

Attachment A: Draft Conditions of Consent

ADMINISTRATIVE CONDITIONS

Development Description:

1. Development consent is granted only to carrying out the development described in detail below:

(1) *Alterations and additions to a recreation facility (indoor) (new basketball court, associated works, including demolition).*

Prescribed Conditions:

2. The proponent shall comply with the prescribed conditions of development approval under Clauses 69 - 75 of *Environmental Planning and Assessment Regulation 2021* as are of relevance to this development.

Development in Accordance with Plans:

3. The development is to be implemented in accordance with the plans set out in the following table except where modified by any conditions of this consent (Development Consent No 0537/22DA).

Plan and Drawing no.	Version	Prepared by	Dated
Cover sheet – DA001	2	DRA Architects	18/02/2022
3D Views – DA020	2	DRA Architects	18/02/2022
Locality Plan – DA040	4	DRA Architects	30/05/2022
Demolition Plan – DA101	2	DRA Architects	18/02/2022
Proposed Floor Plan – DA102	2	DRA Architects	18/02/2022
Roof Plan – DA150	2	DRA Architects	18/02/2022
Reflected Ceiling Plan – DA200	2	DRA Architects	18/02/2022
General Sections – DA300 & DA301	2	DRA Architects	18/02/2022
Elevations – DA400 & DA401	H	DRA Architects	18/02/2022
Wet Area Details – DA750	2	DRA Architects	18/02/2022
Cover sheet – DA-01	-	GeoLink	21/02/2022
Site Analysis – DA-02	-	GeoLink	21/02/2022
Landscape Layout – DA-03	-	GeoLink	31/01/2022
Landscape Layout – Planting Locations – DA-04	-	GeoLink	31/01/2022

Plan and Drawing no.	Version	Prepared by	Dated
Indicative Species Images – DA-05	-	GeoLink	21/02/2022
Elevations – DA-06	-	GeoLink	21/02/2022

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

The approved plans endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Development in Accordance with Documents:

4. The development shall be undertaken in accordance with the following documents:

Planning Documentation

(1) Statement of Environmental Effects, prepared by GeoLink and dated 24/02/2022

(2) Site Waste Minimisation and Management Plan, prepared by GeoLink and dated 25/01/2022

Inconsistency between Documents:

5. In the event of any inconsistency between:

(1) The conditions of this approval and the drawings/documents referred to in conditions 3 and 4, the conditions of this approval prevail; and

(2) Any drawing/document listed in conditions 3 and 4 and any other drawing/document listed in conditions 3 and 4, the most recent document shall prevail to the extent of inconsistency.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate:

6. No building work is to commence on site until a Construction Certificate has been issued for the work and Council has been notified that a Principal Certifier has been appointed.

Equitable Access:

7. The building being provided with access and facilities for people with disabilities to the extent required having regard to the *Disability (Access to Premises - Buildings) Standards 2010* and the Building Code of Australia.

Details indicating compliance must be submitted and approved by the certifying authority **prior to the issue of a Construction Certificate.**

Stormwater Management Plan:

8. A Stormwater Management Plan complying with the relevant controls of Council's Water Sensitive Urban Design Policy being submitted to and approved by Council **prior to issue of a Construction Certificate.**

The design is to incorporate a system that achieves compliance with the Coffs Harbour City Council WSUD Policy targets. A MUSIC model, and an Operation and Maintenance Plan shall accompany the design for the system.

Erosion and Sedimentation Control Measures:

9. Erosion and sediment control measures shall be prepared by a qualified environmental or engineering consultant in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom. Details being submitted and approved by the Certifying Authority **prior to issue of a Construction Certificate.**

Flood Signage:

10. Details of civil flood signage warning of the flood risk for the carpark being submitted and approved by Council **prior to issue of a Construction Certificate.**

Water Management Act 2000:

11. **The Construction Certificate not being released** until a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 evidencing that adequate arrangements have been made for the provision of water and sewerage services to and within the development is produced to Council.

PRIOR TO COMMENCEMENT OF WORKS

Site Notice:

12. Prior to commencement of works a site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of the development details including but not limited to:
 - (1) Details of the Principal Contractor and Principal Certifying Authority for all stages of the development;
 - (2) The approved hours of work;
 - (3) The name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction noise complaints are to be displayed on the site notice; and
 - (4) To state that unauthorised entry to the site is not permitted.

Contact Telephone Number:

13. Prior to the commencement of the works for each stage of the development, the proponent shall forward to Council a 24 hour telephone number to be operated for the duration of the construction works.

Erosion and Sediment Control:

14. All erosion and sediment control measures, as designed in accordance with the plans approved by the certifying authority are to be effectively implemented and maintained at or above design capacity for the duration of the construction works for each stage of the project, and until such time as all ground disturbance by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Demolition Works:

15. All works including (where relevant) the handling and disposal of materials containing asbestos, are to be undertaken in accordance with the relevant requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard AS 2601-2001 "The Demolition of Structures".

Sanitary Plumbing and Draining:

16. A separate application is to be made to Council by the licensed plumber and drainer prior to the commencement of any sanitary plumbing and drainage work on site.

DURING CONSTRUCTION**Approved Plans to be On-Site:**

17. A copy of the approved and certified plans, specifications and documents incorporating the conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Finished Floor Level:

18. The finished floor level of the additions is to be a minimum of 15.52 mAHD. An accredited surveyor's certificate certifying such level is to be submitted to the Principal Certifying Authority and a copy submitted to council **prior to works proceeding above finished floor level.**

Additional Car Parking Levels:

19. The levels of the additional car parking area are to be consistent with levels included in Civil Works Plan – Sheet 1, prepared by Northrop and dated 18/02/2022.

Height of Development:

20. The height of the development is not to exceed the design height of 12.9m above ground level.

Written certification from an accredited surveyor is to be submitted to the Principal Certifying Authority at the following stages:

- a) upon completion of basement slab formwork, prior to placement of concrete;
- b) upon completion of the building and **prior to issue of the Occupation Certificate.**

The certification is to address the height and location of the formwork to achieve the approved design height. Construction work is not to proceed beyond these stages until authorised to do so by the Principal Certifying Authority.

Construction Waste Management:

- 21. Compliance with the terms of approved Site Waste Minimisation and Management Plan.

Importation of Fill:

- 22. The only fill material that may be received at the development is:
 - a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);
 - b) Any other waste-derived material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material, excluding waste tyre.

Prior to the importation of any fill material, details shall be submitted to the Certifying Authority demonstrating the material complies with the above requirements.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

Erosion and Sediment Control:

- 23. All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works for each stage of the project, and until such time as all ground disturbance by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Dust Control Measures:

- 24. Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:
 - (1) All materials shall be stored or stockpiled at the best locations;
 - (2) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that runoff occurs;
 - (3) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other materials;

- (4) Cleaning of footpaths and roadways shall be carried out regularly;
- (5) Rumble grids being installed at access points to the site.

Hours of Work:

25. Construction works are to be limited to the following hours:

Monday to Friday	7.00 a.m. - 6.00 p.m.
Saturday	7.00 a.m. - 1.00 p.m. if inaudible from adjoining residential properties, otherwise 8.00 a.m. - 1.00 p.m.

No construction work is to take place on Sunday and Public Holidays.

Public Way to be Unobstructed:

26. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless approved by Council's Road and Open Spaces section.

Cultural Heritage:

27. In the event that future works during any stage of the development disturb Aboriginal Cultural materials, works at or adjacent to the material must stop immediately. Temporary fencing must be erected around the area and the material must be identified by an independent and appropriately qualified archaeological consultant. The Office of Environment and Heritage (OEH), Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups must be informed. These groups are to advise on the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of the OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

Stormwater:

28. No new paving, excavation, filling or other work on the site is to interfere with the existing drainage system so as to pond or divert water in a concentrated flow which causes erosion.

Construction Standards:

29. All New construction shall comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 'Construction of buildings in bushfire-prone areas' or the relevant requirements of the NASH Standard – Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction shall also comply with the construction requirements in Section 7.5 of 'Planning for Bush Fire Protection 2019'.

Water and Utility Services:

30. Any new or extension of existing water, electricity and/or gas service shall comply with the following in accordance with Table 7.4a of Planning for Bush Fire Protection 2019:
- a) reticulated water is to be provided to the development where available,
 - b) all above-ground water service pipes external to the building are metal, including and up to any taps,

- c) where practicable, electrical transmission lines are underground,
- d) where overhead electrical transmission lines are proposed they shall comply with the requirements/guidelines of the local electricity authority.
- e) reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used,
- f) all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side,
- g) connections to and from gas cylinders are metal,
- h) polymer sheathed flexible gas supply - lines are not used, and
- i) above-ground gas service pipes are metal, including and up to any outlets.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

Occupation Certificate:

- 31. A person must not commence occupation or use of the new building **prior to obtaining an Occupation Certificate** from the Principal Certifier.

Flood Management:

- 32. All new electrical infrastructure and equipment (wiring, power outlets, switches etc.), and the any storage of oil's or hazardous materials on site is to be located at minimum level of 15.52 mAHD (100 year ARI + 0.5m freeboard), or suitably waterproofed **prior to issue of an Occupation Certificate**.

Flood Signage:

- 33. The civil flood signage required by this consent being installed **prior to issue of an Occupation Certificate**.

Clearway Signage:

- 34. Clearway signage for the bin collection area is to be in place **prior to issue of an Occupation Certificate**.

Landscaping Works:

- 35. **Prior to issue of an Occupation Certificate** a works as executed plan is to be submitted to the Principal Certifying Authority certifying that all landscape works have been carried out in accordance with the approved plans.

Stormwater Management Certification:

- 36. **Prior to issue of an Occupation Certificate** the consultant design engineer / landscape architect / hydraulic consultant shall issue a certificate to the Principal Certifying Authority to the effect that the stormwater treatment system has been installed and complies with the approved design.

Car Parking Spaces:

37. The Car parking area, including existing, as shown on the approved plans being sealed and provided for the development site **prior to the issue of an Occupation Certificate.**

All car parking and manoeuvring areas being constructed in accordance with the provisions of Australian Standard AS 2890.

Where pavement in existing car parking areas is damaged, they must be rectified and the pavement made good **prior to issue of the Occupation Certificate.**

Rainwater Tanks:

38. A separate application being submitted to Council's Water Services Section for assessment and registration of the proposed rain water tank(s) and associated plumbing works, prior to their installation. Evidence of registration is to be confirmed by the Principal Certifier **prior to the issue of Occupation Certificate.**

Note: A testable backflow prevention device is required with underground water storage tanks.

Note: an application form may be downloaded from Council's web site www.coffsharbour.nsw.gov.au <<http://www.coffsharbour.nsw.gov.au>>

Bush Fire Emergency Management and Evacuation Plan:

39. A Bush Fire Emergency Management and Evacuation Plan shall be prepared and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. A copy of the plan is to be submitted to the Certifying Authority **prior to the issue of Occupation Certificate.**

OPERATIONAL MATTERS

Loading and Unloading:

40. All loading and unloading activities associated with the use of the premises being carried out wholly within the site at all times.

Unobstructed Driveways and Parking Areas:

41. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for parking of vehicles associated with the use of the premises.

Car Parking Areas:

42. Car Parking areas as shown on the approved plans are to be maintained in a serviceable condition at all times.

Waste Management

43. Provision being made on the site (*or within the premises*) for the separation of recycling and organic waste, including food waste and other putrescible wastes from the general waste stream in accordance with Council's requirements. The waste management practices of the premises should provide for the continued separation of recycling and organic waste from the general waste stream.

Landscape Works:

44. Landscaping is to be maintained in accordance with the approved landscape plans at all times.

Stormwater:

45. All stormwater management systems must be maintained in accordance with the approved stormwater plans.

Asset Protection Zones:

46. With the exception of the existing vegetation adjacent to the drainage channel to the northwest of the development, from the commencement of building works and in perpetuity, the property shall be managed as an inner protection area for a distance of 67 metres or to the property boundary, whichever is the lesser, in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:

- a) tree canopy cover should be less than 15% at maturity;
- b) trees at maturity should not touch or overhang the building;
- c) lower limbs should be removed up to a height of 2m above the ground;
- d) tree canopies should be separated by 2 to 5m; and
- e) preference should be given to smooth-barked and evergreen trees.
- f) create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
- g) shrubs should not be located under trees;
- h) shrubs should not form more than 10% ground cover; and
- i) clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- j) grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- k) leaves and vegetation debris should be removed.

Landscaping:

47. Landscaping within the required asset protection zone shall comply with the provisions of Appendix 4 of Planning for Bush Fire Protection 2019.

Sewer manholes, inspection openings and water meters:

48. A person must not build over, interfere with access, increase or reduce the cover over any water/sewer/stormwater utility infrastructure, such as; sewer manholes, sewer inspection openings, water meters and stormwater pits.

If for any reason it is necessary to raise the height of a sewer manhole this is subject to a separate application to Council.
