

THE FOLLOWING CONDITIONS APPLY TO ALL STAGES OF THE DEVELOPMENT**GENERAL REQUIREMENTS**

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

1. Development in accordance with approved plans

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

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Proposed Plan of Stage 1 community Title Subdivision of Lot 1000 in a plan of proposed subdivision of Lot 3115 DP 1233800	A	King and Campbell	26.11.2017
Proposed Plan of Subdivision (Staging)	C	King and Campbell	13.09.17
Site Masterplan	M	King and Campbell	13.09.17
Site Masterplan- Part	M	King and Campbell	13.09.17
Typical Services Layout	M	King and Campbell	13.09.17
Landscape Cross Sections	M	King and Campbell	13.09.17
Clubhouse Site Plan	M	King and Campbell	13.09.17
Floor Plan	M	King and Campbell	13.09.17
Elevations Sheet 1&2	M	King and Campbell	13.09.17
Type A - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
Type A - Sections, Elevations, Perspectives	E	King and Campbell	04.08.17
Type B - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
Type B - Sections, Elevations, Perspectives	E	King and Campbell	04.08.17
Type C - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
Type C - Sections, Elevations, Perspectives	E	King and Campbell	04.08.17
Type D - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
Type D - Sections, Elevations, Perspectives	E	King and Campbell	04.08.17
Type E - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
Type E - Sections, Elevations, Perspectives	E	King and Campbell	04.08.17
Type F - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
Type F - Sections, Elevations, Perspectives	E	King and Campbell	04.08.17

Type G+H - Floor plan, Roof Plan and Schedules	E	King and Campbell	04.08.17
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The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. Registration of Subdivision Plan

The subdivision of Lot 3115 DP 1233800 into 2 lots as consented to in DA 249/2018 (19/01/2018) by registered subdivision prior to the issue of a Construction Certificate. Documentary evidence of the Subdivision Plan registration with the Land and Property Management Authority must be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the legal creation of the development lot.

3. Staged Consent

The development is to be carried out in the following stages:

Stage 1: Subdivision of Lot 1000 to create Lots 1 and 2 as Community Title Lots in a Community Title Scheme

Stage 2: Creation of Lots 2 through 38 and construction of Road 1 and part Road 2 and associated services infrastructure, community facilities including club house, swimming pool, gymnasium, tennis court and the construction of 37 dwellings upon Lots 2 through 38;

Stage 3: Creation of Lots 39 through 61 including construction of 23 dwellings and associated roads and services infrastructure;

Stage 4: Creation of Lots 62 through 82 including construction of 21 dwellings and associated roads and services infrastructure;

Stage 5: Creation of Lots 83 through 101 including construction of 19 dwellings and associated roads and services infrastructure;

Stage 6: Creation of Lots 102 through 120 including construction of 19 dwellings and associated roads and services infrastructure;

Stage 7: Creation of Lots 121 through 140 including construction of 20 dwellings and associated roads and services infrastructure;

Stage 8: Creation of Lots 141 through 163 including construction of 23 dwellings and associated roads and services infrastructure;

Stage 9: Creation of Lots 164 through 182 including construction of 19 dwellings and associated roads and services infrastructure; and

Stage 10: Creation of Lots 183 through 204 including construction of 22 dwellings and associated roads and services infrastructure.

Reason: To allow the development to be carried out in a coordinated manner.

4. **Compliance with National Construction Code Series - Building Code of Australia**

All building work must be carried out in accordance with the requirements of the *National Construction Code Series - Building Code of Australia* as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

5. **Notification of Home Building Act 1989 requirements**

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- b) in the case of work to be done by an owner-builder:
 - i) the name of the owner-builder, and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

6. **Adjustment to utility services**

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.

Reason: To ensure utility services remain in a serviceable condition.

7. **Stormwater Disposal**

Stormwater overflow from the premises must be controlled manner so that stormwater flows are:

- a) Clear of buildings and infrastructure,
- b) Not onto adjoining land,
- c) Connected to the swale/stormwater disposal system.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

8. **Support for neighbouring buildings**

If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's one expense:

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

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

Reason: To protect development on adjoining premises. Prescribed condition under the Environmental Planning and Assessment Regulation 2000.

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Construction Certificate

8. Works within the road reserve

Prior to the issue of a construction certificate, an application for a Public Engineering Works Permit (PEWP) must be submitted to and approved by Council for the road reserve works listed in the table below. Each work must be carried out in accordance with the standard specified in the column opposite the work. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Work	Standard to be provided
Footpath/cycleway for the full frontage of the site	2.5m wide at a cross-fall of 1 % or 1:100 (maximum 2.5% or 1 in 40) in accordance with Council Standard Drawing No. 165.
Grading, trimming, topsoiling and turfing of the unpaved footpath area	The surface levels are to be finished flush with adjacent road or kerb levels.
Kerb and gutter, road pavement and associated drainage construction, footpath formation across the full frontage of the site.	Provision of concrete kerb and gutter and extension of the existing bitumen seal to the new kerb and gutter to Council's Adopted Engineering Standard.
New kerb and gutter and road pavement to merge with existing	Provision of concrete kerb and gutter and extension of the existing bitumen seal to the new kerb and gutter to Council's Adopted Engineering Standard.

Reason: To ensure works within Council's road reserve are constructed to a suitable standard for public safety.

10. BASIX Certificate

Prior to the issue of a construction certificate, plans and specifications detailing all of the BASIX Certificate commitments must be submitted to and approved by the certifying authority. The proposed development must be constructed in accordance with the requirements of the relevant BASIX Certificate. Where changes to the development are proposed that may affect the water, thermal comfort or energy commitments, a new BASIX Certificate will be required.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

11. Bond required to guarantee against damage to public land

Prior to the issue of a construction certificate, a Damage Bond Application form together with payment of a bond in the amount of \$4000 and a non-refundable administration fee of \$330 must be submitted to Council. The bond is payable for the purpose of funding repairs to any damage that may result to Council assets from activities/works associated with the construction of the development and to ensure compliance with Council standards and specifications.

A final inspection will be carried out by the responsible Council officer and the bond (minus any fees required for additional inspections) will be considered for refund:

- a) once all works, including landscaping, driveway construction, turfing, etc, have been completed, and
- b) following issue of an occupation certificate by the certifying authority.

The damage bond is reviewed periodically and therefore the fee and bond amount payable will be determined from Council's current fees and charges document at the time of lodgement of the damage bond.

Reason: Protection of public assets.

12. Stormwater details

Prior to the issue of a construction certificate, plans and specifications detailing the method of stormwater disposal from the site must be submitted to and approved by council. The stormwater system must be designed to comply with the requirements of Australian Standard AS/NZS 3500.3: Plumbing and drainage – Stormwater drainage and council's Auspec design. The stormwater disposal system must discharge to the water course north of Boambee Street.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

PRIOR TO THE COMMENCEMENT OF WORK

The following conditions of consent must be complied with prior to the commencement of any work

13. Construction Management Plan

A Construction Management Plan is to be prepared detailing all aspects of the proposed sit construction and mitigating measures proposed to be employed to ensure the ongoing maintenance of amenity for adjoining residents.

This plan must include details of measure to be put in place in the event that Acid Sulphate Soils are encountered during site works. A copy of the plan must be submitted to and approved by council.

Reason: To maintain amenity during construction of the development.

14. Construction certificate required

Prior to the commencement of any building or subdivision construction work (including excavation), a construction certificate must be issued by a certifying authority.

Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 6591 7222.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

15. Notification of commencement and appointment of principal certifying authority

Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

16. Toilet facilities - sewerred areas

Prior to the commencement of work, toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet connected to a public sewer.

Reason: To maintain public health.

17. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.

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

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

18. Erosion & sediment measures in accordance with approved plans

Prior to the commencement of work, erosion and sediment controls must be installed in accordance with the approved erosion and sediment control plan and must be maintained for the duration of the project.

Reason: To protect the environment from the effects of erosion and sedimentation.

DURING CONSTRUCTION WORK

The following conditions of consent must be complied with during the construction stage of the development

19. Site access

Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied. The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

Reason: To ensure public health and safety during the construction of the development.

20. Construction times

Construction and/or demolition works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

Monday to Friday, from 7 am to 6 pm.

Saturday, from 8 am to 1 pm.

No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development

21. Construction dust suppression

All necessary works must be undertaken to control dust pollution from the site. These works must include, but are not limited to:

- a) restricting topsoil removal;
- b) regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion;
- c) alter or cease construction work during periods of high wind;
- d) erect green or black shade cloth mesh or similar products, 1.8m high around the perimeter of the site and around every level of the building under construction.

Reason: To maintain amenity during construction of the development.

22. Acid Sulphate Soils

Where excavations are to exceed a depth of 1m below natural ground levels an acid sulfate soils management plan must be prepared and work carried out in accordance with the plan.

Reason: To protect the environment.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE AND / OR OCCUPATION OF THE BUILDING

The following conditions of consent must be complied with prior to the issue of the Occupation Certificate or occupation of the building

23. **Works to be completed**

The building/structure or part thereof must not be occupied or used until an interim occupation/final occupation certificate has been issued in respect of the building or part.

Reason: To ensure compliance with the development consent and statutory requirements.

ONGOING USE

The following conditions of consent must be complied with during the use of the development

24. **Maintenance of erosion and sediment control measures in accordance with approved plan**

Erosion and sediment control measures must be maintained at all times in accordance with the approved erosion and sediment control plan until the site has been stabilised by permanent vegetation cover or hard surface.

Reason: To protect the environment from the effects of erosion and sedimentation.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

25. **Erosion and sediment control plan**

Prior to the issue of a subdivision construction certificate, an erosion and sediment control plan prepared by a suitably qualified person in accordance with *“The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction”* (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation.

26. **Traffic management plan**

Prior to the issue of a subdivision construction certificate, a traffic management plan including measures to be employed to control traffic (inclusive of construction vehicles) during construction of the subdivision must be submitted to and approved by the certifying authority. The traffic control plan must be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, *Traffic Control at Work Sites Version 2*, and Australian Standard AS 1742.3: *Manual of uniform traffic control devices - Traffic control for works on roads*.

The plan must incorporate measures to ensure that motorists using the road adjacent to the development, residents and pedestrians in the vicinity of the development are subjected to minimal time delays due to construction on the site or adjacent to the site.

The traffic control plan must be prepared by an accredited person trained in the use of the current version of *RTA Traffic Control at Work Sites manual*.

The approved Construction traffic management plan must be implemented prior to the commencement of work.

Reason: To ensure public safety during the construction of the development

27. Engineering construction plans

Prior to the issue of a subdivision construction certificate, engineering construction plans and specifications must be submitted to and approved by the certifying authority. The plans must include details of the works listed in the table below in accordance with Council's current design and construction manuals and specifications. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Required work	Specification of work
Kerb & gutter, road shoulder construction	Kerb and gutter, road shoulder and associated drainage construction, footpath formation and turfing including any necessary relocation of services across the frontage of the subdivision.
Full width road construction	Full width road and drainage construction for the extension of Caledonia Street into the subdivision.
Footpath construction	A 1.2 metre wide concrete footpath along both sides of Caledonia Street to the subdivision.

28. Stormwater drainage work

Prior to the issue of a subdivision certificate, stormwater must be collected and disposed of to the water course at the northern side of Boambee Street. All drainage works must be in accordance with the approved plan and installed by a suitably qualified person and in accordance with the requirements of *Australian Standard AS/NZS 3500.3: Plumbing and drainage – Stormwater drainage*.

Reason: To ensure compliance with the development consent and statutory requirements.

29. Certificates for engineering works

Prior to the issue of a subdivision certificate, all test certificates, owners manuals, warranties and operating instructions for civil works, mechanical and/or electrical plant, must be submitted to Council. A certificate from a suitably qualified engineer certifying that all works have been constructed in accordance with the approved plans and Council's adopted engineering standards must also be submitted to Council.

Reason: To ensure civil works are constructed in accordance with the approved plans and Council specifications.

30. Works-as-executed plans

Prior to the issue of a subdivision certificate, works-as-executed plans, certified by a suitably qualified engineer or a registered surveyor, must be submitted to Council. Where the design is carried out utilising computer aided design (CAD), all CAD computer files must be provided on compact disc (CD) with the final drawings. The CAD files must include all lot and road boundaries, lot numbers and easements. The data must be supplied in accordance with the requirements of Council's GIS Officer.

Where development involves filling of flood prone land, an additional copy of the works-as-executed plan relating to earthworks and final plan of subdivision must be submitted detailing the 1% annual exceedance probability (AEP) flood contour.

Reason: To provide Council with accurate records of civil works.

31. Plan of subdivision

An application for a subdivision certificate must be made on the approved form and must be accompanied by the subdivision certificate fees, in accordance with Council's adopted schedule of fees and charges. Seven (7) copies of the plan of subdivision must be submitted with the application for a subdivision certificate. The location of all buildings and/or other permanent improvements including fences and internal access driveways/roads must be indicated on one copy of the plan.

Reason: To ensure adequate identification of boundaries and the location of structures.

32. Management Statements

Prior to the issue of a subdivision certificate, the Community Management Plan must be submitted to and approved by Council.

Reason: To ensure that the management of the subdivisions is consistent with the development consent.

33. Completion of works

Prior to the issue of a subdivision certificate, all roads, drainage and civil works, required by this development consent and associated construction certificate, must be completed. Works must include the restoration, replacement and/or reconstruction of any damage caused to surrounding public infrastructure, including damage to road pavements along any haulage routes used for the construction of the subdivision.

Reason: To ensure civil works are appropriately constructed.

34. Certificate for pipes, access driveways, etc. within easements

A certificate from a registered surveyor must be submitted to the certifying authority certifying that all pipelines, structures, access driveways and/or services are located wholly within the relevant easements.

Reason: To ensure works are constructed in accordance with the approved plans and Council.

35. Electricity supply certificate

Prior to the issue of a subdivision certificate, a certificate of compliance from the electricity supply authority must be submitted to Council stating that satisfactory arrangements have been made for the provision of electricity supply throughout the subdivision.

Reason: To ensure that utility services have been provided to the newly created lots.

36. Telephone supply certificate

Prior to the issue of a subdivision certificate, a certificate of compliance from the telephone supply authority must be submitted to Council stating that satisfactory

arrangements have been made for the provision of telephone supply throughout the subdivision.

Reason: To ensure that utility services have been provided to the newly created lots.

37. **Water and sewer supply certificate**

Prior to the issue of a subdivision certificate, a certificate of compliance from MidCoast Water must be submitted to Council stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development.

Reason: To ensure that utility services have been provided to the newly created lots.

38. **National broadband network**

Prior to the issue of a subdivision certificate, an underground connection to the national broadband network must be provided to each lot and a certificate of practical completion from the national broadband network authority must be submitted to the certifying authority stating that an underground connection to the national broadband network has been provided to each lot.

Reason: To ensure that utility services have been provided to the newly created lots.

THE FOLLOWING CONDITIONS APPLY TO STAGE 1 (ONE) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Construction Certificate

39. The subdivision of proposed Lot 1000 (to be created in a subdivision of Lot 3115 DP 1233800) to create Lot 1, being the Community Property lot, and Lot 2, being the Community Development lot by registered subdivision prior to the issue of a Construction Certificate for the Community Facilities. Documentary evidence of the Subdivision Plan registration with the Land and Property Management Authority must be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

40. **Access and facilities for people with disabilities**

Prior to the issue of a construction certificate, plans and specifications detailing access to and within the development and facilities for persons with disabilities must be submitted to and approved by the certifying authority. The development must be in accordance with *Australian Standard AS 1428.1 - Design for access and mobility* and Part D3 of the *Building Code of Australia*.

Reason: To ensure the development provides equitable and dignified access and facilities for people with disabilities.

41. **Detail of safety barrier for swimming pool**

Prior to the issue of a construction certificate, plans and specifications for the swimming pool barrier must be submitted to and approved by the certifying authority. The barrier

must be in accordance with the Swimming Pools Act 1992 and Australian Standard AS1926.1: Swimming pool safety – Safety barriers for swimming pools.

Reason: To ensure the development complies with swimming pool barrier construction standards.

42. **Food premises fitout**

Prior to the issue of a construction certificate, plans and specifications for the fit-out of the food premises must be submitted to and approved by the certifying authority. The food premises must be constructed to comply with the requirements of the *Food Act 2003, the Food Standards Code and the Australian Standard AS 4674: Design, construction and fit-out of food premises* and include the following details:

- a) A hand washing basin that is of an adequate size to allow hands and arms to be easily cleaned must be installed in all parts of the premises where open food is handled. Small domestic type hand wash basins are not adequate in commercial situations. The hand wash basins must be in addition to any wash-up sinks.
- b) Hot and cold water to the hand wash basins must be delivered through a hands free mixer tap. The hand basins must be provided with liquid soap and single-use towels at all times.
- c) All cupboards, benches and shelving must be constructed of materials that are smooth, impervious to moisture and able to be easily cleaned. Particular attention must be made to the underside of the benches to ensure that they are constructed so they are impervious and can be easily cleaned.
- d) Ceiling, wall and floor finishes in the food premises must comply with *Australian Standard AS 4674: Design, construction and fit-out of food premises*.
- e) Ceiling lights must be either installed flush with the ceiling surface or designed free from any features (such as ledges) that would harbour dirt, dust or insects or make the fitting difficult to clean.
- f) Coving must be installed at the intersection of floors with walls in the food premises in accordance with *Australian Standard AS 4674: Design, construction and fit-out of food premises*. Coving must be integral to the surface finish of both floor and wall and installed in such a manner as to form a continuous uninterrupted surface.
- g) Either a floor waste with a solids trap and stand alone tap or a cleaners sink (sluice sink) must be provided. Cleaners sinks must be provided with an adequate supply of hot and cold water and be located away from food preparation areas.
- h) A minimum of a single bowl sink and a commercial grade dishwasher or double bowl sink shall be provided and shall be connected to a continuous supply of hot and cold water. The pot size of the sink must be adequate in size to effectively clean and sanitise the largest item of equipment.
- i) Should mechanical ventilation be installed, a certificate from a mechanical ventilation engineer stating that the exhaust system complies with Australian/New Zealand Standard AS/NZS 1668.1 and Australian Standard AS 1668.2 must be provided to Council prior to the issue of an Occupation Certificate.

Reason: To ensure public health and safety.

DURING CONSTRUCTION WORK

The following conditions of consent must be complied with during the construction stage of the development

43. Temporary pool fencing

Temporary fencing must be installed around the pool site during its construction to prevent entry by children. The temporary fencing must remain in place until permanent fencing is erected.

Reason: Public safety.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE AND / OR OCCUPATION OF THE BUILDING

The following conditions of consent must be complied with prior to the issue of the Occupation Certificate or occupation of the building

44. Pool safety

Prior to the issue of an occupation certificate, a warning sign/resuscitation chart must be erected in the immediate vicinity of the swimming pool that is compliant with the *Swimming Pools Regulation 2008*. The sign must be in a prominent position and be in accordance with the *Swimming Pools Regulation 2008*. Fences, gates, walls, etc. enclosing the general swimming pool area must be maintained in good repair and condition at all times. Depth markers must be installed 150 mm above the water line of the proposed swimming pool.

Reason: Statutory requirement and safety.

ONGOING USE

The following conditions of consent must be complied with during the use of the development

45. Fire Safety Certificate (Part 9 of the Act)

As soon as practicable after a final Fire Safety Certificate is issued, the owner of the building to which it relates:

- a) must cause a copy of the Certificate (together with a copy of the Fire Safety Schedule) to be given to the Commissioner of the NSW Fire Brigade, and
- b) must cause a copy of the Certificate (together with a copy of the current Fire Safety Schedule) to be prominently displayed in the building.

Reason: Fire safety and statutory requirement under the *Environmental Planning and Assessment Regulation 2000*.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

46. Plan of Subdivision

The plan of subdivision and Section 88B instrument shall establish the following title encumbrances with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specifically noted otherwise.

The following Easements for Drainage of Water, Drainage of Sewage, Access, and Services are to be created across proposed lots 1 and 2:

- a) The terms of this easement are as set out in parts A, B, C and D of registered memorandum AF361750K. Any reference to "MidCoast County Council" in AF361750K is a reference to "Mid-Coast Council".

A plan indicating the location and extent of the easements is to be provided to Council for approval prior to the issue of the Subdivision Certificate.

Reason: To ensure suitable water and sewage servicing is provided to the development.

47. **S94 Contributions**

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$3269.40
Greater Taree facilities	\$3434.91
Total	\$67043.31

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 2 (TWO) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

49. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$66413.40
Greater Taree facilities	\$91838.67
Total	\$158252.07

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- e. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- f. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- g. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- h. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- c. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- d. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 3 (THREE) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

50. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$66248.36
Greater Taree facilities	\$69602.13
Total	\$135850.49

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- i. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- j. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- k. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- l. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- e. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- f. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 4 (FOUR) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

51. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$56354.12
Greater Taree facilities	\$59207.01
Total	\$115561.13

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- m. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- n. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- o. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- p. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- g. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- h. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 5 (FIVE) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

52. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$54289.24
Greater Taree facilities	\$57037.59
Total	\$81326.83

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- q. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- r. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- s. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- t. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- i. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- j. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 6 (SIX) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

53. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$55402.20
Greater Taree facilities	\$58212.69
Total	\$113614.89

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- u. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- v. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- w. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- x. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- k. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- l. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 7 (SEVEN) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

54. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$60914.08
Greater Taree facilities	\$63997.80

Total

\$124911.88

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- y. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- z. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- aa. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- bb. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- m. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- n. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 8 (EIGHT) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

55. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$69603.80
Greater Taree facilities	\$73127.43
Total	\$142731.23

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- cc. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- dd. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- ee. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- ff. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- o. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- p. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 9 (NINE) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

56. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$58763.16
Greater Taree facilities	\$61737.99
Total	\$120501.15

Contribution Plans may be inspected on Council’s website www.midcoast.nsw.gov.au.

Timing of Payment

- gg. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).

- hh. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- ii. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- jj. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- q. The contribution rate in "*Greater Taree Section 94 Contributions Plan 2016*" will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- r. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services

THE FOLLOWING CONDITIONS APPLY TO STAGE 10 (TEN) OF THE DEVELOPMENT ONLY

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of the Subdivision Certificate

57. S94 Contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$66334.40
Greater Taree facilities	\$69692.52
Total	\$136026.92

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- kk. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- ll. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- mm. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate

commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.

- nn. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- s. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- t. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of facilities and services