

Development Application No. 1037/22DA

Schedule of Conditions

ADMINISTRATIVE CONDITIONS

Development Description:

1. Development consent is granted only to carrying out the development described in detail below:
 - **Demolition works and construction of a mixed use development (commercial premises/residential flat building)**

Prescribed Conditions:

2. The proponent shall comply with the prescribed conditions of development approval under Clauses 97A, 98, 98A - E of *Environmental Planning and Assessment Regulation 2021* as are of relevance to this development.

Development is to be in accordance with approved 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. 1037/22DA).

Plan No. / Supporting Document(s)	Version	Prepared by	Dated
Drawing No. Application (A00, A01, A02, A03, A04, A05, A06, A07, A08, A09, A10, A11, A12, A13, A14, A15, A16, A17, A18, A19, A20, A21, A22, A23, A24, A25, A26, A27, A28, A29), Job No. 13775	G	EJE Architecture	29/04/2023
Landscape Concept Plan (Sheets L000, L101, L102, L103, L104, L105, L106, L107, L108, L109, L110, L111, L112, L113)	B	Terras Landscape Architects	10/05/2022

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

Inconsistency Between Documents:

4. In the event of any inconsistency between:
 - (1) The conditions of this approval and the drawings/documents referred to in condition 3, the conditions of this approval prevail.

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PRIOR TO ISSUE OF CIVIL WORKS CERTIFICATE

Street Tree Planting (Plan):

5. A plan is to be submitted to Council showing street tree planting, which has been prepared in accordance with the requirements of Council's "*Street Tree Master Plan*" and '*Street Tree Planting Detail*'.

The Plan shall be prepared by a qualified landscape architect or professional landscape consultant.

The Plan must show all services and planting detail in accordance with Council's minimum requirements; alternatively, a higher standard may be considered for tree protection.

The Plan is to be approved by Council **prior to the issue of a Civil Works Certificate**.

Note:

- (a) A minimum of one tree for every 10m is to be provided for the full frontage.
- (b) Tree species to be *Harpulia pendula* in 45L pots.

Road Design and Services (Building):

6. The following works:

- (a) roads
- (b) access;
- (c) footpaths and pathways;
- (d) water;
- (e) sewer.

shall be provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction specifications and relevant policies (Water Sensitive Urban Design).

Note:

- (1) *A sight distance analysis of the access to the site is to be undertaken. If 'No Parking' signage is required to ensure safe egress from the site, this will be required to be endorsed by the local Traffic Committee prior to release of the Civil Works Certificate.*
- (2) *Half road construction for the frontage of the development.*
- (3) *Works are to be undertaken on the access to ensure pedestrian sight lines in accordance AS2890.1 can be achieved.*
- (4) *Footpath width is to be 2 metre footpath and can be reduced in places to enable street trees to be installed.*
- (5) *Water connection to be on 250ø water main on McLean St.*
- (6) *A sewer main extension shall be constructed from a new sewer manhole to be installed between CF/04 and CF/03 on McLean St to the frontage of the property. Partial flow equivalent to the existing ET's may be connected to the existing BL/DE. All other sewer flows are to be connected to the new sewer manhole to be constructed on McLean St as above.*

Plans and specifications are to be submitted to Council and a separate **Civil Works Certificate** issued.

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Plan submissions are to be accompanied by payment of prescribed fee.

Plans and specifications submitted later than six (6) months from the date of development consent shall comply with Council's current specifications at a date six (6) months prior to submission.

All work is to be at the developer's cost.

Landscaping at the entrance must not obstruct sight triangles/sightlines to comply with AS2890.1 Figure 3.3. Line marking at the access may provide compliance.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate:

7. 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.

Note: Separate Certificates are to be obtained for the building works and any civil works.

Dilapidation Report:

8. Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason: To establish and document the structural condition of adjoining properties and public land for comparison as building work progresses and is completed.

Driveway longsection:

9. Driveway long sections that are compliant with AS2890.1 for the ramp from the Ground floor to the basement carpark are to be submitted to the Certifying Authority **prior to issue of a Construction Certificate**.

Note: The long-sections are to include details to show that there is adequate headroom along the full length of the ramp.

Stormwater and Drainage Works Design

10. Design details of the stormwater system being drained to Council infrastructure is to be approved by the Certifying Authority **prior to issue of a Construction Certificate**.

The on-site drainage system is to be designed in accordance with the Northern Rivers Handbook of Stormwater Drainage Design. Calculations showing the effect of the proposed development on design storm run-off flow rates and the efficacy of proposed measures to limit the flows as set out in this condition are to be submitted with the design details.

The design is to achieve compliance with the relevant controls of Coffs Harbour City Council

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Water Sensitive Urban Design Policy. An Operation and Maintenance Plan shall accompany the design for the system.

(1) The design is to include details of any existing stormwater infrastructure which the development will utilise (if any);

(2) The Stormwater design is to demonstrate compliance with AS3500.3, and reflect the levels shown on the architectural drawings (or vice versa);

(3) An updated Hydraulic analysis (DRAINS or equivalent) is to be undertaken which includes (but not limited to) the existing On-Site Detention storage (plus any orifice sizes) within the drainage easement. Modification will be required if this is deemed inadequate.

a. The condition of any existing measures (i.e. On-Site Detention tank) are to be verified

b. Long sections with Hydraulic Grade Lines are to be provided.

Equitable Access (New Building - Access and Facilities):

11. The building is to be provided with access and facilities for people with disabilities.

The applicants' attention is directed 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.**

Noise Control from Pacific Highway:

12. The proposed development shall be designed such that the road traffic noise from the existing Pacific Highway is mitigated by durable materials in accordance with Clause 2.120 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* and the *Development Near Rail Corridors & Busy Roads Interim Guideline 2008*, prepared by the Department of Planning.

A report from a suitably qualified person detailing the proposed method/s of addressing the above requirements being submitted to and approved by the Certifying Authority **prior to the issue of a Construction Certificate.**

Section 7.11 (formerly sec 94) Monetary Contributions:

13. Payment to Council of contributions, at the rate current at the time of payment, towards the provision of the following public services or facilities:

Note 1 - The contributions are to be paid prior to release of any Construction Certificate unless other arrangements acceptable to Council are made.

Note 2 - The rates will be adjusted in accordance with the procedures set out in Council's Section 7.11 (formerly sec 94) Contributions Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at least annually.

Note 3 - If the development is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.

	\$ Per Small Unit	\$ Per Large Unit
- Coordination and Administration	196.77	281.10

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- Coffs Harbour Road Network	703.20	1,004.57
- Surf Rescue Facilities	114.13	163.04
- District Open Space	3,208.56	4,583.65
<i>Subtotal per dwelling</i>	<i>4,222.66</i>	<i>6,032.36</i>

The Section 7.11 (formerly sec 94) contribution is currently **\$306,444.52**.

Contributions have been imposed under the following plans:

- Coffs Harbour Open Space 2017
- Coffs Harbour Road Network 2016
- Surf Rescue Facilities 2016
- Coffs Harbour Administration Levy 2016

The Contribution Plans may be inspected at the Council Customer Service Centre, 2 Castle Street, Coffs Harbour or on Council's web site, <https://www.coffsharbour.nsw.gov.au/Home>

Outdoor Lighting:

14. All outdoor lighting shall comply with, where relevant, AS/NZ 1158.3:1999 "*Pedestrian Area (Category P) Lighting*" and Australian Standard AS 4282:1997 "*Control of the Obtrusive Effects of Outdoor Lighting*". Details demonstrating compliance with these requirements being submitted to the satisfaction of the Certifying Authority **prior to issue of a Construction Certificate**.

Building in the Vicinity of Sewer Mains

15. **Prior to issue of a Construction Certificate**, piercing details and plans for structures within close proximity to the sewer main must be provided to Council for approval.

Note: Close proximity to the sewer main is defined in accordance with Councils '*Construction in the Vicinity of and Protection of Council Underground Assets Policy*.'

Retaining Works:

16. A construction certificate is required for retaining walls exceeding 600mm in height. Timber retaining walls exceeding 600mm in height are not to be permitted within 1 metre of the boundary

PRIOR TO COMMENCEMENT OF WORKS

Notice - Dilapidation Report:

17. Before the commencement of any site or building work, the principal certifier must ensure the adjoining building owner(s) is provided with a copy of the dilapidation report for their property(ies) no less than 7 days before the commencement of any site or building works and provide a copy of the report to Council at the same time.

Site Notice:

18. 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:

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- (1) Details of the Principal Contractor and Principal Certifier 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.

Notice to be Given Prior to Commencement:

19. The Principal Certifier and Council shall be given written notice, at least 48 hours prior to the commencement of earthworks on the site;

The Principal Certifier is to be given a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifier via the notice under Section 6.6 of the *Environmental Planning and Assessment Act 1979*.

Contact Telephone Number:

20. 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.

Construction Management Plan

21. A Construction Management Plan must be submitted to and approved by the Certifying Authority **prior to the commencement of works**.

The plan must document the proposed method of work within the construction site boundaries with regard to the health and safety of the public and effect on the road reserve.

If any part of the road reserve or public land is proposed for long term (exceeding 24 hours) inclusion in the construction site boundaries this area must be identified in the Construction Management Plan. The road reserve is classed as the property boundary to opposite property boundary and includes roadway, nature strip and footpath.

Traffic Management Plan

22. A Traffic Management Plan must be submitted with the Construction Management Plan for approval by the Certifying Authority **prior to the commencement of works**.

The Plan must show the proposals for reducing any impact of the construction site on the adjacent traffic network. This plan will include traffic management of short term activities such as delivery of materials; accessing, exiting and parking in and near the work site by cranes, concrete agitator trucks; tradesmen work vehicles and the like.

- a. The Traffic Management Plan may include Traffic Control Plans detailing proposed methods to ensure safe vehicle access into and out of the general traffic stream, pedestrian control and safe transfer of materials from road reserve to construction site. The Traffic Management Plan should be and any associated Traffic Control Plans must

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be, prepared by a person authorised by Transport for NSW to prepare Traffic Control Plans. Any Traffic Control Plan must be approved by Council.

- b. An estimate of the number of vehicles that will need to be accommodated at various stages of the construction and what arrangements have been made to accommodate that number of vehicles is to be included in the Traffic Management Plan.
- c. Should it become necessary to occupy the road reservation for any reason not included in the approved Traffic Management Plan, even short term, then a specific Traffic Control Plan for the event or events is to be provided to Council. The submission must include the reasons that the occupation is required and any revision of the Construction Management Plan and/or Traffic Management Plan to accommodate the change in the construction methodology.

Erosion and Sediment Control:

- 23. Prior to commencement of work on the site for each stage of the development, erosion and sedimentation control measures are to be installed and operational, including the provision of a “shake down” area, where required to the satisfaction of the Principal Certifier.

Water Meters:

- 24. A water reticulation plan is to be submitted to Council's Water Services Section for approval prior to water fitting work commencing. Note, individual Council water meters are to be provided to all units and common areas.

Note: Water connection to be on 250ø water main on McLean St.

Removal of Hazardous Materials:

- 25. All hazardous materials shall be removed from the site and shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works. Details demonstrating compliance with the relevant legislative requirements, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Principal Certifier prior to the removal of any hazardous materials.

Asbestos Removal

- (a) Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under Clause 458 of the Work Health and Safety Regulation 2011.
- (b) The person having the benefit of the development consent must provide the Principal Certifier with a copy of a signed contract with such a person before any development pursuant to the development consent commences.
- (c) Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.
- (d) If the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the

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development consent must give the Principal Certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

Demolition Works:

26. 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".

Prior to demolition all services are to be disconnected and capped off. Council's Water Services Section is to be notified, two working days prior to demolition, of the intention to commence the works. Disconnection of any sewer drainage lines shall be sealed to prevent ingress of water and debris into the sewerage system.

Where water and sewerage services are no longer required the required fee for disconnection being paid to Council's Water Services Section prior to the commencement of any demolition work.

Demolition Bond:

27. A damage deposit and administration fee as determined by Council's Fees and Charges Schedule shall be lodged with Council as a bond to cover possible damage to Council's property that may result during the removal of demolition material from the site. The deposit is to be lodged with Council and arrangements made for a dilapidation survey to be undertaken to assess the condition of Council property adjoining the land prior to the commencement of demolition work.

Sanitary Plumbing and Draining:

28. 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

Shoring and Adequacy of Adjoining Property

29. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense —

- a) Protect and support the building, structure or work from possible damage from the excavation, and
- b) Where necessary, underpin the building, structure or work to prevent any such damage.

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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.

Approved Plans to be On-Site:

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30. 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 Certifier.

Excavated Material:

31. Where excavated material is to leave the site it is to be disposed of at an approved landfill facility.

Alternatively, where it is proposed to dispose of the excavated material at another location no material is to leave the site until:

- Council has been advised in writing of the destination site(s); and
- Council has been advised of the quantity and makeup of the material; and
- Council has issued written approval for disposal to the alternate location(s).

Note: The exportation of fill or soil from the site must be in accordance with the provisions of the Protection of the Environment Operations Act (POEO) 1997 and the Office of Environment and Heritage "*Waste Classification Guidelines*" and shall comply with the terms of any approval issued by Council.

Waste and Contamination:

32. The exportation of waste (including fill or soil) from the site must be in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the Office of Environment and Heritage "*Waste Classification Guidelines*".

Any new information that comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Principal Certifier.

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Erosion and Sediment Control:

33. All erosion and sediment control measures, as designed in accordance with the approved plans 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:

34. 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; and
 - (5) Rumble grids being installed at access points to the site.

Hours of Work:

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

Monday to Friday	7.00 am - 6.00 pm
Saturday	7.00 am - 1.00 pm if inaudible from adjoining residential properties otherwise 8.00 am - 1.00 pm

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

Public Way to be Unobstructed:

36. The road reserve 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:

37. 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 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, Northern Aboriginal Heritage Unit and Aboriginal Stakeholder groups.

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Stormwater:

38. 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 onto adjoining properties.

Swimming Pool Fencing:

39. An inspection of the completed swimming pool barrier (complying with the Swimming Pools Act 1992) must be undertaken by the Principal Certifier as soon as practicable after the barrier has been erected. No water shall be placed in the swimming pool unless appropriate temporary safety measures have been implemented pending the completion of a permanent complying safety barrier.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

Occupation Certificate:

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

Parking Spaces:

41. **Prior to the release of an Occupation Certificate** car parks are to be provided as per the approved plans and marked per the minimum allocations as follows:
- 94 Residential Tenancy
 - 3 Commercial Tenancy
 - 22 Visitors
 - 1 Deliveries/Visitor

Stacked/tandem parking spaces are both to be allocated to the same residential tenancy.

Note: Provisions are to be put in place to ensure visitors can utilize visitor parking spaces within the gated car parking area if required.

Internal Driveway

42. All internal driveways and manoeuvring areas in accordance with Australian Standard AS2890.1 "Off Street Parking" are to be sealed with appropriate storm water drainage measures provided on-site. These works are to be completed **prior to the issue of an Occupation Certificate** for the development.

Note: Types of sealed driveways may include but are not limited to concrete, paving, asphalt.

Installation:

43. **Prior to issue of Occupation Certificate** the consultant design engineer 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.

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Access Works:

44. Sealed driveways being constructed over the footpath at right angles to the road in accordance with Council's standard drawings. Any existing driveways which are not required for the development are to be removed and the footpath reinstated. All such work is subject to a separate driveway application, fees and approval by Council.

These works are to be completed **prior to the issue of an Occupation Certificate** for the development.

Vehicle Gutter Crossing:

45. **Prior to the issue of an Occupation Certificate** a vehicle gutter crossing is to be provided. Such work is subject to separate application, fees and approval from Council.

Stormwater Management Certification:

46. **Prior to the 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.

Individual Council Water Meters:

47. Individual Council water meters are to be provided to all units and common areas **prior to issue of an Occupation Certificate**.

BASIX:

48. All of the commitments listed in each relevant BASIX Certificate for the development being fulfilled **prior to the issue of an Occupation Certificate**.

Pool Filter Backwashing:

49. All wastewater from the pool filter backwashing process is to be disposed of on-site without causing nuisance/damage to other land. Such disposal being clear of onsite sewerage disposal areas and all work being completed **prior to issue of an Occupation Certificate**.

Pool Waste Water (Sewer Areas):

50. All wastewater from the pool filter backwashing process is to be disposed to Council's sewer main **prior to the issue of Occupation Certificate** via a suitable 100mm diameter gully trap. A minimum air gap of 100mm is to be provided between the discharge outlet and the gully grate.

Swimming Pool Warning Notice / Resuscitation Chart:

51. **Prior to issue of an Occupation Certificate** for the pool, a sign displaying all warning notices required by Clause 10(1) of the Swimming Pools Regulation 2018 must be permanently fixed and displayed. The sign is to be located in a prominent position in the immediate vicinity of the pool.

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Swimming Pool Register:

52. The swimming pool is to be registered on the NSW Swimming Pool Register <https://www.swimmingpoolregister.nsw.gov.au/> **prior to the issue of an Occupation Certificate.**

Road Design and Services:

53. The following works:
- (a) roads;
 - (b) access;
 - (c) footpaths and pathways;
 - (d) water;
 - (e) sewer.

being provided to serve the development with the works conforming with the standards and requirements set out in Council's Development Design and Construction specifications and relevant policies (WSUD).

These works are to be completed **prior to the issue of an Occupation Certificate.**

All work is to be at the developer's cost.

Maintenance Bond

54. **Prior to issue of an Occupation Certificate** and acceptance of 'On Maintenance' period, a maintenance bond for the constructed civil engineering works required to be dedicated to Council must be paid to Council, unless other suitable arrangements are made with Council. The bond may be in cash or by financial institution guarantee.

The bond required is the larger sum of:

- 10% of the contract sum for works associated with water and sewer plus 5% of the contract sum for all other works where the total value is more than \$50,000 or;
- \$5,000

All work to be dedicated to Council is subject to a maintenance period of six (6) months from the date of the Occupation Certificate issued by Council or accredited private certifier. The maintenance period may be extended by Council due to material or construction work compliance reasons or if an Occupation Certificate approval is delayed beyond the maintenance period.

At the end of the Maintenance Period an 'Off Maintenance' inspection must be held with Council or accredited private certifier to confirm the compliance and performance of the constructed works, in accordance with Councils Standards.

Note: If a financial institute guarantee is proposed to be used, please contact Council to determine whether this institute is acceptable to Council as well as to ascertain specific requirements of the guarantee.

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Street Tree Planting:

55. 5 street trees being planted along the *McLean Street* frontage of the site in accordance with the approved Street Tree Plans and minimum requirements.

The planting is to be maintained for a period of twelve (12) months in accordance with Council's requirements to ensure successful establishment.

A bond per tree is to be paid to Council **prior to issue of an Occupation Certificate**. The bond is to be returned at the end of the twelve-month maintenance period only where plantings have been successfully established.

Landscaping Works:

56. **Prior to the issue of an Occupation Certificate** a works as executed plan is to be submitted to the Principal Certifier, certifying that all landscape works have been carried out in accordance with the approved plan.

Work as Executed Plan

57. **Prior to the issue of an Occupation Certificate**, a work as executed plan endorsed by a registered surveyor or consulting engineer (hard or digital format) in accordance with Council specifications and standard drawings, being submitted to Council certifying that:
- the civil works approved in accordance with Condition number "*insert condition number*" have been undertaken with any amendments shown in red on the approved plans.
 - All drainage lines, sewer lines, services, and structures are wholly contained within the relevant easement;
 - The plans accurately reflect the work as executed.

OPERATIONAL MATTERS

Parking Areas:

58. Car Parking areas approved in accordance with condition number 3 above are to be maintained in a serviceable condition at all times.

Loading and Unloading:

59. 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:

60. 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.

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Hours of Operation – Commercial Operations

61. This consent recognises that the hours of operation of the commercial tenancy are as follows:

Monday to Sunday: 7am to 7pm.

Advertising Signage:

62. A separate development application for any proposed advertising signs (other than those identified as exempt in Schedule 2 of the Coffs Harbour City Local Environmental Plan 2013) being submitted to Council for approval prior to the erection or display of any such signs.

Noise:

63. Noise emanating from the premises shall at all times be in accordance with the provisions of the *Protection of the Environment (Operations) Act 1997*.

Landscape Works:

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

Swimming Pool Barrier:

65. Fences, gates, walls, etc. enclosing the general swimming pool area being maintained in good repair and condition at all times.

Stormwater

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

Sewer manholes, inspection openings and water meters

67. 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.

ADVISORY NOTES

Public Road Reserves:

No work is to be undertaken within a public road reserve without prior written approval from Council. Applications for such approval are to be accompanied by the necessary security deposit and must satisfy Council that adequate Public Liability Insurance has been obtained, with Council being nominated as co-insured.

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Civil Works Certificate

A Civil Works Certificate means a:

- Subdivision Works Certificate (SWCs) in accordance with the Environmental Planning and Assessment Act 1979 Part 6;
- Section 138 & 139 Roads Act 1993 (road opening) approval issued by Council and/or **Transport for NSW (TfNSW)**;
- Section 68 Local Government Act (drainage, water & sewer) approval; and
- Approval of Civil engineering works for development on private property. (Refer Environmental Planning and Assessment Act 1979 Part 6, Section 74A Building Professionals Act - Categories C1 to C6 inclusive and Section 20C 'Building Professionals Regulations').

A **Civil Works Certificate** may be issued by Council and/or accredited private certifier subject to the applicable NSW legislation.
