

Date: 26 September 2018
Responsible Officer: Nathan Burr
Location: 1A Wallis Avenue, CANTON BEACH NSW 2263
 Lot 123 DP 778077
Owner: Pacific Link Housing Ltd and Affordable Community Housing Ltd
Applicant: Coastplan Consulting
Date Of Application: 15 November 2017
Application No: DA/1440/2017

1. PARAMETERS OF THIS CONSENT

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

Architectural Plans by: EJE Architecture

Drawing	Description	Revision	Project	Date
A01	Canton Beach Residential Development (Site and Demolition Plan)	Z	11546	23/08/2018
A03	Canton Beach Residential Development (Ground Floor)	Z	11546	23/08/2018
A04	Canton Beach Residential Development (First Floor)	Z	11546	23/08/2018
A05	Canton Beach Residential Development (Elevations & Section)	Z	11546	23/08/2018

Landscape Plans by: Terras Landscape Architects

Drawing	Description	Revision	Issue	Date
01	Landscape Concept Plan – Canton Beach Residential Development	H	-	13/07/2018
02	Materials – Canton Beach Residential Development	H	-	13/07/2018

Subdivision Plan by: Anthony William George Clarke

Drawing	Description	Reference	Issue	Date
Plan Showing Proposed Subdivision	Plan of Subdivision of Lot 123 in DP 778077 & Lot 330 in DP 755266	20578S	-	02/07/2018

Supporting Documentation

Prepared By	Title	Date
Ian Hills	Preliminary Arboricultural Assessment for 2-6 Kantara Rd Canton Beach NSW	November 2017
Evolve Pacific Developments	New Generation Boarding House 1A Wallis Ave Canton Beach NSW 2263 – Plan of Management	26 July 2018

- 1.1. Submit an amended operational plan of management to the Council for approval prior to the commencement of the use of the Boarding House. The amended operational plan of management is to address the following matters:
 - The Social Housing Provider must undertake regular assessments of the rental levels for the local area to ensure that the proposed development is affordable for the residents.
 - The Social Housing Provider should regularly and formally engage with the local community and provide the local community with the opportunity to have a look through the development and meet the Boarding House Manager and the Social Housing Provider.
 - The Social Housing Provider must consult with owners of adjoining properties on a regular basis and establish a complaints register to address any issues that arise such as noise, parking and other amenity impacts, to ensure the safety and security for both residents of the proposed development and local residents.
 - Residents are to be provided on a regular basis community information and resources relating to services and facilities, local and Shire-wide events, be provided to all residents to enable increased connections and wider participation within the surrounding community.
- 1.2. Submit amendments to the approved plans to the Accredited Certifier pursuant to clause 139 of the *Environmental Planning Regulation 2000* that must detail:
 - a) Amended landscaping plans and specifications detailing the retention of trees identified within the approved Preliminary Arboricultural Assessment for 2-6 Kantara Rd Canton Beach NSW as tree No.'s 7, 8, 9, 11, 12, 13, 14, 15, 16 and 18.

- 1.2. Carry out all building works in accordance with the Building Code of Australia.
- 1.4. Comply with all commitments listed in BASIX Certificate as required under clause 97A of the *Environmental Planning and Assessment Regulation 2000*.
- # Where conditions of this consent require approval from Council under the Roads Act 1993, Local Government Act 1993 or Water Management Act 2000, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 1.3. Pay developer contributions to Council as calculated in the formula below:

$$\text{Developer contribution} = \$83,507.80 \times \text{Current CPI} \div \text{Base CPI}$$

where "Current CPI" is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of payment of developer contributions pursuant to this condition, and "Base CPI" is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the date of this consent.

This condition is imposed pursuant to Section 7.11 or 7.12 of the *Environmental Planning and Assessment Act 1979*.

Note: Any works required for the development that are also identified in the relevant Contributions Plan may be subject to a credit in accordance with that Plan. Any request for a credit for works to be carried out in accordance with the Plan must be requested and agreed to by Council via a Works-in-Kind Agreement prior to the commencement of any works.

- # Detailed design drawings must be prepared for the approval of the Accredited Certifier by a suitably qualified Structural Engineer in accordance with the requirements of the Hawkesbury-Nepean Floodplain Management Steering Committee publication *Reducing Vulnerability of Buildings to Flood Damage – Guidance on Building in Flood Prone Areas*, for the following flooding characteristics applicable to the development:
 - 1% AEP flood level of RL 4.03 metres AHD.

- Minimum habitable floor level of RL 4.53 metres AHD.
- Average flood velocity of 0.5 metres per second.

An appropriate factor of safety must be applied to the forces exerted by the 1% AEP flood before it is used in any structural calculations.

Where conditions of this consent require approval from Council as the Roads Authority, a Subdivision Construction Certificate application must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

The submission to Council of Civil Works design drawings and specifications detailing the following design requirements:

- Vehicle access crossing(s).
- The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation.
- Any associated works to ensure satisfactory transitions to existing infrastructure
- Adjustment of services as required.

Required design drawings are to be prepared in accordance with Council's *Civil Works Design Guidelines* and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service "*Dial before you Dig*" on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

The submission to the Accredited Certifier of a detailed stormwater management plan featuring:

- Stormwater disposal to the existing letterbox pit in Wallis Ave.
- Drainage pit at the boundary line.
- Rainwater re-use tank system. The configuration shall be modified in order to provide an access pit over the tank outlet.

- The provision of stormwater quality control facilities to treat driveway stormwater in accordance with the Engineers Australia publication *Australian Runoff Quality – A Guide to Water Sensitive Urban Design* prior to entering Council's stormwater drainage system.
- Landscape flood walls

The plans must be prepared in accordance with AS/NZS3500.3:2004 and Council's *Civil Works Design Guidelines*, and be approved by the Accredited Certifier prior to issue of the Construction Certificate. The plans shall be generally in accordance (with required amendments) with the submitted concept stormwater drainage plans by Northrop (refer Job No. NL171681, Revision B, dated 15/6/2018), which are to be advanced as necessary for Construction Certificate issue purposes.

Stormwater drainage works external to the site and discharging into a public system or public land requires approval from Council under Section 68 of the Local Government Act 1993. Detailed design drawings prepared in accordance with Council's *Civil Works Design Guidelines* must be approved by Council. All other stormwater management works must be approved by the Accredited Certifier.

The submission to the Accredited Certifier of a detailed car parking design. The design shall include:

- Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.
- Pavement design able to withstand anticipated vehicle loading.
- Wheel stops for parking spaces.
- Adequate parking clearance for the blind aisle spaces.

The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1 and 6, and be approved by the Accredited Certifier.

The submission to the Accredited Certifier of lighting design drawings for the carpark and public places. The design shall be prepared in accordance with the requirements of AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting and be approved by the Accredited Certifier prior to issue of a Construction Certificate.

The developer must submit an application to Council under Section 305 of the Water Management Act 2000 for any requirements for the obtaining of a Section 307 Certificate of Compliance. The application must be made prior to the issue of the Construction Certificate. **Note:** The Section 305 Notice may contain requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
 - a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - c) Demolition approved by this consent.
- 3.3. Appoint a Principal Certifying Authority for the building work:
 - a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b) Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.4. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - a) The name, address and telephone number of the Principal Certifying Authority for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.
- 1.4. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.

- 1.5. Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a) more than 10m² of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

- # The developer must be given written notice of the intention to commence works to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protective works.
- # The developer must supply the Principal Certifying Authority with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and other improvements. The report must be submitted to and approved by the Principal Certifying Authority prior to the commencement of any works. **Note:** The report is to be made available by the Principal Certifying Authority in any private dispute between neighbours regarding damage arising from construction works upon the development site.
- # The developer and their contractor must in respect of works on public roads:
 - Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
 - Obtain a copy of Council's *Civil Works Design Guidelines*. This is Council's Specification for Civil Works and is available on Council's web site.
 - Arrange a meeting on-site with Council's Principal Development Construction Engineer on (02) 4350 5555.
- # A dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.

- # The developer must prepare a Construction Traffic Management Plan for the development. The plan shall include Traffic Control Plans prepared by a suitably qualified and experienced consultant. All works must ensure the safety of all vehicles and pedestrians within the frontage service road.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:

7.00am and 5.00pm Monday to Saturday

No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.

- 4.3. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains), is discovered during the course of the work:
 - a) All excavation or disturbance of the area must stop immediately in that area, and
 - b) The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

Note: If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.

- 4.4. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.5. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.6. Demolish all buildings and / or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.

- # During construction works, all fill is to be placed on site in such a manner that surface water will not be permanently or temporarily diverted to adjoining land.

- # The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.

- # Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.
- # The Boarding House is to be constructed to achieve a minimum floor level of RL 4.53 metres AHD. Certification from a Registered Surveyor confirming that the minimum floor levels have been achieved must be submitted to the Principal Certifying Authority when the structure reaches floor level stage. **Note:** Framework associated with the building is not to be erected until such time as the floor level certification is received.
- 1.6. Conduct all works in accordance with the Preliminary Arboricultural Assessment for 2-6 Kantara Rd Canton Beach NSW dated November 2017 prepared by Ian Hills.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 1.7. Provide the Principal Certifying Authority with written certification from a qualified landscape designer certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.
- 1.8. Construct the car park and access in accordance with Australian Standard AS2890.1-2004: *Parking facilities - Off-street parking*. Certification of the construction of the car park and associated accesses by a suitably qualified consultant must be provided to the Principal Certifying Authority.
- # Rectify at the developer's expense any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing.
- # All electrical circuits below the 1% AEP flood level must be provided with a residual current device.

- # The developer must comply with the requirements (including financial costs) of any relevant utility provider (for electricity, water, sewer, drainage, gas, telecommunications, roads, etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
- # The required rainwater tank is to be provided in the location as detailed within the approved development plans with suitable plumbing connections provided to collect rainwater from the roof area as detailed within the BASIX Certificate applicable to the development. The required rainwater tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500 and shall be provided with first flow diversion devices fixed to all inflows and a functioning pressure pump plumbed to service all fixtures as detailed within the BASIX Certificate applicable to the development. The required tank must be controlled in order that supplemental flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.
- # Complete and have approved by Council as the Roads Authority all works within the public road in accordance with the approved Civil Works design drawings and Council's *Civil Works Construction Specification*.
- # Construct the stormwater management system in accordance with the approved Stormwater Management Plan and AS/NZS 3500.3-2004. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority.
- # Construct the stormwater drainage works external to the site and discharging into a public system or public land in accordance with the approved Stormwater Management Plan and Council's *Civil Works Construction Specification*. All works must be approved by Council under Section 68 of the Local Government Act 1993. All other stormwater management works must be approved by the Principal Certifying Authority.
- # Construct the carpark and accesses in accordance with AS/NZS 2890 - Parts 1 & 6. Certification of the construction of the carpark and associated accesses by a suitably qualified consultant shall be provided to the Principal Certifying Authority.
- # All water and sewer works for the development must be approved by Council as the Water and Sewer Authority.
- # The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

- # Submit to the Principal Certifying Authority evidence of the registration of the approved subdivision with the NSW Land Registry Service or equivalent authority.
- 1.9. Construct the waste storage area to the following standards, for safety, amenity and maintenance reasons:
- a) floors must be constructed of concrete, graded and drained to an approved drainage outlet connected to the sewer and finished to a smooth even trowelled surface
 - b) walls must be constructed with solid impervious material and must be cement rendered internally to a smooth even steel trowelled surface
 - c) all intersections between the walls and floors must be coved with coving having a minimum radius of 25mm
 - d) waste receptacles used must be compatible with Council's waste collection service
 - e) the door to the storage area must be weatherproof and must be openable from the inside at all times; and
 - f) hot and cold water hose cocks must be located inside or within close proximity to the waste storage areas to facilitate cleaning.

6. PRIOR TO ISSUE OF ANY SUBDIVISION CERTIFICATE

- 6.1. All conditions under this section must be met prior to the issue of any Subdivision Certificate.
- 1.10. Submit, and have approved, an application for a Subdivision Certificate to Council / Certifying Authority. The Subdivision Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- # Submit to the Council certification by a Registered Surveyor that all construction has been effected within the appropriate property, easement boundaries and rights of carriageway. The certification shall be accompanied by a copy of the final subdivision or easement plan, with the distances from the boundaries to the edges of these structures endorsed in red thereon and signed by the surveyor.
- # Submit to the Council written confirmation from the relevant service authorities that satisfactory arrangements have been made for the provision of the following services to each lot:
- telecommunications
 - electricity supply
 - gas supply

- national broadband network
- water supply
- sewerage

The location of services must be shown on a copy of the final subdivision plan, with the distances from the boundaries to each service endorsed in red thereon.

- # All subdivision works must be approved by the Council.
- # 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. Wherever possible the extent of the land affected shall be defined by bearings and distances shown on the plan of subdivision:
 - Proposed Lot 2 – ‘Restriction on the Use of Land’ prohibiting the erection of any building or structure outside the constructed fill platform.

The encumbrances must be shown on the final plan of subdivision and Section 88B instrument, and be approved by Council.

- # Prior to the issue of a Subdivision Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.
- # The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Subdivision Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.
- # Demolish all existing structures and remove of demolished material from the site.
- # Construct the fill pad and landscape flood wall on Proposed Lot 2 generally in accordance with the submitted concept stormwater drainage plans by Northrop (refer Job No. NL171681, Drawing No. C03DA, Revision B, dated 15/6/2018). A Geotechnical Engineer must classify the fill pad on Proposed Lot 2 in accordance with AS 2870-2011 - *Residential Slabs and Footings*.

8. ONGOING

- 1.11. All conditions under this section must be met during the ongoing operation of the boarding house.

- 1.12. Manage any incidences of anti-social behaviour or nuisance on the site by implementing appropriate responses to such incidences if they occur. The owner / operator(s) must also take appropriate measures after any such incident to reduce the likelihood of such incidences reoccurring on the site.
- 1.13. Maintain all fencing for the life of the development in the approved location.
- 1.14. Maintain the site landscaping for the life of the development.
- 1.15. Implement and comply with the Council approved Plan of Management at all times during operation of the premises as a Boarding House.
- # The non-habitable rooms such as garages, storerooms or outbuildings must not be adapted or used for habitable purposes.
- # All stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective.

The staff responsible for the preparation of the report, recommendation or advice to any person with delegated authority to deal with the application have no pecuniary interest to disclose in respect of the application.

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Reporting Officer

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Reviewing Officer

The staff authorised to determine the application have no pecuniary interest to disclose in respect of the application. The report is endorsed and the recommendation contained therein.

Approved/Refused:

..... Date __/__/__