

18 January 18

Clinton Tink
Acting Group Manager Development Assessment
Port Macquarie Hastings Council

Email: clinton.tink@pmhc.nsw.gov.au

Dear Clinton,

RE: Draft conditions of consent for Section 96(2) (DA2011/438.2) for Port Macquarie Airport

We have some further comments regarding the draft conditions of consent for the Section 96 modification (DA2011/438.2) for Port Macquarie Airport. We received an email (dated 12 January 2018) from Rowan Howarth (Council's Design Manager) who has been in consultation with Council's Planning team. The email raised a number of issues which are detailed below and we would like the JRPP to take these into consideration when determining the application.

Staging of the conditions

There are a number of conditions that relate to the previously complete "Airside" and "Carpark" works, and by applying these also to the terminal upgrade simply add unnecessary complication and/or approval timeframes. To resolve this issue, the Planning team have a standard "Staging" condition as follows:

(A007) The development must only proceed in accordance with the approved stages as set out below:

- ***Insert stages as identified below***

Unless specified, the conditions of this consent will apply to all stages, with any decision on any discrepancy with conditions and associated staging resting with Council. Any decision to allow a change to staging will rest with Council along with applicable conditions and any contributions payable.

The suggested stages have been identified below:

- Civil upgrades including Airside and Carpark;
- Terminal Building Upgrade, less Food and Beverage occupation;
- Terminal Building Food and Beverage occupation; and
- Ancillary Works such as covered walkways and/or additional footprint expansion.

This condition should be placed within 'A-General Matters' of the consent.

Staging of the Occupation Certificates

Furthermore, in relation to conditions in part (E001) we request the Occupation or Issue of the Occupation Certificate be staged (and/or interim Occupation Certificates issued) in line with

the intent of suggested stages as per the comments to (A007) and to suit the continued operation of the Terminal during the Construction Works;

- Civil upgrades including Airside and Carpark;
- Terminal Building Upgrade, less Food and Beverage occupation;
- Terminal Building Food and Beverage occupation; and
- Ancillary Works such as covered walkways and/or additional footprint expansion.

With regard to (6)(E024) we request this section be amended to 'The Occupation of the Food Premises shall not occur until:' The intent for the fit out of the Terminal Food and Beverage outlet is for this component to be a separate stage.

Conditions (5) (B007) and (10) (B033)

A number of conditions are located in the incorrect phase of approval, specifically in the "Prior to issue of CC" as opposed to "Prior to work commencing on site". These conditions are as follows:

(5)(B007) If engineering works are of a value equal to or greater than \$25,000, a detailed estimate of cost of the civil engineering works and documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans.

(10)(B033) An Erosion and Sediment Control Management Plan shall be submitted to and approved by the Principal Certifying Authority with the application for Construction Certificate.

The plan shall include measures to:

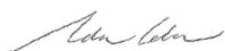
- a. Prevent site vehicles tracking sediment and other pollutants from the development site.*
- b. Dust control measures.*
- c. Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes.*
- d. Contingencies in the event of flooding.*

In relation to Condition (5)(B007), the building contractor will be required to pay the Long Service Levies however they will not be appointed until after the design is approved and the CC is issued. Therefore contractually, it is simpler to have this occur "Prior to work commencing on site" and it the onus for ensuring the collection/payment then rests with Council as opposed to the PCA.

In relation to Condition (10) (B033), the successful building contractor will prepare the Erosion and Sediment Control Management Plan and the Plan will be dependent on the staging selected and site compounds. Council will not be in a position to know the relevant details of the Plan prior to issuing a CC and we recommend this condition is relocated to "Prior to work commencing on site" within the consent.

We would appreciate if this letter could form part of an addendum to the JRPP for them to consider as part of the Section 96 modification. If you would like further clarification you can contact me on acoburn@mecone.com.au or 0419 741 114.

Yours sincerely,



Adam Coburn
Director