

# FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF PROPOSED CONDITIONS - 2011

NOTE: THESE ARE DRAFT ONLY

DA NO: 2018/654

DATE: 4/03/2019

## PREScribed CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

## A – GENERAL MATTERS

- (1) (A001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Statement of Environmental Effects and Appendices (as amended)	Job Ref 7261	Hopkins Consultants	August 2018
Plans	Drawing No; 10001-10002, 11003, & 11500-11505 dated 19/2/2019 and 10003-10005, 10100-10104, 11000-11002, 11004, 11506, 21500, 31501, 68000, 70500-70502 & 98001-98002 dated 27/9/2018	Crone Architects	See reference column for dates
Traffic Impact Assessment		Streetwise	August 2018

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

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
  - the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

- (2) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (3) (A009) The development site is to be managed for the entirety of work in the following manner:
1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
  2. Appropriate dust control measures;
  3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
  4. Building waste is to be managed via an appropriate receptacle;
  5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
  6. Building work being limited to the following hours, unless otherwise permitted by Council;
    - Monday to Saturday from 7.00am to 6.00pm
    - No work to be carried out on Sunday or public holidaysThe builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (4) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.
- (5) (A012) This consent does not provide for staging of the development. Any staging will require a separate consent or an amendment to this consent.
- (6) (A014) This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.
- (7) (A017) A separate development application for any proposed advertising signs (other than signs which are exempt development or approved under this consent) must be submitted to and approved by council prior to the erection or display of any such signs.
- (8) (A032) The developer is responsible for any costs relating to minor alterations and extensions to ensure satisfactory transitions of existing roads, drainage and Council services for the purposes of the development.
- (9) (A033) The applicant shall provide security to the Council for the payment of the cost of the following:
- a. making good any damage caused to any property of the Council as a consequence of doing anything to which the consent relates,
  - b. completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent,
  - c. remedying any defects in any such public work that arise within twelve (12) months after the work is completed.

Such security is to be provided to Council prior to the issue of the Subdivision Certificate/Construction Certificate or Section 138 of the Roads Act, 1993.

The security is to be for such reasonable amount as is determined by the consent authority, being an amount that is 10% of the contracted works for Torrens Title subdivision development/the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of:

- i. deposit with the Council, or
- ii. an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within 6 years after the work to which the security relates has been completed the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

- (10) (A063) The disposal of wastewater from a commercial or industrial business to Port Macquarie-Hastings Council's sewage system requires specific approval under Section 68 of the Local Government Regulation, 1999.

In this regard, whilst you have indicated that trade waste will not be discharged from the subject development, should you wish to discharge liquid trade wastes to Council's sewer in the future, a further application under Section 68 of the Local Government Regulation, 1999 will be required.

- (11) (A195) The provision of 150 parking spaces shall be made available at all times for the purposes of public car parking spaces. Prior to release of the construction certificate, the process of securing the 150 spaces in perpetuity is to be signed off by Council and any relevant notation placed on the title of the property.

- (12) (A196) 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 own 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 that condition not applying.

- (13) (A197) This consent approves the first use of the premises as retail and commercial premises. An additional development application for an alternate use or to carry out a fit out will require the submission of a separate development application, unless deemed exempt development.

## **B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

- (1) (B006) An application pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.

Such works include, but not be limited to:

- Civil works

- Traffic management
  - Work zone areas
  - Hoardings
  - Concrete foot paving
  - Footway and gutter crossing
  - Functional vehicular access
- (2) (B010) Payment to Council, prior to the issue of the Construction Certificate of the Section 7.12 contributions set out in the “Notice of Payment – Developer Charges” schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied, pursuant to the Environmental Planning and Assessment Act 1979 as amended, and in accordance with the provisions of the following plans:
- Port Macquarie-Hastings Council Section 94A Levy Contributions Plan 2007
- The plans may be viewed during office hours at the Council Chambers located on the corner of Burrawan and Lord Streets, Port Macquarie, 9 Laurie Street, Laurieton, and High Street, Wauchope.
- The attached “Notice of Payment” is valid for the period specified on the Notice only. The contribution amounts shown on the Notice are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans. Payments can only be made using a current “Notice of Payment” form. Where a new Notice of Payment form is required, an application in writing together with the current Notice of Payment application fee is to be submitted to Council.
- (3) (B011) As part of Notice of Requirements by Port Macquarie-Hastings Council as the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution, prior to the issue of a Construction Certificate, of the Section 64 contributions, as set out in the “Notice of Payment – Developer Charges” schedule attached to this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
- augmentation of the town water supply headworks
  - augmentation of the town sewerage system headworks
- (4) (B024) Submission to Council of an application for water meter hire, which is to be referred to the Water Supply section so that a quotation for the installation can be prepared and paid for prior to the issue of a Construction Certificate. This application is also to include an application for the disconnection of any existing service not required.
- (5) (B039) Detailed drawings and specifications prepared by a professional engineer for all retaining walls supporting:
- a. earthworks that are more than 600mm above or below ground level (existing); or
  - b. located within 1m of the property boundaries; or
  - c. earthworks that are more than 1m above or below ground level (existing) in any other location;

are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

- (6) (B041) Prior to the issue of the Construction Certificate, a dilapidation report for both buildings on adjoining properties and adjoining roads shall be furnished to the Principal Certifying Authority.

The dilapidation report is to be prepared by a practising Structural/Civil Engineer agreed to by both the applicant and Council. All costs incurred in achieving compliance with this condition shall be borne by the applicant.

The applicant shall be responsible for public infrastructure. Any damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition will be borne by the applicant.

- (7) (B045) A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.

- (8) (B048) Prior to the issue of a Construction Certificate, provision shall be made for the storage of garbage containers and containers for recyclable material in a designated garbage area. The area shall be:

- a. Provided with a hose tape connected to the water supply;
- b. Paved with impervious material;
- c. Graded and drained to the sewer system, and
- d. Roofed to prevent the entry rainwater.

- (9) (B072) A stormwater drainage design is to be submitted and approved by Council prior to the issue of a Construction Certificate. The design must be prepared in accordance with Council's AUSPEC Specifications and the requirements of Relevant Australian Standards and make provision for the following:

- a) The legal point of discharge for the proposed development is defined as the existing stormwater drainage system.
- b) The design is to be generally in accordance with the stormwater drainage concept plan on Drawing No 7261-002/A prepared by Hopkins Consultants and dated 25 October 2018.
- c) All allotments must be provided with a direct point of connection to the public piped drainage system. Kerb outlets are not permitted.
- d) The design shall include water quality controls designed to achieve the targets specified within AUSPEC D7.
- e) The design shall provide details of any components of the existing stormwater drainage system servicing the site that are to be retained.
- f) Plans shall be accompanied by certification from a suitably qualified engineer that the existing drainage system within Lot 100 DP 855100 into which the development is proposed to drain, has adequate capacity to convey the designed stormwater discharge to this downstream public piped drainage system.

- (10) (B053) The design of the carpark and accesses is to be in accordance with Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6). Certification of the design by a suitably qualified consultant is to be provided to the Principal Certifying Authority prior to release of the Construction Certificate.

- (11) (B070) Where augmentation is required on an adjoining property, owner's consent shall be provided to Council with any Section 68 application and/or

Construction Certificate application. Works where augmentation is required on an adjoining property including:

- Public and/or private drainage infrastructure (i.e. interallotment drainage, Council drainage)
  - Council's sewer infrastructure (i.e. sewer junction, sideline or manhole)
- (12) (B071) Prior to the issue of any Construction Certificate, the provision of water and sewer services to the land are to be approved by the relevant Water Authority and relevant payments received.
- (13) (B085) The location of electricity substations are to be clearly illustrated on the Construction Certificate plans. All substations are to remain on private property unless otherwise agreed to by Port Macquarie-Hastings Council.
- (14) (B195) Council records indicate that the development site has an existing 20mm metered water service. Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as fire service and backflow protection requirements in accordance with AS3500.
- (15) (B196) The proposed consolidation of the Port Central lot will allow the whole site to be serviced through a single point of connection to Council's sewer system. The existing sewer line directly to the north of this development site shall be privately owned and maintained. A sewer reticulation plan shall be submitted to Sewer Section for approval with the s68 application.
- (16) (B197) The Stormwater Management Plan must include detail of how subsoil from the proposed basement levels will be drained. Pump-out of subsoil drainage associated with the basement is not permitted unless it can be demonstrated that groundwater flows are minimal/ intermittent only. This option will only be considered when supported by detailed geotechnical investigation.
- (17) (B198) As the proposed development includes significant excavation within the zone of influence of the adjacent road reserve, the construction certificate submission must be accompanied by a detailed Structural and Geotechnical Engineering report assessing the risks associated with excavation. The report must address the following issues at a minimum:
- a) Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve to the depth of any existing adjacent services.
  - b) All components of the structure, including subsoil drainage, must be located entirely within the property boundary
  - c) Any retaining walls must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment.
  - d) Relevant geotechnical/subsurface conditions of the site, as determined by full geotechnical investigation.
- (18) (B199) Prior to release of the construction certificate, plans are to be submitted to the Principal Certifying Authority showing the following:
- The development street frontage on the western side of Murray Street (from William Street to the Port Central service vehicle entry) to be designed and constructed in accordance with Council's adopted Town Centre Masterplan (Plan Reference RU-PM3-169 Sheet 5 of 25 dated Sep 2012 Rev B) incorporating exclusive left turn lane into the carpark

and raised median between existing pedestrian refuge and the carpark entry.

- The Murray Street and Port Central Driveway intersection shall be enhanced to efficiently address additional vehicle demands created by the development in and out of the existing Port Central driveway. Exclusive right and left-turn lanes are required with appropriate intersection line marking.
- Additional safety measures are required to address the intermixed service vehicle, public vehicle and bicycle use through the Hay Street (Service) driveway in the form of a speed bump located at the interface of the service lane and the Hay St footpath, appropriately located mirrors for sight distance and signage outlining potential hazards/conflict between vehicles and pedestrians.
- Site frontages along William and Murray Street shall be upgraded to Town Centre Master Plan requirements.

The revised plans must have a sign off from Port Macquarie Hastings Council and will form part of this consent.

- (19) (B200) Prior to release of the construction certificate, details of an electronic parking availability system and associated signage is to be submitted to the Principal Certifying Authority, along with a sign off on the system by Council.
- (20) (B201) Prior to release of the construction certificate, the plans are to be amended to clearly show an awning around the full street frontages of the development. The awning design is to be signed off by Council. Any lighting associated with the awning is to comply with AS/NZS1158.
- (21) (B202) Prior to release of the construction certificate, details of all awnings over public road reserves shall be submitted with the application pursuant to Section 138 of the Roads Act. This submission shall include full certification of the structural integrity of the design by an accredited structural engineer. The structural engineer will be required to also certify the completed works prior to the issue of any occupation certificate.
- (22) (B203) Prior to release of the construction certificate, the applicant is to submit a lighting and CCTV plan. The plan is to provide security and visibility throughout the site with particular attention to the basement levels, the loading area and entrance to amenities. The plan is to be signed off by a person with suitable Crime Prevention Through Environmental Design experience and qualifications. Once approved, the plans and implementation will form part of this consent.
- (23) (B204) Prior to release of the construction certificate, the plans are to be amended to show secure bicycle parking for the public (not just staff).
- (24) (B003) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments. Public infrastructure works shall be constructed in accordance with Port Macquarie-Hastings Council's current AUSPEC specifications and design plans are to be accompanied by AUSPEC DQS:
  - 1. Road works along the frontage of the development.
  - 2. Public parking areas.
  - 3. Sewerage reticulation.
  - 4. Water supply plans shall include hydraulic plans for internal water supply services and associated works in accordance with AS 3500,

Plumbing Code of Australia and Port Macquarie-Hastings Council Policies.

5. Stormwater systems.
6. Erosion & Sedimentation controls.
7. Location of all existing and proposed utility services including:
  - a. Conduits for electricity supply and communication services (including fibre optic cable).
  - b. Water supply
  - c. Sewerage
  - d. Stormwater
8. All roadworks along the full frontage(s) including full width paving, lighting and any necessary kerb construction or reconstruction in accordance with the current Town Centre Master Plan.
9. Provision of a full width concrete footpath across the full road frontage of the property.

#### **C – PRIOR TO ANY WORK COMMENCING ON SITE**

- (1) (C001) A minimum of one (1) weeks' notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.
- (2) (C002) Prior to the commencement of any works, a pre-construction meeting shall be organised by the applicant. This meeting is to be attended by the applicant or consultants, principal contractor and Council's development engineer or his representative.
- (3) (C004) Prior to works commencing, an application being made to the electricity and telecommunications service providers regarding satisfactory services arrangements.
- (4) (C013) Where a sewer manhole and Vertical Inspection Shaft exists within a property, access to the manhole/VIS shall be made available at all times. Before during and after construction, the sewer manhole/VIS must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.
- (5) (C195) A controlled activity approval shall be obtained from the airport operator for any crane that may be used during the construction phase that would penetrate the Obstacle Limitation Surface (OLS). To avoid any doubt as to whether an approval is required, applicants should check with the airport operator at the earliest possible stage.

#### **D – DURING WORK**

- (1) (D001) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your Construction Certificate number and property description to ensure your inspection is confirmed:
  - a. at completion of installation of erosion control measures



- b. prior to installing traffic management works
- c. at completion of installation of traffic management works
- d. when the sub-grade is exposed and prior to placing of pavement materials;
- e. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
- f. at the completion of each pavement (sub base/base) layer;
- g. before pouring of kerb and gutter;
- h. on completion of road gravelling or pavement;
- i. prior to sealing and laying of pavement surface course.

All works at each hold point shall be certified as compliant in accordance with the requirements of AUSPEC Specifications for Provision of Public Infrastructure and any other Council approval, prior to proceeding to the next hold point.

- (2) (D003) The site is in an area known to contain rock that may contain naturally occurring asbestos (NOA). Should potential NOA be located on site notification shall be provided to Council and Workcover prior to works proceeding. No work shall recommence until a NOA management plan has been approved by Council or Workcover.
- (3) (D006) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- (4) (D011) Provision being made for support of adjoining properties and roadways during construction.
- (5) (D023) During all phases of demolition, excavation and construction, it is the responsibility of the applicant and their contractors to:
  - a. Ascertain the exact location of the Council stormwater drainage pipeline and associated pits traversing the site in the vicinity of the works.
  - b. Take measures to protect the in-ground Council stormwater drainage pipeline and associated pits.
  - c. Ensure dedicated overland flow paths are satisfactorily maintained through the site.

Stormwater drainage pipes can be damaged through applying excessive loading (such as construction machinery, material storage and the like). All proposed structures and construction activities must be sited fully clear of Council's stormwater drainage pipes, pits, easements, watercourses and overland flow paths on the site.

If the Council pipeline is uncovered during construction, all work must cease and the Certifying Authority and Council must be contacted immediately for advice.

Any damage caused to Council's stormwater drainage system must be immediately repaired in full and at no cost to Council.

- (6) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601-1991: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public

road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

Should asbestos be present, its removal shall be carried out in accordance with the National OH&S Committee – *Code of Practice for Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.

For further information on asbestos handling and safe removal practices refer to the following links:

[Safely disposing of asbestos waste from your home](#)

[Fibro & Asbestos - A Renovator and Homeowner's Guide](#)

[Asbestos Awareness](#)

- (7) (D046) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW is to be informed in accordance with Section 146 of the *Heritage Act 1977*.

## **E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE**

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (E004) Consolidation of the allotments comprising the site of the proposed development prior to issue of the Occupation Certificate.
- (3) (E005) Prior to the release of any bond securities held by Council for infrastructure works associated with developments, a formal written application is to be submitted to Council specifying detail of works and bond amount.
- (4) (E010) Driveways, access aisles and parking areas shall be provided with a concrete surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).
- (5) (E016) Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
- (6) (E030) Vehicle ramps, driveways, turning circles and parking spaces being paved, sealed and line marked prior to occupation or the issue of the Occupation Certificate or commencement of the approved land use.
- (7) (E031) Provision of a sign at the front vehicular access point within the property, prior to occupation or the issue of the Occupation Certificate, indicating that visitor/customer parking is available on-site.
- (8) (E036) Certification by a suitably qualified consultant is to be submitted to the Principal Certifying Authority (PCA) confirming that the car park and internal accesses have been constructed in accordance with Port Macquarie-Hastings Development Control Plan 2013 and Australian Standard 2890 (including AS 2890.1, AS 2890.2 and AS 2890.6) prior to occupation or issue of the Occupation Certificate.

- (9) (E049) A final Dilapidation Report including a photographic survey must be submitted after the completion of works. A copy of this Dilapidation Report together with the accompanying photographs must be given to the relevant adjoining property owners. A copy must be submitted to Council and the Principal Certifying Authority prior to the issue of an Occupation Certificate.
- Any damage identified in the Dilapidation Report must be fully rectified by the applicant or owner at no cost to the Council prior to the issue of an Occupation Certificate.
- (10) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (11) (E056) A Certificate of Compliance under the provisions of Section 307 of the *Water Management Act* must be obtained prior to the issue of any occupation or subdivision certificate.
- (12) (E062) Prior to occupation or the issue of any Occupation Certificate, evidence must be provided to the Principal Certifying Authority that satisfactory arrangements are in place for collection of general waste (rubbish), recycling and food and garden organics from the premises by a private waste contractor. All wastes are to be collected as separate waste streams.
- (13) (E066) Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this Consent effective to the satisfaction of Director of Council's Infrastructure Division. Such works shall include, but are not limited to the following:
- a. The relocation of underground services where required by civil works being carried out.
  - b. The relocation of above ground power and telephone services
  - c. The relocation of street lighting
  - d. The matching of new infrastructure into existing or future design infrastructure
- (14) (E068) Prior to the issue of an Occupation Certificate, evidence to the satisfaction of the Certifying Authority from the electricity and telecommunications providers that satisfactory services arrangements have been made to the lots (including street lighting and fibre optic cabling where required).
- (15) (E195) Prior to release of the occupation certificate, the ceiling of the car park areas is to painted white.

## **F – OCCUPATION OF THE SITE**

- (1) (F001) On site car parking in accordance with the approved plans to be provided in an unrestricted manner at all times during the operations of development for use by both staff and patrons. A total of 238 spaces are to be provided onsite.
- (2) (F003) All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.
- (3) (F009) All new and existing essential fire safety measures shall be maintained in working condition at all times.
- (4) (F010) Within each 12 months after completion of the building, the owner of the building must cause Council to be given an annual fire safety statement in accordance with Clause 177 of the Environmental Planning and Assessment

Regulation 2000 for each measure listed in the schedule. The statement must only be in the form specified by clause 181 of the Regulation. A copy of the statement is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

- (5) (F013) All garbage areas are to be screened from the street, create no adverse odour impact on adjoining properties and be kept free of pests at all times.
- (6) (F016) Offensive odours shall not be generated by the development.
- (7) (F024) Offensive noise as defined under the Protection of the Environment Operations Act 1997, shall not be generated as a result of the operation of the development.
- (8) (F025) Hours of operation of the development are restricted to the following hours:
  - 7 am to 11 pmIn terms of the loading area, it must be secure at all times with deliveries only permitted to occur between 6am and 9am or 6pm and 11pm.
- (9) (F036) Any exterior lighting on the site shall be designed and installed so as not to cause a nuisance or adverse impact on the amenity of the surrounding area by light overspill. The lighting shall be the minimum level of illumination necessary for safe operation and must be designed, installed and used in accordance with AS 4282 - 1997 control of the obtrusive effects of outdoor lighting. No flashing, moving or intermittent lighting is permitted on the site.

The reason for this decision is that site is considered suitable for the proposed development and the proposal adequately addresses relevant planning controls. The development is not considered to be contrary to the public interest and will not result in significant adverse social, environmental or economic impacts. The conditions referred to in this schedule are imposed in conformity with the relevant provisions of the Environmental Planning and Assessment Act and Regulations, the Local Government Act and Regulations, The Building Code of Australia and with Council's Policies and Development Control Plan or any other ancillary Act or Regulation in force at the time of the date of determination. The conditions are aimed at protecting the natural environment, preserving our heritage and providing a functional, safe and healthy built environment.

# Developer Charges - Estimate

**Applicants Name:** Hopkins Consultants Pty Ltd  
**Property Address:** 99 William Street, Port Macquarie  
**Lot & Dp:** Lot(s):1,DP(s):1012667  
**Development:** Multi storey commercial/retail building



Water and Sewerage Headworks Levies are levied under S64 of the LGA Act & S306 of the Water Management Act 2000.  
 Other contributions are levied under Section 7.11 of the Environmental Planning and Assessment Act and Council's Contribution Plans.

Levy Area	Units	Cost	Estimate
1 Water Supply	2.075	\$10,129.00 Per ET	\$21,017.60
2 Sewerage Scheme Port Macquarie	2.075	\$3,843.00 Per ET	\$7,974.20
3 N/A			
4 N/A			
5 N/A			
6 N/A			
7 N/A			
8 N/A			
9 N/A			
10 N/A			
11 N/A			
12 N/A			
13 N/A			
14 S94A Levy - Applicable to Consents approved after 2/12/07	1.00%	\$ 15,429,524	\$154,295.00
15 Admin General Levy - Applicable to Consents <b>approved after 11/2/03</b>	Contribution Not Applicable		
16			
17			
18			
<b>Total Amount of Estimate (Not for Payment Purposes)</b>			<b>\$183,286.80</b>

NOTES: These contribution rates apply to new development and should be used as a guide only.  
 Contributions will be determined in conjunction with a Development Application (DA) or Complying Development Application (CDA).  
 DAs will be subject to the contributions plans in force at the time of issue of the Consent and for CDCs at time of lodgement.  
 Contribution Rates are adjusted quarterly in line with the CPI.

**DATE OF ESTIMATE:**

**7-Mar-2019**

**Estimate Prepared By Clinton Tink**

**This is an ESTIMATE ONLY - NOT for Payment Purposes**