held within the timeframe specified in your notification letter.

When you go to the review meeting, make sure you take any material you believe would be useful, including any incident registers maintained on the premises.

At the review meeting, you will receive an outline of the information considered by the licensing officer, and you can view the COPS records for each incident being reviewed. Due to privacy issues, identifying details are removed and you won't be able to view COPS records on screen.

At the end of the meeting, the licensing officer completes a report (Form B), which they will provide to both you and the LAC. The LAC is responsible for initially assessing whether or not any reviewed incidents should be attributed to the venue for the purpose of the scheme.

The LAC's assessment is then forwarded to ALEC for finalisation of the police assessment. ALEC's involvement in the incident review process ensures the incidents are assessed in a consistent manner.

The final police assessment will indicate if there is any change to the number of incidents attributable to the venue, and will include an outline of the information considered in the assessment.

ALEC then sends a copy of the final police assessment to both you and L&GNSW to advise the Government for the purpose of categorising venues under the scheme.

If the final police assessment indicates that a reviewed incident remains attributed to your licensed premises, ALEC will provide copies of the relevant records from the COPS database (with any third party personal information and health information deleted). Licensees do not need to submit an application under the *Government Information (Public Access) Act 2009* to obtain this information.

Submissions to Liquor & Gaming NSW

If you don't agree with the final police assessment, you can make a submission to L&GNSW setting out the reasons you disagree. We will consider your submission, having regard to the approach described above for attributing incidents, in providing advice to the Government for the purpose of categorising your venue.

However, we will only consider submissions about incidents previously raised with police in accordance with the review process above and which have not previously been reviewed and attributed to your venue.

Refer to this fact sheet and include any supporting material in your submission that may assist our consideration. Please label supporting material, e.g. CCTV footage, to identify relevant information for consideration.

In most circumstances, we will not change the final police assessment in providing advice to the Government unless a licensee is able to provide evidence or information that demonstrates that an incident should not have been attributed to the licensed premises based on the approach described above.

The final police assessment generally does not change when licensees' submissions are based on one or more of the following arguments:

- the extent of any injury that arises from an assault is or is not significant

Violent venues scheme

- ▲ the nature of an assault is purported to be trivial
- ▲ police did not investigate or prosecute the incident
- ▲ the offender was not identified
- ▲ CCTV footage is determinative
- ▲ the reporting of the incident to police was delayed
- ▲ the venue has no record of the matter
- ▲ CCTV records have not been retained by the venue.

Categorising venues

After the incident review process, the Government will generally categorise a licensed premises as:

- ▲ a **Level 1 venue** if it has 19 or more incidents attributed to it
- ▲ a **Level 2 venue** if it has between 12 and 18 (inclusive) incidents attributed to it
- ▲ a **Level 3 venue** if it has between 8 and 11 (inclusive) incidents attributed to it.

Existing Level 1 and 2 venues

For existing Level 1 and 2 venues, the Government will also consider the adequacy of their venue safety plan and compliance history, particularly when determining if a venue should be removed from Schedule 4 because it has between 8 and 11 incidents attributed to it.

The purpose of the venue safety plan is to set out how the risk of alcohol-related violence will be reduced at the licensed premises. Existing Level 1 or 2 venues that do not provide an adequate venue safety plan, which has been revised from the previous round to identify the key risk factors that would be affected if the special licence conditions were removed, may remain on Schedule 4 as a Level 1 or 2 venue.

Sporting stadiums

Due to the unique scale and nature of their operations, sporting stadiums will generally not be categorised under the scheme. Many of these sporting venues operate comprehensive plans for alcohol and security management, and work closely with L&GNSW and police around major sporting events.

Venue safety plans

All licensees that receive notice of their venue's possible categorisation as a Level 1 or Level 2 venue are required to submit a venue safety plan. The plan should be succinct, but comprehensively list the key

risk factors for the venue and how it is proposed to address them.

When you develop your venue safety plan, you should take into account areas identified for improvement and the venue's compliance history so that the plan can specifically address the highest risks. You should review the effectiveness of your venue safety plan after three months, and again at least every six months.

The format of the plan up to licensees. However, to assist, template venue safety plans have been developed by industry peak bodies. These templates are available from the [L&GNSW website](#).

Your venue safety plan must be submitted within the timeframe specified in your notification letter.

Level 1 and 2 venues

Licensed premises categorised as a Level 1 or 2 venue by the Government are listed in Schedule 4 of the *Liquor Act 2007*, and are required to comply with the special licence conditions set out below.

Category	Special licence conditions
Level 1 19 or more incidents	▲ A mandatory 1.30am lockout of patrons (except members of registered clubs). ▲ Cessation of alcohol service 30 minutes prior to close. ▲ No glass containers to be used after midnight. ▲ No shots and drink limit restrictions after midnight. ▲ 10-minute alcohol sales time out every hour after midnight or active distribution of water and/or food. ▲ One or more additional security measures.
Level 2 12–18 incidents (inclusive)	▲ Cessation of alcohol services 30 minutes prior to close. ▲ No glass containers to be used after midnight. ▲ 10-minute alcohol sales timeout every hour after midnight, or active distribution of water and/or food.

Violent venues scheme

All Level 1 and Level 2 venues must maintain a standard trading period incident register in accordance with section 56, and clause 7A, Schedule 4 of the *Liquor Act 2007*.

Level 3 venues

Level 3 venues are encouraged to develop or review their venue safety plans, and should conduct a risk assessment to support the development of appropriate measures to reduce the risk of alcohol-related violence at their premises.

Imposing special licence conditions before midnight

The Secretary of the Department of Justice can impose the special licence conditions, including the glass and drink restrictions, on Level 1 and 2 venues from 10pm (or later) on any day of the week. This may occur where the Secretary is satisfied that alcohol-related violence has occurred on the premises during that period and day of the week.

If such action is taken by the Secretary, the licensee will be served with a written order that specifies the period and day(s) when the specified special licence conditions must be complied with.

Exemption from special licence conditions

Following categorisation as a Level 1 or 2 venue under Schedule 4, licensees can seek an exemption from the Secretary of the Department of Justice from one or more of the special licence conditions for the whole licensed premises or a specified part of the licensed premises.

To be considered for an exemption for the whole licensed premises, you must propose an alternative condition(s) that will be more effective in reducing the risk of alcohol-related violence in or about the premises than the condition for which the exemption is sought. The exemption will be granted and remain in force if the alternate condition(s) are imposed by the Secretary of the Department of Justice.

To be considered for an exemption for part of a licensed premises, you must demonstrate to the Secretary that:

- ▲ the risk of alcohol-related violence is low in that part of the premises
- ▲ an exemption would not increase the risk of alcohol-related violence in that part of the premises

- ▲ adequate measures will be in place to minimise the risk of alcohol-related violence occurring in that part of the premises.

When considering an exemption that applies to part of a licensed premises, the Secretary will generally have regard to the type of business offerings provided in the specified part of the venue, any attributed incidents that have previously occurred in that area, and any information provided by the police in respect to the exemption request.

While each exemption request is considered on its own merits, exemptions for part of a licensed premises will generally only be granted where the offering and risk indicators are clearly distinguished. This may include dedicated function rooms (for bona fide functions), and small boutique lounge and bar areas where it is demonstrated that low-risk business offerings are provided and violent incidents do not usually occur.

Withdrawal of an exemption

You need to be aware that the Secretary may consider withdrawing an exemption for part of a licensed premises in some circumstances. Circumstances may include, but are not limited to, where:

- ▲ there is a spike in alcohol-related violence that is recorded by police
- ▲ the risk of alcohol-related violence has increased in the exempted part of the premises due to a change in the way the venue is operated.

When considering such action, regard will be had to information that is provided by the NSW Police Force, L&GNSW and the licensee of the premises.

Where to send your plan and submission

Send both to the Compliance Operations Unit, L&GNSW. Please send your submission within the timeframe specified in your notification letter.

@ safe.premises@justice.nsw.gov.au (preferred)

✉ Compliance Operations Unit
Liquor & Gaming NSW
GPO Box 7060
Sydney NSW 2001

For more information about any aspect of the violent venues scheme and how it works, email the Compliance Operations Unit at safe.premises@justice.nsw.gov.au.

Definitions of terms

Alcohol-related violent incident data Alcohol-related violent incident data consists of 'violent criminal incidents' that are recorded by the NSW Police Force ('police') as 'alcohol-related' and as having occurred on 'licensed premises'.

Criminal incidents BOCSAR defines a criminal incident as an activity detected by or reported to police, which:

- i. involved the same offender(s)
- ii. involved the same victim(s)
- iii. occurred at the one location
- iv. occurred during one uninterrupted period of time
- v. falls into one offence category
- vi. falls into one incident type (for example, 'actual', 'attempted' or 'conspiracy').

Here's how BOSCAR describes the way police record criminal incidents:

Whenever someone reports a crime to police, or police discover what they believe to be a crime, police generally record it. These records of crimes reported to and recorded by police form the basis of police crime statistics. Among other things, each record contains information on the nature of the recorded crime, the circumstances in which it occurred, the location of the crime, the time it occurred, whether the offender was armed with a weapon, what sort of weapon was involved, whether the offender appeared to be affected by alcohol and, if something was stolen, the nature of any object stolen.

NSW Bureau of Crime Statistics and Research,
Uses and abuses of crime statistics, November 2011

Violent criminal incidents Incidents BOCSAR classifies as violent criminal incidents include a wide range of police incident categories based on the Australian Bureau of Statistics' Australian and New Zealand Standard Offence Classification (ABS2011 Cat. No. 1234.0), including:

- ▲ actual bodily harm
- ▲ aggravated indecent assault
- ▲ aggravated sexual assault
- ▲ assault

- ▲ assault officer
- ▲ assault with intent to have sexual intercourse
- ▲ grievous bodily harm
- ▲ indecent assault
- ▲ kidnapping
- ▲ manslaughter
- ▲ murder
- ▲ riot and affray
- ▲ sexual assault
- ▲ shoot with intent to murder
- ▲ violent disorder.

Alcohol-related Usually a violent criminal incident occurring on licensed premises will be assessed as alcohol related unless it is apparent that the consumption of alcohol did not contribute to it.

Each case must be considered on its merits, but here are some examples of incidents that have previously been assessed as not alcohol-related, despite occurring on licensed premises:

- ▲ the incident occurred at an under-age event where alcohol is not sold or supplied
- ▲ the incident involved people seeking entry to the venue, and the venue's management of the queue and the handling of the incident did not contribute to the incident or make it worse
- ▲ the offender was not a patron of the venue (NB anyone seeking entry to a venue is considered to be a patron)
- ▲ the incident involved domestic violence, or other longstanding family or interpersonal conflict, and alcohol was not a contributing factor
- ▲ a patron reports being assaulted by venue security, and it is apparent that reasonable force has been used to lawfully escort them from the venue and alcohol did not contribute to the reasons for the patron being escorted from the venue.

On licensed premises Police consider an incident to have occurred on licensed premises if it occurs:

- ▲ on the licensed premises itself
- ▲ within 50 metres of the premises, where there is evidence of direct involvement with the venue.

Level 1 and level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault incident numbers for the period 1 January 2009 to 31 December 2009

Level 1

Licence Number	Name of licensed premises	Location	Assaults
LIQH400118260	Mean Fiddler	ROUSE HILL	53
LIQC300241858	Penrith Rugby League Club Limited	PENRITH	46
LIQH400117108	Fanny's of Newcastle	NEWCASTLE	22
LIQH400119054	Embassy Hotel	PENRITH	21
LIQH400115199	The Valley Brewery	MAITLAND	21
LIQH400122403	Glasshouse Tavern	WOLLONGONG	20
LIQC300241866	Rooty Hill RSL Club Limited	ROOTY HILL	20
LIQH400109113	Coffs Harbour Hotel	COFFS HARBOUR	19
LIQH400108168	The Bended Elbow	ALBURY	19
LIQO624006734	Tunnel Nightclub	KINGS CROSS	19

Level 1 and level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault incident numbers for the period 1 January 2009 to 31 December 2009

Level 2

Licence Number	Name of licensed premises	Location	Assaults
LIQH400100078	Albion Hotel	PARRAMATTA	18
LIQH400111592	Establishment Hotel	SYDNEY	18
LIQO624006202	Flamingos Nitespot	GOULBURN	18
LIQH400112785	Collaroy Beach Hotel	COLLAROY	17
LIQH400101368	Collingwood Hotel	LIVERPOOL	17
LIQH400120230	Imperial Hotel	TAMWORTH	17
LIQH400117434	King Street Hotel	NEWCASTLE	17
LIQC300231135	Mt Pritchard & District Community Club Limited (Trading as Mounties)	MOUNT PRITCHARD	17
LIQH400105770	Steyne Hotel	MANLY	17
LIQH400122810	The Woodport Inn	ERINA	17
LIQC300239225	Tuncurry Bowling Club Ltd	TUNCURRY	17
LIQO624006473	Wollongong Castros	WOLLONGONG	17
LIQO624006658	Capital Nightclub	WAGGA WAGGA	16
LIQO624006185	Fusion	CRONULLA	16
LIQH400103972	Miranda Hotel	MIRANDA	16
LIQO624006608	The Gaff Restaurant, Bar & Nightclub	DARLINGHURST	16
LIQO624006554	Down Under	PORT MACQUARIE	15
LIQH400122187	Harp Hotel	WOLLONGONG	15
LIQC300245934	St Marys R.S.L & Ex Servicemans Club Ltd	ST MARYS	15
LIQH400104448	The Colombian Hotel	DARLINGHURST	15
LIQH400103816	Trademark Hotel	KINGS CROSS	15
LIQH400102283	Ivy	SYDNEY	14
LIQH400101635	Northies - Cronulla Hotel	CRONULLA	14
LIQH400112181	Pastoral Hotel	DUBBO	14
LIQH400118147	Queens Wharf Brewery Hotel	NEWCASTLE	14
LIQH400109369	Royal Hotel Bowral	BOWRAL	14
LIQH400118562	Standard Hotel	ORANGE	14
LIQH400110111	The Bourbon	KINGS CROSS	14
LIQO624006726	Blush Nightclub	GOSFORD	13

ANNEXURE 2

LIQO624006680	Candy's Nightclub	KINGS CROSS	13
LIQC300240533	Doyalson Wyee RSL Sub-Branch Club Limited	DOYALSON	13
LIQH400103034	Hornsby Railway Hotel	HORNSBY	13
LIQH400115067	Kandy Bar	MAITLAND	13
LIQH400110014	Terrigal Hotel	TERRIGAL	13
LIQH400116292	The Beach Hotel	BYRON BAY	13
LIQH400114605	The Standard Hotel Lismore	LISMORE	13
LIQH400115520	Wentworth Hotel	CESSNOCK	13
LIQH400108036	Albury Hotel/Motel	ALBURY	12
LIQC300226301	Castle Hill RSL Club	CASTLE HILL	12
LIQC300226751	Cronulla R S L Memorial Club Ltd	CRONULLA	12
LIQH400102224	Exchange Hotel	DARLINGHURST	12
LIQH400120028	Marlin Hotel	ULLADULLA	12
LIQH400108400	New England Hotel	ARMIDALE	12
LIQH400102453	PJ Gallagher's Irish Pub	PARRAMATTA	12
LIQH424009949	The Blacket Hotel	SYDNEY	12
LIQH400108893	The Oxford Bathurst	BATHURST	12
LIQH400116128	Woolpack Hotel	MUDGEES	12



Assault incident numbers for the period 1 January 2009 to 31 December 2009 for declared Premises to be omitted from Schedule 4 of the Liquor Act 2007 from 1 June 2010

Declared Premises to be removed

Licence Number	Name of licensed premises	Location	Assaults
LIQH400101449	Coogee Bay Hotel	COOGEE	11
LIQH400122268	North Wollongong Hotel	WOLLONGONG	11
LIQO624006666	The Old Manly Boat Shed	MANLY	11
LIQH400115997	Victoria Hotel	MOREE	11
LIQH400109946	Grand Hotel	WYONG	10
LIQH400118546	Royal Hotel	ORANGE	10
LIQH400106068	Toongabbie Hotel	TOONGABBIE	10
LIQH400117221	Warners Bay Hotel	WARNERS BAY	10
LIQH400108346	White Bull Hotel	ARMIDALE	10
LIQO624006134	AKA Nightclub Bar	SUTHERLAND	9
LIQO624006255	Altitude Nightclub	PORT MACQUARIE	9
LIQO624006198	Club 209	CAMPBELLTOWN	9
LIQH400122489	Roxy Hotel	PARRAMATTA	9
LIQH400105495	Shark Hotel	SYDNEY	9
LIQH400116896	The Griffith Hotel Motel	GRIFFITH	9
LIQH400121253	Victoria Hotel	WAGGA WAGGA	9
LIQC300236005	Central Coast Leagues Club	GOSFORD	8
LIQH400120184	Central Hotel	TAMWORTH	8
LIQH400102100	Epping Hotel	EPPING	8
LIQH400102690	Grand Hotel	BONDI JUNCTION	8
LIQH400106254	Unity Hall Hotel	BALMAIN	8
LIQO600702607	Sydney Turf Club (Rosehill & Canterbury Racecourses)	CANTERBURY	7
LIQH424006252	Stonewall Hotel	DARLINGHURST	6
LIQH424006058	First Empire Hotel	KINGS CROSS	4
LIQH400105967	Tea Gardens Hotel	BONDI JUNCTION	4
LIQH400116225	Waratah Hotel	MUDGEES	4
LIQH400106866	Towradgi Beach Hotel	TOWRADGI	3
LIQH400100809	Vegas Hotel	KINGS CROSS	1
LIQH400101929	Taylor Square Hotel	DARLINGHURST	0



Communities

D03
C-MIS

Level 1 and level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault incident numbers for the period 1 July 2009 to 30 June 2010

Level 1

Licence Number	Name of licensed premises	Location	Assaults
LIQH400118260	Mean Fiddler	ROUSE HILL	62
LIQC300241858	Penrith Rugby League Club Limited	PENRITH	61
LIQH400117108	Fanny's of Newcastle	NEWCASTLE	29
LIQH400119054	Embassy Hotel	PENRITH	28
LIQH400120230	Imperial Hotel	TAMWORTH	23
LIQO624006185	Fusion	CRONULLA	22
LIQH400101368	Collingwood Hotel	LIVERPOOL	20
LIQH400101635	Northies - Cronulla Hotel	CRONULLA	20



Communities

D03
C-MIS

Level 1 and level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault incident numbers for the period 1 July 2009 to 30 June 2010

Level 2

Licence Number	Name of licensed premises	Location	Assaults
LIQO624006658	Capital Nightclub	WAGGA WAGGA	18
LIQH400115067	Kandy Bar	MAITLAND	18
LIQH400118945	Lone Pine Tavern	ROOTY HILL	18
LIQC300231135	Mt Pritchard & District Community Club Limited (Trading as Mounties)	MOUNT PRITCHARD	18
LIQH400115040	Cessnock Hotel	CESSNOCK	17
LIQH400102453	PJ Gallagher's Irish Pub	PARRAMATTA	17
LIQC300241866	Rooty Hill RSL Club Limited	ROOTY HILL	17
LIQH400117205	Cambridge Hotel	NEWCASTLE WEST	16
LIQH400112785	Collaroy Beach Hotel	COLLAROY	16
LIQH400116128	Woolpack Hotel	MUDGEES	16
LIQH400101449	Coogee Bay Hotel	COOGEE	15
LIQH400122187	Harp Hotel	WOLLONGONG	15
LIQH400117698	Kent Hotel	HAMILTON	15
LIQH400119267	Shoal Bay Country Club Hotel	SHOAL BAY	15
LIQH400100078	Albion Hotel	PARRAMATTA	14
LIQH400102283	Ivy	SYDNEY	14
LIQH400116292	The Beach Hotel	BYRON BAY	14
LIQH400108168	The Bended Elbow	ALBURY	14
LIQH400112025	Amaroo Hotel	DUBBO	13
LIQO624006726	Blush Nightclub	GOSFORD	13
LIQH400108818	Home Nightclub	SYDNEY	13
LIQH400117434	King Street Hotel	NEWCASTLE	13
LIQH400104448	The Colombian Hotel	DARLINGHURST	13
LIQH400114435	Albion Park Hotel	ALBION PARK	12
LIQC300226484	Club Marconi of Bossley Park Social Recreation & Sporting Centre Limited	BOSSLEY PARK	12
LIQH400102224	Exchange Hotel	DARLINGHURST	12
LIQO624006202	Flamingos Nitespot	GOULBURN	12
LIQH400100299	Greenwood Hotel	NORTH SYDNEY	12

ANNEXURE 3

LIQH400122209	Hotel Illawarra	WOLLONGONG	12
LIQH400114567	Mary Gilhooley's Irish Pub & Restaurant	LISMORE	12
LIQH400100620	The Eastern	BONDI JUNCTION	12
LIQH400103816	Trademark Hotel	KINGS CROSS	12
LIQC300239225	Tuncurry Bowling Club Ltd	TUNCURRY	12
LIQO624006473	Wollongong Castros	WOLLONGONG	12



Assault incident numbers for the period 1 July 2009 to 30 June 2010 for declared Premises to be omitted from Schedule 4 of the Liquor Act 2007 from 1 Dec. 2010

Declared Premises to be removed

Licence Number	Name of licensed premises	Location	Assaults
LIQC300240533	Doyalson Wyee RSL Sub-Branch Club Limited	DOYALSON	11
LIQH400122403	Glasshouse Tavern	WOLLONGONG	11
LIQH400120028	Marlin Hotel	ULLADULLA	11
LIQH400103972	Miranda Hotel	MIRANDA	11
LIQH400112181	Pastoral Hotel	DUBBO	11
LIQH400118147	Queens Wharf Brewery Hotel	NEWCASTLE	11
LIQH400109369	Royal Hotel Bowral	BOWRAL	11
LIQH400105770	Steyne Hotel	MANLY	11
LIQH400115199	The Valley Brewery	MAITLAND	11
LIQO624006734	Tunnel Nightclub	KINGS CROSS	11
LIQH400108036	Albury Hotel/Motel	ALBURY	10
LIQO624006554	Down Under	PORT MACQUARIE	10
LIQH400111592	Establishment Hotel	SYDNEY	10
LIQH400103034	Hornsby Railway Hotel	HORNSBY	10
LIQH400110014	Terrigal Hotel	TERRIGAL	10
LIQH400108893	The Oxford Bathurst	BATHURST	10
LIQH400109113	Coffs Harbour Hotel	COFFS HARBOUR	9
LIQC300245934	St Marys R.S.L & Ex Servicemans Club Ltd	ST MARYS	9
LIQH400118562	Standard Hotel	ORANGE	9
LIQO624006680	Candy's Nightclub	KINGS CROSS	8
LIQH400108400	New England Hotel	ARMIDALE	8
LIQH400110111	The Bourbon	KINGS CROSS	8
LIQH400122810	The Woodport Inn	ERINA	8
LIQH400115520	Wentworth Hotel	CESSNOCK	8
LIQH424009949	The Blacket Hotel	SYDNEY	7
LIQO624006608	The Gaff Restaurant, Bar & Nightclub	DARLINGHURST	7
LIQH400114605	Cocktails Bar and Niteclub	LISMORE	6
LIQC300226301	Castle Hill RSL Club	CASTLE HILL	5
LIQC300226751	Cronulla R S L Memorial Club Ltd	CRONULLA	5



Level 1 and level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault incident numbers for the period 1 January 2010 to 31 December 2010

Level 1

Licence Number	Name of licensed premises	Location	Assaults
LIQC300241858	Penrith Rugby League Club Limited	PENRITH	50
LIQH400118260	Mean Fiddler	ROUSE HILL	47
LIQH400118945	Lone Pine Tavern	ROOTY HILL	36
LIQH400117108	Fanny's of Newcastle	NEWCASTLE	25
LIQH400117116	Beachcomber Resort and Conference Centre	TOUKLEY	24
LIQH400117205	Cambridge Hotel	NEWCASTLE WEST	20
LIQH400122187	Harp Hotel	WOLLONGONG	19
LIQH400118163	M J Finnegans	NEWCASTLE	19
LIQH400103972	Miranda Hotel	MIRANDA	19



**Level 1 and level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault
incident numbers for the period 1 January 2010 to 31 December 2010**

Level 2

Licence Number	Name of licensed premises	Location	Assaults
LIQH400100078	Albion Hotel	PARRAMATTA	18
LIQH400120230	Imperial Hotel	TAMWORTH	18
LIQH400119267	Shoal Bay Country Club Hotel	SHOAL BAY	18
LIQH400119380	Shore Club Hotel Manly	MANLY	18
LIQH400115644	Fotheringhams Hotel	TAREE	17
LIQH400113501	Regal Hotel	GUNNEDAH	17
LIQC300226484	Club Marconi of Bossley Park Social Recreation & Sporting Centre Limited	BOSSLEY PARK	16
LIQH400102224	Exchange Hotel	DARLINGHURST	16
LIQH400118589	Hotel Orange	ORANGE	16
LIQH400101635	Northies - Cronulla Hotel	CRONULLA	16
LIQH400100620	The Eastern	BONDI JUNCTION	16
LIQH400115040	Cessnock Hotel	CESSNOCK	15
LIQO624009777	Cheeky Monkeys Bar & Restaurant	BYRON BAY	15
LIQH400117434	King Street Hotel	NEWCASTLE	15
LIQH400114567	Mary Gilhooley's Irish Pub & Restaurant	LISMORE	15
LIQH400101368	Collingwood Hotel	LIVERPOOL	14
LIQH400100299	Greenwood Hotel	NORTH SYDNEY	14
LIQH400119054	Heritage Hotel	PENRITH	14
LIQH400117698	Kent Hotel	HAMILTON	14
LIQH400102453	PJ Gallagher's Irish Pub	PARRAMATTA	14
LIQC300238415	Shellharbour Workers Club Ltd	SHELLHARBOUR	14
LIQH400101449	Coogee Bay Hotel	COOGEE	13
LIQH400102283	Ivy	SYDNEY	13
LIQH400115067	Kandy Bar	MAITLAND	13
LIQH400108346	White Bull Hotel	ARMIDALE	13
LIQH400115008	Belmore Hotel	MAITLAND	12
LIQO624006185	Fusion	CRONULLA	12
LIQH400121075	Home Hotel	WAGGA WAGGA	12
LIQH400108818	Home Nightclub	SYDNEY	12
LIQH400120044	Postmans Tavern	NOWRA	12

ANNEXURE 4

LIQO624006608	The Gaff Restaurant, Bar & Nightclub	DARLINGHURST	12
LIQH400108893	The Oxford Bathurst	BATHURST	12
LIQH400122810	The Woodport Inn	ERINA	12
LIQH400103255	The World Bar	KINGS CROSS	12
LIQH400114893	West Kempsey Hotel	WEST KEMPSEY	12



Assault incident numbers for the period 1 January 2010 to 31 December 2010 for declared Premises to be omitted from Schedule 4 of the Liquor Act 2007 from 1 June 2011

Declared Premises to be removed

Licence Number	Name of licensed premises	Location	Assaults
LIQO624006658	Capital Nightclub	WAGGA WAGGA	11
LIQH400116292	The Beach Hotel	BYRON BAY	11
LIQH400104448	The Colombian Hotel	DARLINGHURST	11
LIQH400112025	Amaroo Hotel	DUBBO	10
LIQO624006726	Blush Nightclub	GOSFORD	10
LIQH400112785	Collaroy Beach Hotel	COLLAROY	10
LIQH400122209	Hotel Illawarra	WOLLONGONG	10
LIQC300231135	Mt Pritchard & District Community Club Limited (Trading as Mounties)	MOUNT PRITCHARD	10
LIQH400103816	Trademark Hotel	KINGS CROSS	9
LIQH400116128	Woolpack Hotel	MUDGEES	9
LIQH400114435	Albion Park Hotel	ALBION PARK	8
LIQC300239225	Tuncurry Bowling Club Ltd	TUNCURRY	7
LIQC300241866	Rooty Hill RSL Club Limited	ROOTY HILL	6
LIQH400108168	The Bended Elbow	Albury	6
LIQO624006473	Wollongong Castros	WOLLONGONG	6
LIQO624006202	Flamingos Nitespot	GOULBURN	5



Level 1 and Level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault
incident numbers for the period 01 January 2012 to 31 December 2012

Level 1

Licence Number	Name of licensed premises	Location	Assaults
LIQH400102283	Ivy	SYDNEY	24



**Level 1 and Level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault
incident numbers for the period 01 January 2012 to 31 December 2012**

Level 2

Licence Number	Name of licensed premises	Location	Assaults
LIQH400117698	Kent Hotel	HAMILTON	16
LIQH400119380	Shore Club Hotel Manly	MANLY	16
LIQC300241831	Penrith RSL Club Limited	PENRITH	15
LIQH400114605	Cocktails Bar and Niteclub	LISMORE	14
LIQH400102453	PJ'S Irish Pub Parramatta	PARRAMATTA	14
LIQC300239055	Forster Tuncurry Memorial Services Club Limited	FORSTER	13
LIQH400104081	New Brighton Hotel	MANLY	13
LIQH400119186	Port Macquarie Hotel	PORT MACQUARIE	13
LIQH400122810	The Woodport Inn	ERINA	13
LIQH400116225	Waratah Hotel	MUDGEES	13
LIQO624009777	Cheeky Monkeys Bar & Restaurant	BYRON BAY	12
LIQH400122896	Mill Tavern	YOUNG	12
LIQH400108400	New England Hotel	ARMIDALE	12
LIQH400108893	The Oxford Bathurst	BATHURST	12
LIQH400103816	Trademark Hotel	KINGS CROSS	12



Assault incident numbers for the period 01 January 2012 to 31 December 2012 for Declared Premises to be
omitted from Schedule 4 of the Liquor Act 2007 from 01 June 2013

Declared Premises to be removed

Licence Number	Name of licensed premises	Suburb	Assaults
LIQH400117108	Argyle House	NEWCASTLE	11
LIQH400109113	Coffs Harbour Hotel	COFFS HARBOUR	11
LIQH400117434	King Street Hotel	NEWCASTLE WEST	11
LIQH400118260	Mean Fiddler	ROUSE HILL	11
LIQO624006134	Sphere Nightspot and Lounge Bar	SUTHERLAND	11
LIQH400100078	Albion Hotel	PARRAMATTA	9
LIQC300231135	Mt Pritchard & District Community Club Limited (Trading as Mounties)	MOUNT PRITCHARD	9
LIQH400118546	Royal Hotel	ORANGE	9
LIQH400101449	Coogee Bay Hotel	COOGEE	8
LIQH400118163	M J Finnegans	NEWCASTLE	7
LIQO624006558	PLATFORM 3 ENTERTAINMENT PTY LTD	WOLLONGONG	5
LIQH400111657	Town House Motor Inn	COWRA	4
LIQO624006917	Woody's Surf Shack	BYRON BAY	4



Level 1 and Level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault
incident numbers for the period 01 July 2012 to 30 June 2013

Level 1

Licence Number	Name of licensed premises	Location	Assaults
LIQH400102283	Ivy	SYDNEY	26

**Level 1 and Level 2 licences for the purpose of Schedule 4 of the Liquor Act 2007, including assault
incident numbers for the period 01 July 2012 to 30 June 2013**

Level 2

Licence Number	Name of licensed premises	Location	Assaults
LIQH400116225	Waratah Hotel	MUDGEES	18
LIQO624009777	Cheeky Monkeys Bar & Restaurant	BYRON BAY	16
LIQH400114605	Cocktails Bar and Niteclub	LISMORE	16
LIQH400118260	Mean Fiddler	ROUSE HILL	15
LIQH400104081	New Brighton Hotel	MANLY	15
LIQH400122489	Roxy Hotel	PARRAMATTA	15
LIQH400120230	Imperial Hotel	TAMWORTH	14
LIQH400102453	PJ'S Irish Pub Parramatta	PARRAMATTA	14
LIQH400110200	Scruffy Murphy's	SYDNEY	14
LIQH400119380	Shore Club Hotel Manly	MANLY	14
LIQO624006134	Sphere Nightspot and Lounge Bar	SUTHERLAND	14
LIQH400103255	The World Bar	KINGS CROSS	14
LIQC300241831	Penrith RSL Club Limited	PENRITH	13
LIQH400122179	The Grand Hotel	WOLLONGONG	13
LIQH424007293	The Macarthur Tavern	CAMPBELLTOWN	13
LIQH400121024	Groove Saint	ALBURY	12
LIQH400117698	Kent Hotel	HAMILTON	12
LIQH400118945	Lone Pine Tavern	ROOTY HILL	12
LIQH400118465	Occidental Hotel Orange	ORANGE	12
LIQH400122810	The Woodport Inn	ERINA	12



Assault incident numbers for the period 01 July 2012 to 30 June 2013 for Declared Premises to be
omitted from Schedule 4 of the Liquor Act 2007 from 01 December 2013

Declared Premises to be removed

Licence Number	Name of licensed premises	Suburb	Assaults
LIQH400122896	Mill Tavern	YOUNG	11
LIQH400108400	New England Hotel	ARMIDALE	10
LIQH400103816	Trademark Hotel	KINGS CROSS	10
LIQC300239055	Forster Tuncurry Memorial Services Club Limited	FORSTER	8
LIQH400108893	The Oxford Bathurst	BATHURST	8
LIQH400119186	Port Macquarie Hotel	PORT MACQUARIE	7

ISSUE:

C.P.T.E.D Assessment of Development Application DA-521/2017 related to Mixed Use Development at 34 - 36 West St, Forster

BACKGROUND:

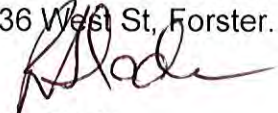
A file was received from Mid Coast Council in relation to a proposed development of 34 - 36 West St, Forster. Part of that file was a request by Council to comment on the application as to whether the development should be approved and any suitable conditions that should be added to the consent.

COMMENT:

Police have identified the development as a medium crime risk. Recommendations have been made by Police, and these are detailed in my attached report, which refers to the residential and commercial areas. A further report has been prepared by Manning Great Lakes Licensing Officer, Senior Constable Hedley, which covers areas covered by Liquor Licensing legislation.

RECOMMENDATION:

That this file be forwarded to Robyn Shelley, Mid Coast Council for her attention in relation to the development of 34 - 36 West St, Forster.


R. Slade
Senior Constable
Crime Prevention Officer
Manning Great Lakes Local
Area Command
15 June, 2017

1. Detective Chief Inspector Stephens, Crime Manager, Manning Great Lakes Local Area Command

Report and recommendations forwarded for consideration.


Det Ch Insp N. STEPHENS
Crime Manager
Manning Great Lakes

15.06.2017.

2. A/Superintendent Fidock, Commander, Manning Great Lakes Local Area Command

This assessment to be considered with another submission by SLC Linda Hedley re alcohol related issues.


.....
A/Superintendent
Local Area Commander
Manning Great Lakes

3. Robyn Shelley, Mid Coast Council, Forster

15.6.17

Steve Andrews

From: Craig Wilkinson <Craig.Wilkinson@MidCoastWater.com.au>
Sent: Thursday, 8 June 2017 4:26 PM
To: Steve Andrews; Gavin Maberly-Smith (gavin@coastplan.com.au)
Cc: Mark Parry; Daniel Brauer; Brendan Guiney
Subject: DA2017/0499 & DA2017/0526 - Forster Civic Precinct - Notice of Determination
Attachments: DA2017_0526 - Forster Civic Precinct Fee Quote - Stage 1.pdf; DA2017_0499 - Forster Civic Precinct - Master Assessment.pdf; DA2017_0526 - Forster Civic Precinct - Stage 1 Assessment.pdf

Steve & Gavin,

Please find attached the Notice of Determination and fee quote from MidCoast Water for the Forster Civic Precinct development. Give that it is proposed to stage the development, I have undertaken the assessment over the entire development, as well as including the assessment for the first stage. The attached fee quote is also only applicable to Stage 1, the additional fees and charges would be calculated at the future stages.

If you need an overall fee quote for the whole development please let me know and I can put one together.

I have placed the originals along with the stamped plans in the post this afternoon.

If you have any questions or queries, please feel free to give me a call.

Regards,

Craig Wilkinson
Development Coordinator

p 02 6591 7513 | **m** 0447 106 633
e craig.wilkinson@midcoastwater.com.au



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DEVELOPMENT ASSESSMENT FEES & CHARGES

Quote No: DA2017/0526

Date Issued: 08/06/2017

DESCRIPTION

Expiry Date: 08/07/2017

Applicant: Coastplan Group
Po Box 568
FORSTER NSW 2428

Legal Desc: Lot 11 DP 47987
Lot 12 DP 47987
Lot 13 DP 47987

Type/Property: Forster Civic Precinct – Stage 1

Fees & Charges are applied to recover the cost of the services provided by MidCoast Water, including assessment, inspection acceptance fees or to recover the costs of works performed by MidCoast Water such as water service and mains cut-ins or sewer junction installation fees.

Water and Sewer Development Charges are levied by MidCoast Water in accordance with our Development Servicing Plan for Water Supply & Sewer. The Development Charge fund is used to offset the costs of augmenting MidCoast Water's infrastructure as a result of increased demand to its water supply and sewer systems.

(Note: All fees & charges are subject to review on the July 1st each year)

Fees & Charges	Total
Development Application Fee - Other Development	\$4,440.00
Plumbing Inspections Sewer NonRes High Load	\$5,723.00
Plumbing Inspections Water NonRes High Load	\$6,171.00
Sewer Developer Charges	\$575,781.50
Water Developer Charges	\$366,222.50
Total:	\$958,338.00

NOTE: Additional Fees & Charges to be confirmed:

Water Service Connection Fee - To be Confirmed
Sewer Service Connection Fee - To be Confirmed
Engineering Works Inspection Fee - To be Confirmed
Water Main & Sewer Main Inspection Fees - To be Confirmed

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree





MidCoast Water Ref: DA2017/0499
MidCoast Council Ref: DA-521/2017
Property ID: 38623

7th June 2017

MidCoast Council Forster Branch
PO Box 450
FORSTER NSW 2428

Notification of MidCoast Water Assessment and Request for Placement of Conditions on MidCoast Council Notice of Determination

As per Chapter 7 part 1 of the Local Government Act 1993; Section 94, MidCoast Water has granted approval for those activities which require approval in accordance with Section 68 of the Local Government Act 1993 for the following development:

DEVELOPMENT PROPOSAL:	Forster Civic Precinct – Staged Development (Master Assessment)
PROPERTY DETAILS:	36 West St FORSTER NSW 2428 Lot 13 DP 47987
OWNERS DETAILS:	MidCoast Council Forster Branch PO Box 450 FORSTER NSW 2428

MidCoast Water requests that the following conditions be placed on any notice of determination issued by MidCoast Council as part of the evaluation in accordance with Section 79C(b) & (e) of the Environmental Planning & Assessment Act 1979:

Prior to Release of Construction Certificate

Certificate of Compliance from MidCoast Water (for each stage)

A Certificate of Compliance is to be received from MidCoast Water stating that all conditions in accordance with MidCoast Water's Notice of Determination have been satisfied for construction of the development and that the design of existing networks and extensions to these networks provides sufficient capacity to adequately service the development.

Reason: This condition will ensure that MidCoast Water has sufficient infrastructure and capacity within their networks to adequately service the development.

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Prior to Release of Occupation Certificate

(Where an interim occupation is to be issued, this condition should be satisfied prior to its release)

Certificate of Attainment (for each stage)

A Certificate of Attainment is to be received from MidCoast Water stating that all conditions in accordance with MidCoast Water's Notice of Determination have been satisfied for occupation of the development, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

Reason: This condition will ensure that the proposed development is adequately serviced by MidCoast Water services.

Prior to Release of Subdivision Certificate

Certificate of Compliance for Subdivision from MidCoast Water

A Certificate of Compliance for subdivision is to be received from MidCoast Water prior to the release of this development for subdivision, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

Reason: This condition will ensure that the proposed development is adequately serviced with MidCoast Water services.

If there are any issues with the application of these conditions to the determination by MidCoast Council, if you have any questions or require further information please contact the determining officer Craig Wilkinson on (02) 6591 7513.

Regards



Craig Wilkinson
Development Coordinator





MidCoast Water Ref: DA2017/0499
Property ID: 38623

7th June 2017

Enyoc Pty Ltd
C/- Coastplan Group
Po Box 568
FORSTER NSW 2428

COPY

NOTICE OF DETERMINATION of APPLICATION No: DA2017/0499

Determination issues under Chapter 7 part 1 of the Local Government Act 1993; Section 94 and 99

MidCoast Water has assessed the application for the approval of:

DEVELOPMENT PROPOSAL:	Forster Civic Precinct – Staged Development (Master Assessment)
PROPERTY DETAILS:	36 West St FORSTER NSW 2428 Lot 11, 12 & 13 DP 47987
OWNERS DETAILS:	MidCoast Council PO Box 450 FORSTER NSW 2428

MidCoast Water confirms the following determination:

APPROVAL HAS BEEN GRANTED

Subject to the attached conditions

DETERMINATION DATE: 7/06/2017

DETERMINATION OFFICER: Craig Wilkinson

Development Coordinator

Review of determination:

Under Section 100 of the Local Government Act 1993, an applicant may request MidCoast Water to review the determination of the applicant's application. The request for a review must be made within twenty-eight (28) days from the date of determination on this document. A request for review of the determination must be made in writing.

Right of appeal:

If you are dissatisfied with this decision, Section 176 of the Local Government Act, gives you the right to appeal to the Land and Environment Court within twelve (12) months from the date of determination on this document.

The conditions applied to this Notice of Determination should be read thoroughly, and the various stages to which these conditions apply should be understood prior to proceeding with the development. Where conditions are not understood contact should be made with MidCoast Water's determining officer for clarification of these requirements.

The conditions applied are required to be complied with as part of this determination; failure to comply with any of these conditions may result in MidCoast Water issuing an order to complete in accordance with Section 124 of the Local Government Act 1993 and will recover any costs incurred as a result of non-compliance in accordance with Section 678 of the Local Government Act 1993.

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

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CONDITIONS OF APPROVAL OF APPLICATION NUMBER: DA2017/0499

Provision of Certificate of Compliance (for each stage)

A Certificate of Compliance is to be received from MidCoast Water prior to the release of this development for construction, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

- This condition will ensure that the infrastructure may adequately service the development.

Provision of Certificate of Attainment (for each stage)

A Certificate of Attainment is to be received from MidCoast Water prior to the release of this development for occupation, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

- This condition will ensure that the proposed development is adequately serviced with MidCoast Water services.

Provision of Certificate of Compliance for Subdivision

A Certificate of Compliance for subdivision is to be received from MidCoast Water prior to the release of this development for subdivision, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

- This condition will ensure that the proposed development is adequately serviced with MidCoast Water services.





PLEASE NOTE:

MidCoast Water are currently undertaking a review of our Development Servicing Plan and Equivalent Tenement Policy. The outcome of these reviews may have an impact on the way developer contributions are calculated and the amount of contributions which are levied on development applications. For further information please contact MidCoast Water's Planning & Development Group on 1300 133 455.

GENERAL CONDITIONS

The following conditions are general conditions applying to the development:

1. This assessment has been undertaken on the proposed development of Multi Storey Mixed Use Development, being known as the Forster Civic Precinct. Any variation from this proposal will require additional application for assessment with MidCoast Water.
2. The proposed development is located within an existing MidCoast Water service area for water supply and sewerage services. The proposed development may be adequately serviced by an extension of MidCoast Water water supply and sewerage infrastructure. All water and sewerage infrastructure required to service the development will need to be constructed to appropriate standards published by the Water Services Association of Australia Standards and MidCoast Water. The developer is responsible for the costs for construction of water and sewerage infrastructure required to service the development.
3. The development must be undertaken in accordance with the approved plans and ancillary documentation. The approved plans are outlined within the below table:

Plan	Plan No. and Version	Prepared by	Date
<i>Development Statistics</i>	<i>Sheet 09 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Staging Plan</i>	<i>Sheet 18 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Site Plan</i>	<i>Sheet 21 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Lower Basement 2 Plan</i>	<i>Sheet 22 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Lower Basement 1 Plan</i>	<i>Sheet 23 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Ground Floor Plan</i>	<i>Sheet 24 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>

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<i>Level 1 Floor Plan</i>	<i>Sheet 25 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 2 Floor Plan</i>	<i>Sheet 26 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 3 Floor Plan</i>	<i>Sheet 27 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 4 Floor Plan</i>	<i>Sheet 28 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 5 Floor Plan</i>	<i>Sheet 29 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 6 Floor Plan</i>	<i>Sheet 30 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 7 Floor Plan</i>	<i>Sheet 31 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 8 & 9 Floor Plan</i>	<i>Sheet 32 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 10 Floor Plan</i>	<i>Sheet 33 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Roof Plan</i>	<i>Sheet 34 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 40 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 41 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 42 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 43 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Library Zoning Plan - Ground</i>	<i>Sheet 80 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Library Zoning Plan - Level 1</i>	<i>Sheet 81 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>

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Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



FEES AND CHARGES

The following conditions are related to fees and charges applying to the development:

4. MidCoast Water has applied fees and charges to the proposed development.
 - i. Fees are applied to recover the cost of the services provided by MidCoast Water, including assessment, inspection & acceptance fees or to recover the costs of works performed by MidCoast Water such as water service or junction installation fees and mains cut-ins.
 - ii. Water and sewerage development charges are levied by MidCoast Water in accordance with our Development Servicing Plan for Water Supply & Sewerage. The development charge fund is used to offset the costs of augmenting MidCoast Water's infrastructure as a result of increased demand to its water supply and sewerage systems.
 - iii. All fees and charges are to be paid at the rate applicable at time of payment. MidCoast Water's fees and charges are reviewed on an annual basis and are subject to change at each financial year.
 - iv. A separate fee quote is provided which outlines the fees and charges that are applicable to this development.
5. The calculation of fees and charges shall be made for each separate stage. All fees and charges are required to be paid at the rate applicable at time of payment.
6. The payment of assessment fees for each stage will be required to be made at the rate applicable at the time of payment. Initial instalment of \$111.00 for DA2017/0499 has already paid.
7. The payment of Water Service Connection Fees at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.
8. The payment of Sewer Service Connection Fees at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.
9. The payment of plumbing inspection fees for each stage will be required to be made at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.
10. The payment of engineering works inspection fees for each stage will be required to be made at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.
11. The payment of water mains & sewer mains inspections fees for each stage will be required to be made at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.
12. The payment of acceptance fees will be required to be made for the stage in which the consolidation of lots through subdivision is proposed. This payment will be required to be at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.

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Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



DEVELOPER CHARGES (SECTION 64 CONTRIBUTIONS)

The following conditions are related to developer charges applying to the development:

13. The payment of MidCoast Water Development Charges shall be made for each stage at the rate applicable at the time of payment. Developer charges are based on the total Equivalent Tenement's (ET) for the proposed development in accordance with MidCoast Water's *Equivalent Tenement Policy – DV02*.
14. It should be noted that the final ET demand to be levied shall be calculated independently for each stage at time of individual assessment. ET rates are subject to change and the rate utilised will be that which is applicable at time of payment of Section 64 Contributions.
15. Based on current information supplied, the estimated ET charge to be levied is 226.92ET and has been calculated as follows for the proposed development (The below ET figures are preliminary only and are subject to change upon submission of full details for each stage of the development. A recalculation of the ET charge to be levied will be made independently for each stage at time of payment in conjunction with information received, and in accordance with the applicable rates at that time):

Description	ET Rate	Unit No.	ET Calculation	Comments
Proposed Development (Stage 1)				
Community Centre/ Facilities	0.0025ET/m2	893m2	2.23 ET	ET Rate = 'Professional Offies'
Library	0.0025ET/m2	1753m2	4.38 ET	ET Rate = 'Professional Offies'
Visitor Centre	0.0025ET/m2	362m2	0.91 ET	ET Rate = 'Professional Offies'
Office (Residential)	0.0025ET/m2	38m2	0.10 ET	ET Rate = 'Professional Offies'
1 Bedroom Unit	0.5ET/Unit	5 Units	2.50 ET	ET Rate = 'Single Bedroom Premises'
2 Bedroom Unit	0.8ET/Unit	25 Units	20.00 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
3 Bedroom Unit	0.8ET/Unit	23 Units	18.40 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
Restaurant/Café	0.0033ET/m2	404m2	1.33 ET	ET Rate = 'Food Premises'
Residents Club	0.03ET/m2	355m2	10.65 ET	ET Rate = 'Licenced Premises'
Stage 1 Sub Total			60.50 ET	
Proposed Development (Stage 2)				
2 Bedroom Unit	0.8ET/Unit	28 Units	22.40 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
3 Bedroom Unit	0.8ET/Unit	29 Units	23.20 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
4 Bedroom Units	0.8ET/Unit	1 Unit	0.80 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
5 Bedroom Units	0.8ET/Unit	1 Unit	0.80 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
Supermarket	0.0025ET/m2	841m2	2.10 ET	ET Rate = 'Retail Shops'
Retail	0.0025ET/m2	89m2	0.22 ET	ET Rate = 'Retail Shops'

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

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Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



Description	ET Rate	Unit No.	ET Calculation	Comments
Gym	0.0025ET/m2	268m2	0.67 ET	ET Rate = 'Halls/ Auditoriums/ Theatres'
Recreational Area	0.0025ET/m2	559m2	1.40 ET	ET Rate = 'Halls/ Auditoriums/ Theatres'
Restaurant/Café	0.0033ET/m2	306m2	1.01 ET	ET Rate = 'Food Premises'
Stage 2 Sub Total			52.60 ET	
Proposed Development (Stage 3)				
2 Bedroom Unit	0.8ET/Unit	19 Units	15.20 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
3 Bedroom Unit	0.8ET/Unit	12 Units	9.60 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
Cinema	0.0025m2	2143m2	5.36 ET	ET Rate = 'Retail Shops'
Pool	-	100m2	1.10 ET	ET Rate = 'Other Development'
Stage 3 Sub Total			31.26 ET	
Proposed Development (Stage 4)				
Hotel Room OA.1	0.4ET/Unit	68 Units	27.20 ET	ET Rate = 'Short Term Accommodation'
Hotel Room OB.1	0.4ET/Unit	4 Units	1.60 ET	ET Rate = 'Short Term Accommodation'
Hotel Room OC.1	0.4ET/Unit	4 Units	1.60 ET	ET Rate = 'Short Term Accommodation'
Hotel Room OD.1	0.4ET/Unit	8 Units	3.20 ET	ET Rate = 'Short Term Accommodation'
1 Bedroom Unit	0.5ET/Unit	12 Units	6.00 ET	ET Rate = 'Single Bedroom Premises'
2 Bedroom Unit	0.8ET/Unit	6 Units	4.80 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
Childcare Centre	0.03ET/Child	97 Children	2.91 ET	Utilising National Construction Codes - Table D1.13 'Early Childhood Centre' rate: 4m2 per person
Night Club	0.03ET/m2	817m2	24.51 ET	ET Rate = 'Licenced Premises'
Terrace/Bar	0.03ET/m2	164m2	4.92 ET	ET Rate = 'Licenced Premises'
Retail	0.0025ET/m2	193m2	0.48 ET	ET Rate = 'Retail Shops'
Hotel Lobby	0.0025ET/m2	127m2	0.32 ET	ET Rate = 'Professional Offies'
Hotel B.O.H.	0.0025ET/m2	352m2	0.88 ET	ET Rate = 'Professional Offies'
Hotel Business Centre	0.0025ET/m2	89m2	0.22 ET	ET Rate = 'Professional Offies'
Restaurant	0.0033ET/m2	464m2	1.53 ET	ET Rate = 'Food Premises'
Function Room/ Lounge	0.0033ET/m2	464m2	1.53 ET	ET Rate = 'Food Premises'
Pool	-	78m2	0.86 ET	ET Rate = 'Other Development'
Stage 3 Sub Total			82.56 ET	

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



Description	ET Rate	Unit No.	ET Calculation	Comments
Existing Site				
Existing Credit	1.0ET	1	(-)1.0	1ET credit available across existing 3 Lots
Total Development ET			226.92	Total of all Stage ET's
Total Available ET Credit			-1.00	Total credit available for existing Lots
Total ET to Levy			225.92	ET to Levy = Proposed ET's – Existing Credit

TECHNICAL CONDITIONS

The following conditions are technical conditions applying to the development:

16. Water and Sewer design plans, undertaken by a suitably qualified person, are required to be submitted and accepted by MidCoast Water prior to any commencement of construction works onsite. All designs of water and sewer mains are to be undertaken in accordance with the Water Services Association of Australia's Water Supply Code of Australia and Sewer Supply Code of Australia, MidCoast Water Supplement Codes and MidCoast Water Development Design Standards.
17. Hydraulic plans, undertaken by a suitably qualified person, are required to be submitted and accepted by MidCoast Water prior to any commencement of construction works onsite.
18. Backflow protection will be required to be installed across the site for both boundary and zone protection. Final details for backflow protection shall be confirmed with Hydraulic designer, Plumbing Contractor and MidCoast Water's Plumbing Inspector.
19. MidCoast Water has a Liquid Trade Waste Policy in place that regulates the discharge of liquid wastes to MidCoast Water's sewer. The policy stipulates maximum strengths and quantities of pollutants that may be placed in MidCoast Water's sewers. All liquid waste other than domestic waste is considered liquid trade waste. Please contact MidCoast Waters Environmental Scientist Quality & Source Officer on 02 65 924 826 to arrange a site meeting to discuss your requirements.
20. The construction of all water supply and sewerage servicing infrastructure required to connect to MidCoast Water services shall be undertaken. Construction of water and sewer mains shall be undertaken in accordance with the relevant standards, including but not limited to, Australian Standards, Plumbing Codes, Water Services Association of Australia's Water Supply Code of Australia and Sewer Supply Code of Australia, MidCoast Water Supplement Codes and MidCoast Water Development Design Standards.
21. All water supply and sewerage infrastructure constructed shall be inspected during construction and certified as complete and complying by the MidCoast Water inspector.

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General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



22. Consolidation by means of subdivision of Lot 11 DP 47987, Lot 12 DP 47987 & Lot 13 DP 47987 shall be undertaken to allow for the interconnection of both water and sewer services across the development site.
23. In accordance with the requirements of the NSW Fair Trading , Water and Sewer Work-As-Executed plans indicating the as-built condition of all infrastructure built shall be submitted and accepted by MidCoast Water. All Work-As-Executed plans of water and sewer mains are to be undertaken in accordance with MidCoast Water Development Work-As-Executed Standards and shall be undertaken by MidCoast Water Accredited Designers/Surveyors. Documentation to be supplied in digital format.
24. Where works to be handed over to MidCoast Water are proposed, the submission of a refundable maintenance bond against defects in any water supply or sewerage work undertaken by the developer in the subdivision. The bond shall be 5% of the cost of the works, (or \$1,500 – whichever is the highest value). The bond may be released after a period of 12 months following final inspections by MidCoast Water Inspectors.
25. In accordance with the requirements of the NSW Fair Trading, a Certificate of Compliance from the licenced plumbing contractor shall be submitted to MidCoast Water.
26. Easements being of minimum width 3m are to be created over any MidCoast Water assets located within private property larger easements may be required please discuss with MidCoast Water prior to adding to plans. It is recommended that any easements for water supply or sewerage not be placed on survey plans until the work-as-executed survey of water supply and sewerage mains has been undertaken. Easements to be created with reference to registered Memorandum AF361750 Part B. All costs associated with the acquisition and/or compensation for the creation and transfer of easements are to be that of the developer.
27. The submission of a copy of the linen plans of the subdivision that are suitable for registration at Land & Property Information NSW, including a copy of any Instrument created under Section 88B of the Conveyancing Act 1919 with reference to water supply or sewerage and benefiting MidCoast County Council. When MidCoast Water is receiving the benefit of an easement, restriction or positive covenant a MidCoast Water authorised employee must execute the Section 88B Instrument.
28. The submission of a Section 88B instrument for the operation and maintenance of any on-site pump station. Details of required covenant shall be supplied by MidCoast Water upon request.

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General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



Applicant Checklist of Conditions to be Completed:

The following checklist is derived from the conditions outlined above. These conditions require action at various stages of the development prior to the release of the associated certificate:

Prior to Commencement of Works (for each Stage)

The following conditions must be satisfied prior to the release of the Certificate of Compliance:

Condition	Description	Completed	Date
1)	Payment of Assessment Fees	Yes ☐	_____
2)	Payment of Plumbing Inspection Fees	Yes ☐	_____
3)	Payment of Engineering Works Inspection Fees	Yes ☐	_____
4)	Payment of Water Service Connection Fee	Yes ☐	_____
5)	Payment of Sewer Service Connection Fee	Yes ☐	_____
6)	Submission of three sets of Architectural and Civil plans for all proposed buildings.	Yes ☐	_____
7)	Submission and acceptance of water & sewer design plans and strategies.	Yes ☐	_____
8)	Submission and acceptance of hydraulic plans.	Yes ☐	_____
9)	Submission of a Liquid Trade Waste Application.	Yes ☐	_____
10)	Payment of Developer Charges	Yes ☐	_____

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General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



Prior to Occupation (for each Stage)

The following conditions must be satisfied prior to the release of the Certificate of Attainment:

Condition	Description	Completed	Date
11)	Payment of Acceptance fees	Yes ☐	_____
12)	Submission of Linen Plan & S.88B Instrument	Yes ☐	_____
13)	The submission of Certificate of Compliance from the licensed plumbing contractor.	Yes ☐	_____
14)	The submission of works-as-executed documentation for the site.	Yes ☐	_____
15)	Submission of maintenance bond.	Yes ☐	_____

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Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree





MidCoast Water Ref: DA2017/0526
MidCoast Council Ref: DA-521/2017
Property ID: 38623

7th June 2017

MidCoast Council Forster Branch
PO Box 450
FORSTER NSW 2428

**Notification of MidCoast Water Assessment and Request for Placement of
Conditions on MidCoast Council Notice of Determination**

As per Chapter 7 part 1 of the Local Government Act 1993; Section 94, MidCoast Water has granted approval for those activities which require approval in accordance with Section 68 of the Local Government Act 1993 for the following development:

DEVELOPMENT PROPOSAL:	Forster Civic Precinct – Stage 1
PROPERTY DETAILS:	36 West St FORSTER NSW 2428 Lot 13 DP 47987
OWNERS DETAILS:	MidCoast Council Forster Branch PO Box 450 FORSTER NSW 2428

MidCoast Water requests that the following conditions be placed on any notice of determination issued by MidCoast Council as part of the evaluation in accordance with Section 79C(b) & (e) of the Environmental Planning & Assessment Act 1979:

Prior to Release of Construction Certificate

Certificate of Compliance from MidCoast Water

A Certificate of Compliance is to be received from MidCoast Water stating that all conditions in accordance with MidCoast Water's Notice of Determination have been satisfied for construction of the development and that the design of existing networks and extensions to these networks provides sufficient capacity to adequately service the development.

Reason: This condition will ensure that MidCoast Water has sufficient infrastructure and capacity within their networks to adequately service the development.

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Prior to Release of Occupation Certificate

(Where an interim occupation is to be issued, this condition should be satisfied prior to its release)

Certificate of Attainment

A Certificate of Attainment is to be received from MidCoast Water stating that all conditions in accordance with MidCoast Water's Notice of Determination have been satisfied for occupation of the development, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

Reason: This condition will ensure that the proposed development is adequately serviced by MidCoast Water services.

If there are any issues with the application of these conditions to the determination by MidCoast Council, if you have any questions or require further information please contact the determining officer Craig Wilkinson on (02) 6591 7513.

Regards



Craig Wilkinson
Development Coordinator





MidCoast Water Ref: DA2017/0526
Property ID: 38623

8th June 2017

COPY

Enyoc Pty Ltd
C/- Coastplan Group
Po Box 568
FORSTER NSW 2428

NOTICE OF DETERMINATION of APPLICATION No: DA2017/0526

Determination issues under Chapter 7 part 1 of the Local Government Act 1993; Section 94 and 99

MidCoast Water has assessed the application for the approval of:

DEVELOPMENT PROPOSAL: Forster Civic Precinct – Stage 1
PROPERTY DETAILS: 36 West St FORSTER NSW 2428
Lot 13 DP 47987
OWNERS DETAILS: MidCoast Council Forster Branch
PO Box 450
FORSTER NSW 2428

MidCoast Water confirms the following determination:

APPROVAL HAS BEEN GRANTED

Subject to the attached conditions

DETERMINATION DATE: 8/06/2017

DETERMINATION OFFICER: Craig Wilkinson

Development Coordinator

Review of determination: Under Section 100 of the Local Government Act 1993, an applicant may request MidCoast Water to review the determination of the applicant's application. The request for a review must be made within twenty-eight (28) days from the date of determination on this document. A request for review of the determination must be made in writing.

Right of appeal: If you are dissatisfied with this decision, Section 176 of the Local Government Act, gives you the right to appeal to the Land and Environment Court within twelve (12) months from the date of determination on this document.

The conditions applied to this Notice of Determination should be read thoroughly, and the various stages to which these conditions apply should be understood prior to proceeding with the development. Where conditions are not understood contact should be made with MidCoast Water's determining officer for clarification of these requirements.

The conditions applied are required to be complied with as part of this determination; failure to comply with any of these conditions may result in MidCoast Water issuing an order to complete in accordance with Section 124 of the Local Government Act 1993 and will recover any costs incurred as a result of non-compliance in accordance with Section 678 of the Local Government Act 1993.

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

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Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



CONDITIONS OF APPROVAL OF APPLICATION NUMBER: DA2017/0526

Provision of Certificate of Compliance

A Certificate of Compliance is to be received from MidCoast Water prior to the release of this development for construction, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

- This condition will ensure that the infrastructure may adequately service the development.

Provision of Certificate of Attainment

A Certificate of Attainment is to be received from MidCoast Water prior to the release of this development for occupation, stating that satisfactory arrangements have been made for the provision of MidCoast Water services to the development.

- This condition will ensure that the proposed development is adequately serviced with MidCoast Water services.





PLEASE NOTE:

MidCoast Water are currently undertaking a review of our Development Servicing Plan and Equivalent Tenement Policy. The outcome of these reviews may have an impact on the way developer contributions are calculated and the amount of contributions which are levied on development applications. For further information please contact MidCoast Water's Planning & Development Group on 1300 133 455.

GENERAL CONDITIONS

The following conditions are general conditions applying to the development:

1. This assessment has been undertaken on Stage 1 of the proposed development of Multi Storey Mixed Use Development, being known as the Forster Civic Precinct (MidCoast Water Development Application DA2017/0499). Any variation from this proposal will require additional application for assessment with MidCoast Water.
2. The proposed development is located within an existing MidCoast Water service area for water supply and sewerage services. The proposed development may be adequately serviced by an extension of MidCoast Water water supply and sewerage infrastructure. All water and sewerage infrastructure required to service the development will need to be constructed to appropriate standards published by the Water Services Association of Australia Standards and MidCoast Water. The developer is responsible for the costs for construction of water and sewerage infrastructure required to service the development.
3. The development must be undertaken in accordance with the approved plans and ancillary documentation. The approved plans are outlined within the below table:

Plan	Plan No. and Version	Prepared by	Date
<i>Development Statistics</i>	<i>Sheet 09 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Staging Plan</i>	<i>Sheet 18 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Site Plan</i>	<i>Sheet 21 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Lower Basement 2 Plan</i>	<i>Sheet 22 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Lower Basement 1 Plan</i>	<i>Sheet 23 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

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Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



<i>Ground Floor Plan</i>	<i>Sheet 24 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 1 Floor Plan</i>	<i>Sheet 25 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 2 Floor Plan</i>	<i>Sheet 26 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 3 Floor Plan</i>	<i>Sheet 27 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 4 Floor Plan</i>	<i>Sheet 28 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 5 Floor Plan</i>	<i>Sheet 29 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 6 Floor Plan</i>	<i>Sheet 30 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 7 Floor Plan</i>	<i>Sheet 31 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 8 & 9 Floor Plan</i>	<i>Sheet 32 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Level 10 Floor Plan</i>	<i>Sheet 33 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Roof Plan</i>	<i>Sheet 34 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 40 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 41 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 42 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Typical Unit Plans</i>	<i>Sheet 43 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Library Zoning Plan - Ground</i>	<i>Sheet 80 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>
<i>Library Zoning Plan - Level 1</i>	<i>Sheet 81 (1)</i>	<i>TVS Architects</i>	<i>03/04/2017</i>

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General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



FEES AND CHARGES

The following conditions are related to fees and charges applying to the development:

4. MidCoast Water has applied fees and charges to the proposed development.
 - i. Fees are applied to recover the cost of the services provided by MidCoast Water, including assessment, inspection & acceptance fees or to recover the costs of works performed by MidCoast Water such as water service or junction installation fees and mains cut-ins.
 - ii. Water and sewerage development charges are levied by MidCoast Water in accordance with our Development Servicing Plan for Water Supply & Sewerage. The development charge fund is used to offset the costs of augmenting MidCoast Water's infrastructure as a result of increased demand to its water supply and sewerage systems.
 - iii. All fees and charges are to be paid at the rate applicable at time of payment. MidCoast Water's fees and charges are reviewed on an annual basis and are subject to change at each financial year.
 - iv. A separate fee quote is provided which outlines the fees and charges that are applicable to this development.
5. The payment of assessment fees will be required to be made at the rate applicable at the time of payment. Refer attached fee quote for further details.
6. The payment of Water Service Connection Fees at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of hydraulic plans.
7. The payment of Sewer Service Connection Fees at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of hydraulic.
8. The payment of plumbing inspection fees will be required to be made at the rate applicable at the time of payment. Refer attached fee quote for further details.
9. The payment of engineering works inspection fees will be required to be made at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.
10. The payment of water mains & sewer mains inspections fees will be required to be made at the rate applicable at the time of payment. Final details of required payment to be confirmed upon submission of final development details.

DEVELOPER CHARGES (SECTION 64 CONTRIBUTIONS)

The following conditions are related to developer charges applying to the development:

11. The payment of MidCoast Water Development Charges shall be made for each stage at the rate applicable at the time of payment. Developer charges are based on the total Equivalent Tenement's (ET) for the proposed development in accordance with MidCoast Water's *Equivalent Tenement Policy – DV02*.

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



12. ET rates are subject to change and the rate utilised will be that which is applicable at time of payment of Section 64 Contributions.
13. Based on current information supplied, the ET charge to be levied is 59.50ET and has been calculated as follows for the proposed development (A recalculation of the ET charge to be levied will be made at time of payment in conjunction with information received, and in accordance with the applicable rates at that time):

Description	ET Rate	Unit No.	ET Calculation	Comments
Proposed Development (Stage 1)				
Community Centre/Facilities	0.0025ET/m2	893m2	2.23 ET	ET Rate = 'Professional Offies'
Library	0.0025ET/m2	1753m2	4.38 ET	ET Rate = 'Professional Offies'
Visitor Centre	0.0025ET/m2	362m2	0.91 ET	ET Rate = 'Professional Offies'
Office (Residential)	0.0025ET/m2	38m2	0.10 ET	ET Rate = 'Professional Offies'
1 Bedroom Unit	0.5ET/Unit	5 Units	2.50 ET	ET Rate = 'Single Bedroom Premises'
2 Bedroom Unit	0.8ET/Unit	25 Units	20.00 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
3 Bedroom Unit	0.8ET/Unit	23 Units	18.40 ET	ET Rate = 'Multiple Bedroom Premises (Medium/High Density)'
Restaurant/Café	0.0033ET/m2	404m2	1.33 ET	ET Rate = 'Food Premises'
Residents Club	0.03ET/m2	355m2	10.65 ET	ET Rate = 'Licenced Premises'
Stage 1 Total			60.50 ET	
Existing Site				
Existing Credit	1.0ET	1	(-)1.0	1ET credit available across existing 3 Lots (Lot 11, 12 & 13 DP 47987)
Total Development ET			60.50	Total of all Stage 1 ET's
Total Available ET Credit			-1.00	Total credit available for existing Lots
Total ET to Levy			59.50	ET to Levy = Proposed ET's – Existing Credit

14. It should be noted that the uptake of the available site ET credit within this stage results in no further credits being applicable for the remaining stages.

TECHNICAL CONDITIONS

The following conditions are technical conditions applying to the development:

15. Water and Sewer design plans, undertaken by a suitably qualified person, are required to be submitted and accepted by MidCoast Water prior to any commencement of construction works onsite. All designs of water and sewer mains are to be undertaken in accordance with the Water Services Association of Australia's Water Supply Code of Australia and Sewer Supply Code of Australia, MidCoast Water Supplement Codes and MidCoast Water Development Design Standards.

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



16. Hydraulic plans, undertaken by a suitably qualified person, are required to be submitted and accepted by MidCoast Water prior to any commencement of construction works onsite.
17. Backflow protection will be required to be installed across the site for both boundary and zone protection. Final details for backflow protection shall be confirmed with Hydraulic designer, Plumbing Contractor and MidCoast Water's Plumbing Inspector.
18. MidCoast Water has a Liquid Trade Waste Policy in place that regulates the discharge of liquid wastes to MidCoast Water's sewer. The policy stipulates maximum strengths and quantities of pollutants that may be placed in MidCoast Water's sewers. All liquid waste other than domestic waste is considered liquid trade waste. Please contact MidCoast Waters Environmental Scientist Quality & Source Officer on 02 65 924 826 to arrange a site meeting to discuss your requirements.
19. The construction of all water supply and sewerage servicing infrastructure required to connect to MidCoast Water services shall be undertaken. Construction of water and sewer mains shall be undertaken in accordance with the relevant standards, including but not limited to, Australian Standards, Plumbing Codes, Water Services Association of Australia's Water Supply Code of Australia and Sewer Supply Code of Australia, MidCoast Water Supplement Codes and MidCoast Water Development Design Standards.
20. All water supply and sewerage infrastructure constructed shall be inspected during construction and certified as complete and complying by the MidCoast Water inspector.
21. In accordance with the requirements of the NSW Fair Trading, Water and Sewer Work-As-Executed plans indicating the as-built condition of all infrastructure built shall be submitted and accepted by MidCoast Water. All Work-As-Executed plans of water and sewer mains are to be undertaken in accordance with MidCoast Water Development Work-As-Executed Standards and shall be undertaken by MidCoast Water Accredited Designers/Surveyors. Documentation to be supplied in digital format.
22. Where works to be handed over to MidCoast Water are proposed, the submission of a refundable maintenance bond against defects in any water supply or sewerage work undertaken by the developer in the subdivision. The bond shall be 5% of the cost of the works, (or \$1,500 – whichever is the highest value). The bond may be released after a period of 12 months following final inspections by MidCoast Water Inspectors.
23. In accordance with the requirements of the NSW Fair Trading, a Certificate of Compliance from the licenced plumbing contractor shall be submitted to MidCoast Water.
24. Easements being of minimum width 3m are to be created over any MidCoast Water assets located within private property larger easements may be required please discuss with MidCoast Water prior to adding to plans. It is recommended that any easements for water supply or sewerage not be placed on survey plans until the work-as-executed survey of water supply and sewerage mains has been undertaken. Easements to be created with reference to registered Memorandum AF361750 Part B. All costs associated with the acquisition and/or compensation for the creation and transfer of

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General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



easements are to be that of the developer.

25. The submission of a copy of the linen plans of the subdivision that are suitable for registration at Land & Property Information NSW, including a copy of any Instrument created under Section 88B of the Conveyancing Act 1919 with reference to water supply or sewerage and benefiting MidCoast County Council. When MidCoast Water is receiving the benefit of an easement, restriction or positive covenant a MidCoast Water authorised employee must execute the Section 88B Instrument.
26. The submission of a Section 88B instrument for the operation and maintenance of any on-site pump station. Details of required covenant shall be supplied by MidCoast Water upon request.

Applicant Checklist of Conditions to be Completed:

The following checklist is derived from the conditions outlined above. These conditions require action at various stages of the development prior to the release of the associated certificate:

Prior to Commencement of Works

The following conditions must be satisfied prior to the release of the Certificate of Compliance:

Condition	Description	Completed	Date
1)	Payment of Assessment Fees	Yes ☐	_____
2)	Payment of Plumbing Inspection Fees	Yes ☐	_____
3)	Payment of Engineering Works Inspection Fees	Yes ☐	_____
4)	Payment of Water Service Connection Fee	Yes ☐	_____
5)	Payment of Sewer Service Connection Fee	Yes ☐	_____
6)	Submission of three sets of Architectural and Civil plans for all proposed buildings.	Yes ☐	_____
7)	Submission and acceptance of water & sewer design plans and strategies.	Yes ☐	_____
8)	Submission and acceptance of hydraulic plans.	Yes ☐	_____
9)	Submission of a Liquid Trade Waste Application.	Yes ☐	_____
10)	Payment of Developer Charges	Yes ☐	_____

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General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree



Prior to Occupation

The following conditions must be satisfied prior to the release of the Certificate of Attainment:

Condition	Description	Completed	Date
11)	Payment of Acceptance fees	Yes ☐	_____
12)	Submission of Linen Plan & S.88B Instrument	Yes ☐	_____
13)	The submission of Certificate of Compliance from the licensed plumbing contractor.	Yes ☐	_____
14)	The submission of works-as-executed documentation for the site.	Yes ☐	_____
15)	Submission of maintenance bond.	Yes ☐	_____

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

General enquiries 1300 133 455 Fax 02 6555 8516 Web midcoastwater.com.au

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree





Department of
Primary Industries
Water

Contact: Ian Forbes
Phone: 02 4904 2559
Email: ian.forbes@dpi.nsw.gov.au

The General Manager
Mid Coast Council
PO Box 450
Forster 2428
Via email:

Our ref: 20 ERM2017/0523
Your Ref: DA 521/2016

Attention: Robyn Shelley

Dear Ms Shelley

Re: Integrated Development – 34-36 West St Forster - Civic Precinct and Mixed Use Development

I refer to your correspondence dated 8 June 2017. DPI Water has reviewed documents for the above development application and considers that, for the purposes of the *Water Management Act 2000*, a Controlled Activity Approval is not required and no further assessment by this agency is necessary for the following reasons.

- The proposed works are not located on Waterfront Land. DPI Water has deemed that in this instance no Controlled Activity Approval will be required.

Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then DPI Water should be notified.

Further information on controlled activity approvals under the WM Act can be obtained from DPI Water's website: www.water.nsw.gov.au go to *Water licensing > Approvals > Controlled activities*.

DPI Water has identified that the development requires dewatering activities, dewatering activities should be referred to Water NSW on 1800 353 104.

Please direct any questions regarding this correspondence to Ian Forbes,
ian.forbes@dpi.nsw.gov.au.

Yours sincerely

Ian Forbes
Water Regulation Officer
Water Regulatory Operations, WR Operations - South Coast & Hunter
NSW Department of Primary Industries - Water



Contact: Hemantha De Silva
Phone: 02 49042525
Email: hemantha.desilva@waterNSW.com.au
Your Ref: DA-521/2017

Via email: Robyn.Shelley@midcoast.nsw.gov.au

Ms Robyn Shelley
Senior Development Planner
02 6591 7345 | Robyn.Shelley@MidCoast.nsw.gov.au
MidCoast Council, Breese Parade,
PO Box 450, Forster NSW 2428

Dear Ms Shelley,

Reference is made to your request for a response in relation to the proposed development (Ref: DA-521/2017) described as Mixed Use Development Containing A Range of Uses Including Civic/Community, Commercial, Residential, Tourist and Strata subdivision, 34-36 West Street, Forster NSW 2428.

WaterNSW has determined that the proposed excavation will encounter groundwater during the excavation process and is subject to a Water Supply Work Approval under the *Water management Act 2000* for dewatering during the construction and phase. This determination is subject to appropriate construction methods are employed that will minimize volume of water take during the construction phase. WaterNSW has therefore provided General Terms of Approval listed below.

1. A Water Supply Work Approval from WaterNSW must be obtained prior to commencing dewatering activity on the proposed site. The application form can be downloaded from http://www.water.nsw.gov.au/_data/assets/pdf_file/0006/547224/form_licence_wmaf030_water_supply_works_use.pdf.
2. The application will only be accepted when all supporting documentation has been received and fee of \$1053.90 has been paid. If further assessment is required, a higher fee of \$1949.69 may apply.
3. If approved, the Approval will be issued for a period to cover the dewatering requirements during construction phase. It will include conditions to ensure that impacts are acceptable and that adequate monitoring and reporting carried out. If contaminants are likely or are found to be present in groundwater being discharged to stormwater, including high salinities, a discharge licence under the POEO Act may also be required.
4. WaterNSW prefer "tanking" (ie total water proofing below the seasonal high water table) of basement excavations and avoid ongoing extraction of groundwater after the initial construction phase. It is also advised to take measures (eg drainage blanket behind the water-proof membrane) to facilitate movement of groundwater post construction.
5. If the basement is not "tanked", the proponent will required a Water Access Licence and acquire groundwater entitlements equivalent to yearly ongoing take of groundwater.

Please note acquiring groundwater enlistments could be difficult and may cause delay in project completion. The application form can be downloaded from http://www.water.nsw.gov.au/data/assets/pdf_file/0004/547042/form_licence_wmaf01_1_new_wal_zero_share.pdf

Please note that from 1 July 2016, many functions previously undertaken by DPI Water have transferred to WaterNSW. This includes Integrated Development referral under Section 91A of the *Environmental Planning and Assessment Act 1979* that has groundwater implications. Please ensure that any future groundwater matters are referred to:-

Water Regulation Team – Coastal, WaterNSW

PO Box 398, PARRAMATTA NSW 2124

For further information in regard to application and information required for the Approval information licensing requirements, including the preparation of a dewatering management plan, please contact under the signed on 02 49042525.

Yours Sincerely

Hemantha De Silva
Senior Water Regulation Officer

File No.		
OBJ ID		
Action Officer	Conveyancing	
23 JUN 2017		
Pages Scanned	Attachment	Original Despatched
1	CD	Y

MidCoast
Council

Conveyancing Officer
Essential Energy
PO Box 5730
PORT MACQUARIE NSW 2444

Our Reference:

DA-521/2017

Contact :
Telephone:

Mrs Robyn Shelley
02 6591 7345

Attention: Fiona Duncan

20 June 2017

Dear Madam

LOCATION: LOT 11 DP 47987, LOT 12 DP 47987, LOT 13 DP 47987, 34-36 WEST STREET, FORSTER NSW 2428
PROPOSED: MIXED USE DEVELOPMENT CONTAINING A RANGE OF USES INCLUDING CIVIC/COMMUNITY, COMMERCIAL, RESIDENTIAL, TOURIST AND STRATA SUBDIVISION.
APPLICANT: ENYOC PTY LTD

MidCoast Council has received an application for the above development on the 15 May 2017. The application is referred to you for comment having regard to Clause 45 of State Environmental Planning Policy (Infrastructure) 2007.

Your comments will assist Council in determining whether the application should be approved and in the drafting of suitable conditions of consent. Please find enclosed a CD of the Development Application and supporting documents for your reference.

It would be appreciated if you could advise Council of your comments within 21 days of the date of this letter.

If you have any further enquiries in relation to this matter please contact Mrs Robyn Shelley on 02 6591 7345 between 8.30am and 10am Monday to Friday.

Yours faithfully

Customer Service Officer
CUSTOMER SERVICE CENTRE