

LIST OF PROPOSED CONDITIONS

NOTE: THESE ARE DRAFT ONLY

DA NO: 2022/901

DATE: 03/11/2023 V4

PRESCRIBED CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 4 - Division 2 of the *Environmental Planning & Assessment Regulations* 2021.

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
Site Plan - Existing	PMP2 -DA-SITE-E	Health Projects International	13 September 2023
Site Plan - Proposed Stage 1	PMP2-DA-SITE-ST1	Health Projects International	13 September 2023
Site Plan - Proposed Stage 2	PMP2-DA-SITE-ST2	Health Projects International	13 September 2023
Site Signage Plan	PMP2-DA-SIGNAGE	Health Projects International	13 September 2023
Acoustic Wall Elevations - Stage 1 & 2	PMP2-DA-E-AW	Health Projects International	13 September 2023
Demolition Plan - Ground Floor - Overall - Stage 1	PMP2-DA-OD-G-ST1	Health Projects International	13 September 2023
Overall Ground Floor Plan - Stage 1	PMP2-DA-OP-G-ST1	Health Projects International	13 September 2023
Overall Level 1 - Floor Plan - Stage 1	PMP2-DA-OP-1-ST1	Health Projects International	13 September 2023
Overall Roof Plan - Stage 1 - Stage 1	PMP2-DA-OP-R-ST1	Health Projects International	13 September 2023
Parking Plan - Stage 1	PMP2-DA-CP-ST1	Health Projects International	13 September 2023

Demolition Plan - Ground Floor - Zone A - Stage 1	PMP2-DA-D-GA-ST1	Health Projects International	13 September 2023
Demolition Plan - Ground Floor - Zone B - Stage 1	PMP2-DA-D-GB-ST1	Health Projects International	13 September 2023
Ground Floor Plan - Zone A - Stage 1	PMP2-DA-P-GA-ST1	Health Projects International	13 September 2023
Ground Floor Plan - Zone B - Stage 1	PMP2-DA-GB-ST1	Health Projects International	13 September 2023
Level 1 - Zone A - Stage 1	PMP2-DA-1A-ST1	Health Projects International	13 September 2023
Level 1 - Zone B - Stage 1	PMP2-DA-1B-ST1	Health Projects International	13 September 2023
Elevations 1 - Stage 1	PMP2-DA-E-1-ST1	Health Projects International	13 September 2023
Elevations 2 - Stage 1	PMP2-DA-E-2-ST1	Health Projects International	13 September 2023
Sections - Stage 1	PMP2-DA-S-1-ST1	Health Projects International	13 September 2023
Shadow Diagram - Existing	PMP2-DA-SD-1	Health Projects International	13 September 2023
Shadow Diagram - Proposal - Stage 1	PMP2-DA-SD-2-ST1	Health Projects International	13 September 2023
3D View - Stage 1 - Front Entrance	PMP2-DA3D-1-ST1	Health Projects International	13 September 2023
3D View - Stage 1 Parker Street Entrance	PMP2-DA-3D-2-ST1	Health Projects International	13 September 2023
Ground Floor Plan & Sections (Café)	PMP2-DA-CAFÉ-ST1	Health Projects International	13 September 2023
Demolition Plan - Ground Floor - Overall - Stage 2	PMP2-DA-OD-G-ST2	Health Projects International	13 September 2023
Overall Ground Floor Plan - Stage 2	PMP2-DA-OP-G-ST2	Health Projects International	13 September 2023
Overall Level 1	PMP2-DA-OP-1-ST2	Health Projects	13

Floor Plan - Stage 2		International	September 2023
Roof Plan - Stage 2	PMP2-DA-OP-R-ST2	Health Projects International	13 September 2023
Parking Plan - Stage 2	PMP2-DA-CP-ST2	Health Projects International	13 September 2023
Demolition Plan - Ground Floor Plan - Stage 2	PMP2-DA-D-Gb-ST2	Health Projects International	13 September 2023
Demolition Plan - Ground Floor - Zone B - Stage 2	PMP2-DA-P-Gb-ST2	Health Projects International	13 September 2023
Ground Floor Plan - Zone B - Stage 2	PMP2-DA-P-1b-ST2	Health Projects International	13 September 2023
Elevations - Stage 2	PMP2-DA-E-1-ST2	Health Projects International	13 September 2023
Sections - Stage 2	PMP2-DA-S-1-ST2	Health Projects International	13 September 2023
Shadow Diagram - Proposal - Stage 2	PMP2-DA-SD-ST2	Health Projects International	13 September 2023
3D View - Stage 2 - Day Surgery Entrance	PMP2-DA-3D-ST2	Health Projects International	13 September 2023
Landscape Plan - Overall Plan	100 Rev B	Site Image Landscape Architects	21 February 2023
Landscape Plan 1	SS22-4931 101 Rev B	Site Image Landscape Architects	22 February 2023
Landscape Plan 2	SS22-4931 101 Rev B	Site Image Landscape Architects	22 February 2023
Landscape Plan 3	SS22-4931 101 Rev B	Site Image Landscape Architects	22 February 2023
Landscape Plan 4	SS22-4931 101 Rev B	Site Image Landscape Architects	22 February 2023
Landscape Specification & Plant Schedule	SS22-4931 500 Rev B	Site Image Landscape Architects	22 February 2023
Landscape Details	SS22-4931 501 Rev B	Site Image Landscape	22 February 2023

		Architects	
Traffic Impact Assessment	23.170r01v04	TRAFFIX	13 September 2023
Noise & Vibration Assessment	220225-AC-DA [B] REV B	JHA	10 March 2023
Bushfire Assessment Report	22194	Building Code & Bushfire Hazard Solutions P/L	28 September 2022
Waste Management Plan	V2	MRA Consulting Group	27 February 2023
Targeted Asbestos Investigation	114225S	Presna	May 2023
Arboricultural Impact Assessment & Tree Protection Plan	Nil Addendum letter: New Carpark	Accomplished Tree Management	20 September 2022 27 June 2023
Koala Development Assessment Report	23THIN02	Travers Bushfire & Ecology	8 May 2023
Draft Construction Staging & Management Plan	Nil	Erilyan	11 September 2023

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 building or subdivision 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.

- (3) (A003) The developer shall obtain the following certificates relevant to the development in accordance with Part 6 of the Environmental Planning and Assessment Act 1979:
- Construction Certificate;
 - Occupation Certificate;
- (4) (A006) Approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council.
- (5) (A007) The development must only proceed in accordance with the approved stages as set out below:
- Stage 1: Demolition, alterations and additions to building including first floor extension at western elevation (Lake Road), car parking and landscaping as shown by the approved plans for Stage 1.
 - Stage 2: Alterations and additions to building including first floor extension at eastern elevation (Parker Street) as shown by the approved plans for Stage 2.

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.

- (6) (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.
- (7) (A009) The development site is to be managed for the entirety of work in the following manner:
- 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;
 - Appropriate dust control measures;
 - 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;
 - Building waste is to be managed via appropriate receptacles into separate waste streams;
 - 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.
 - 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 holidays
- The builder to be responsible to instruct and control their sub-contractors regarding the hours of work.
- (8) (A011) The design and construction of all public infrastructure works shall be in accordance with Council's adopted AUSPEC Specifications.
- (9) (A013) The general terms of approval from the following authorities, as referred to in section 4.50 of the Environmental Planning and Assessment Act 1979, and referenced below, are attached and form part of the consent conditions for this approval.
- **NSW Rural Fire Service** - The General Terms of Approval, Reference DA20221031011481-Original-1 and dated 18 January 2023, are attached and form part of this consent.
- (10) (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.
- (11) (A016) This consent does not override any requirements of the Environmental Protection and Biodiversity Conservation Act 1999.
- (12) Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change's (DECC) 'waste classification guidelines part 1: classifying waste'.
- (13) (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.

- (14) (A030) The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation at no cost to Council, in accordance with Council's current AUSPEC Specifications and Standards. All works must be approved by Council pursuant to Section 138 of the Roads Act.
- (15) (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.
- (16) (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.

- (17) (A062) The applicant shall submit to Port Macquarie-Hastings Council plans for the management of trade waste including pre treatment facilities to the sewerage authority for approval pursuant to Section 68 of the Local Government Act. Upon approval the proponent shall enter into a written "Trade Waste Agreement" with Council prior to discharging wastes.

A suitably sized plaster arrestor is to be installed if plaster casts are fitted or removed. If x-ray equipment is installed that generates silver bearing waste, the applicant has the option of having all silver bearing waste removed from site or discharging the waste to sewer via a 100 litre balancing pit and a silver recovery unit. Formal Trade Waste Approval will be required if either the plaster arrestor or silver recovery unit are to be discharged to sewer.

- (18) (A195) The ameliorative measures detailed on page 18 of the Koala Development Assessment Report, prepared by Travers Bushfire & Ecology, dated 8 May 2023, form part of this consent and shall be implemented at the respective stages throughout the development.

- (19) (A196) Tree protection measures detailed in Part 16 of Arboricultural Impact Assessment & Tree Protection Plan prepared by Accomplished Tree Management dated 22 September 2022, as amended 27 June 2023, form part of this consent and shall be implemented at the respective stages throughout the development.
- (20) (A197) Submission to the Principal Certifying Authority a final construction management plan that addresses but is not limited to:
- Notification of neighbours of commencement and likely time frames for construction.
 - Alternative arrangements for access and parking for staff and visitors, as appropriate.
 - Construction traffic, access and parking.
 - Dust control measures and noise control measures
 - Hours of work
 - Complaint handling procedures
 - Name and contact details for the Site Manager/Certifier

A copy of the plan to be provided on the Port Macquarie Private Hospital web site for the duration of the works.

- (21) (A198) A travel access guide, as recommended by the Traffic Impact Assessment, Traffix, September 2023, to be prepared and implemented prior to works commencing and for a minimum of two years following Occupation or issue of an Occupation Certificate.

The guide to include information about patient transport options, patient/visitor drop off areas, public transport, local bus networks including maps and timetables, cycle and pedestrian routes, end of trip facilities and taxis.

The guide to be provided to staff and visitors, and made available on the Port Macquarie Private Hospital web site.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
- Position and depth of the sewer (including junction)
 - Stormwater drainage termination point
 - Easements
 - Water main
 - Proposed water meter location
- (2) (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. Earthworks, including filling of the land for flood protection.
 3. Public parking areas including;
 - a. Driveways and access aisles;

- b. Parking bays
 - c. Delivery vehicle service bays & turning areas in accordance with AS2890.
 4. Sewerage reticulation.
 5. Water supply reticulation.
 6. 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.
 7. Retaining walls.
 8. Stormwater systems.
 9. Erosion & Sedimentation controls.
 10. 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
 11. Landscaping/waste management facilities.
 12. Traffic management control plan.
 13. Detailed driveway profile in accordance with Australian Standard 2890, AUSPEC D1, and ASD 202 and ASD 207, Port Macquarie-Hastings Council current version.
 14. Erection of any hoardings and or temporary buildings in/over the public road space.
- (3) (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
- (4) (B011) Prior to the issue of the Construction Certificate, a Compliance Certificate under Section 307 of the Water Management Act 2000 must be obtained from the Water Authority.

Note1: Port Macquarie-Hastings Council is defined as a Water Supply Authority under section 64 of the Local Government Act 1993. As part of the Notice of Requirements of the Water Authority under Section 306 of the Water Management Act 2000, the payment of a cash contribution is required, 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 and included as part of this consent unless deferral of payment of contributions has been approved by Council. The contributions are levied in accordance with either the provisions of the relevant Section 64 Development Servicing Plan or a Planning Agreement.

Note 2: A Section 307 Compliance Certificate issued by the Water Authority at the construction certificate stage only relates to the payment of contributions in accordance with the Development Servicing Plan or a Planning Agreement. A further Compliance Certificate may be required for other water management works prior to occupation or the issue of an Occupation Certificate relating to the development.

Note 3: The Water Authority will accept payment of the equivalent amount of contributions under Section 608 of the Local Government Act 1993.

- (5) The food premises (Café) is to be fitted with adequate hand washing facilities. Hand wash basins are required in addition to other basins on the premises and sinks in any amenities. The hand wash basin:
- Is to be fitted with a single spout that delivers warm potable water
 - Is capable of having running water turned off automatically, or without touching with hands (such as knee/foot operation, motion sensor, or by using forearms/elbows)
 - Is to be accessible and unobstructed for use at all times
 - Is to be located in the same room where the food activity is being undertaken.
- (6) (B037) The finished floor level of the building shall be at least 1050mm above the soffit of Council's sewer main. Details indicating compliance with this are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.
- (7) (B038) Footings and/or concrete slabs of buildings adjacent to sewer lines or stormwater easements are to be designed so that no loads are imposed on the infrastructure. Detailed drawings and specifications prepared by a practising chartered professional civil and/or structural engineer are to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.
- (8) (B090) Payment to Council, prior to the issue of a 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 plan may be viewed on Council's website or 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 plan. 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.

- (9) (B039) Detailed drawings and specifications prepared by a professional engineer for all retaining walls supporting:
- i. earthworks that are more than 600mm above or below ground level (existing); and located within 1m of the property boundaries; or

- ii. 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.

- (10) (B042) A certificate from an approved practising chartered professional civil and/or structural engineer certifying the structural adequacy of the proposed retaining walls is to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.
- (11) (B053) The design of car parking 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.
- (12) (B054) A driveway longitudinal section shall accompany the section 138 application pursuant to section 138 of the *Roads Act, 1993*. The section shall demonstrate compliance with Council's adopted AUSPEC Design and Construction Guidelines.
- (13) (B063) Prior to release of the Construction Certificate, submission of an updated and detailed landscape plan to the Principal Certifying Authority.
- (14) (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, Australian Rainfall and Runoff 2019, the requirements of Relevant Australian Standards and shall 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 shall incorporate on-site stormwater detention facilities to limit site stormwater discharge to pre development flow rates for all storm events up to and including the 1% AEP event. Summary calculations demonstrating compliance with the above requirements for the median storm in the critical duration for the design AEP shall be submitted (20%, 5% & 1% AEP at minimum). Alternative is to submit an electronic model in DRAINS format for electronic review. Note that pre development discharge shall be calculated assuming that the site is a 'greenfield' development site as per AUSPEC requirements.
 - c) The design shall include water quality controls designed to achieve the targets specified within AUSPEC D7.
 - d) Where works are staged, a plan is to be provided which demonstrates which treatment measure/s is/are to be constructed with which civil works stage. Separate plans are required for any temporary treatment (where applicable e.g. for building phase when a staged construction methodology is adopted) and ultimate design.
 - e) The design shall provide details of any components of the existing stormwater drainage system servicing the site that are to be retained.
- (15) (B195) The existing egress only driveway onto Lake Road (southern driveway) shall be upgraded to accommodate the left-in entry movement for service vehicles. A right turn movement into this driveway is not permitted, and the designs and plans shall include appropriate details to the satisfaction of Council to prevent this. Details shall be provided with the application for approval pursuant to Section 138 of the *Roads Act, 1993*.

- (16) (B196) Prior to the issue of the Construction Certificate, a suitably qualified and practising acoustic consultant shall submit certification to the satisfaction of the certifying authority which demonstrates that all mechanical plant and equipment to be installed in the building will comply with the Noise and Vibration Assessment prepared by JHA dated 10 March 2023 (Reference: 220225-AC-DA [B] REV B). The certification shall clearly state the nominated noise levels achieved.
- (17) (B197) Before the issue of the relevant Construction Certificate, written evidence of the following service provider requirements must be provided:
- Essential Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity.
 - Essential Energy confirming the location and protection measures for the proposed substation are satisfactory.
 - Essential Energy confirming the decommissioning of the redundant underground power lines traversing the south western part of the site upon commissioning of the new sub-station.
 - A response from Council as a Water Authority as to whether plans accompanying the application for Construction Certificate would affect any Water Authority infrastructure and whether any further requirements need to be met.
- (18) (B198) An unexpected Asbestos Containing Material (ACM) finds procedure is to be developed and followed during works, in the event of the discovery of potential ACM on site during the development.
- (19) (B199) Building work shall not encroach the easement to drain sewage over existing pipes shown as 'N' (DP793705) on the easement plan. Details shall be submitted to the Principal Certifying Authority with the application for Construction Certificate demonstrating compliance with this requirement.
- (20) (B200) Final water demand will need to be determined by a hydraulic consultant. Further modelling will be required as augmentation of existing infrastructure is considered to be likely. The design and any works shall be in accordance with Council's Water Supply for Development Procedure.
- (21) (B201) Final sewer discharge flow will need to be determined by a hydraulic consultant. Further modelling will be required as augmentation of existing infrastructure is considered to be likely. All work must comply with the requirements of Council's adopted AUSPEC Design and Construction Guidelines and Policies.
- (22) (B202) According to the design drawings, existing manhole PM13P006MH which is located in the NE portion of the property is to be located in a carpark. This manhole shall be fitted with a heavy duty trafficable lid and be finished to match the surface level and grade of the car park at that location.
- (23) (B203) First floor windows facing the side boundary (south) to include screening or obscure glass/translucent film and be non-opening to a minimum 1.5m above floor level to prevent views towards adjacent properties. Details to be provided to the Certifying Authority with the Construction Certificate.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C001) A minimum of one (1) week's 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) (C004) Prior to works commencing an application being made to the electricity and telecommunications service providers. Services are required to be underground.

Any changes to infrastructure in order to accommodate compliant clearances, will need to be done in accordance with the service provider requirements and at the applicant/developers expense.

- (3) (C013) Where a sewer manhole and/or 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.
- (4) (C017) A CCTV inspection to assess the condition of Council's sewer mains shall be undertaken prior to construction work commencing and at the completion of all construction work in accordance with the Conduit Inspection Reporting Code of Australia WSA 05, at no cost to Council. Any damage to Council's sewer mains as a result of the construction work shall be rectified using a method approved by Council, at no cost to Council.

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:
- at completion of installation of erosion control measures
 - prior to installing traffic management works
 - at completion of installation of traffic management works
 - when the sub-grade is exposed and prior to placing of pavement materials;
 - when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - at the completion of each pavement (sub base/base) layer;
 - before pouring of kerb and gutter;
 - prior to the pouring of concrete for sewerage works and/or works on public property;
 - on completion of road gravelling or pavement;
 - during construction of sewer infrastructure;
 - during construction of water infrastructure;
 - 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) (D024) Any abandoned sewer junctions are to be capped off at Council's sewer main and Council notified to carry out an inspection prior to backfilling of this work.
- (5) (D029) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601: *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](#)

- (6) (D037) Noise from construction activities (measure as the $LA_{eq,15\ min}$ noise level) shall not exceed the background noise level (measured as the LA_{90} noise level in the absence of the source), for periods of construction between 4 and 26 weeks by 10 dB(A), and for periods of construction exceeding 26 weeks by 5 dB(A), in any Octave Band Centre Frequency, when measured at any affected residence, or premises.
- (7) (D038) Disturbance or excavation of soils that is likely to lower the water table by 1 metre shall not occur to ensure that acid sulphate soils are not exposed and oxidised unless an acid sulphate soils management plan has been prepared for the proposed works in accordance with the Acid Sulphate Soils Manual and has been provided to Council.
- (8) (D040) No waste is to be disposed of by burning.
- (9) (D044) An Arborist, with a minimum qualification AQF level 5 (diploma level) or an international qualification considered equivalent by council, or a person deemed suitable by Council, shall be engaged to supervise all on site clearing and shall certify in writing clearing has occurred in accordance with the approved plans and conditions of this consent.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

- (1) (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.
- (2) (E024) The Food Premises and any Cooling Tower / Warm Water System that is installed is required to be notified to council. The notification form is available on Council's website. NOTE: there are statutory notification fees for notification to be paid to council.
- (3) (E025) Prior to occupation or the issue of an Occupation Certificate, provide a certificate from the installer certifying that the mechanical ventilation system meets the requirements of AS 1668 Parts 1 & 2. The certificate must include:
 - a) Inspection, testing and commissioning details
 - b) Date of inspection, testing and commissioning

c) The name and address of the individual/company, who carried out the test

Statement that the service has been designed, installed and is capable of operating to AS 1668.

- (4) (E027) Prior to the café commencing operation, the applicant is required to organise a final site health inspection to be conducted by one of Council's Environmental Health Officers.
- (5) (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.
- (6) (E034) Prior to occupation or the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (7) (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.
- (8) (E053) All works relating to public infrastructure shall be certified by a practicing Civil Engineer or Registered Surveyor as compliant with the requirements of AUSPEC prior to issue of Occupation Certificate or release of the security bond.
- (9) (E057) 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.
- (10) (E060) Prior to Council accepting new sewer infrastructure, a CCTV inspection of all new and modified sewer assets must be undertaken in accordance with the Conduit Inspection Reporting Code of Australia WSA 05.

A copy of the CCTV inspection footage and inspection report prepared and certified by a suitably qualified person shall be provided to Council prior to the acceptance of works into the nominated 'into maintenance period'.
- (11) (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 Council. Such works shall include, but are not limited to the following:
 - The relocation of underground services where required by civil works being carried out.
 - The relocation of above ground power and telephone services
 - The relocation of street lighting
 - The matching of new infrastructure into existing or future design infrastructure
- (12) (E082) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision or Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.
- (13) (E061) Landscaped areas being completed prior to occupation or issue of the Occupation Certificate and being maintained at all times. Any landscaping that

fails will need to be replaced. Landscaping to be located within the site and shall not extend onto the adjacent property or the road reserve.

- (14) (E040) Each onsite detention system is to be marked by a plate in a prominent position which states:

“This is an onsite detention system. It is an offence to reduce the volume of the tank or basin or interfere with any part of the structure that controls the outflow”.

This plate is to be fixed into position prior to occupation or the issue of the Occupation or Subdivision Certificate.

- (15) (E041) At the completion of works on private property certification is to be provided to Port Macquarie-Hastings Council from a practising civil or structural engineer that all stormwater works have been undertaken in accordance with the approved plans and Australian Standard 3500

- (16) (E046) On completion of the on-site stormwater detention system (OSD), the owner of the property is responsible for:

- a) Maintaining and keeping clear all pits, pipelines, screens, orifice and other structures associated with the on-site stormwater detention facilities (“OSD”).
- b) Having the OSD inspected annually by a competent person.

The Council shall have the right to enter the development lot, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order any structures or components in or upon the land which comprise the OSD or which convey stormwater from the said land; and recover the costs of any such works from the landowner.

- (17) (E048) On completion of the stormwater water quality control device (SQID), the owner of the property is responsible for:

- a) Maintaining and keeping clear all components of and structures associated with the SQID in accordance with the maintenance plan so as to ensure the system achieves the nominated performance targets.
- b) Having the SQID inspected annually by a competent person.

The Council shall have the right to enter upon the development lot, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order all components or structures in or upon the said land which comprise the SQID and recover the costs of any such works from the landowner.

- (18) (E195) Prior to issue of Occupation Certificate for Stage 1 the replacement koala food trees shall be planted as detailed in the approved landscape plans prepared by Site Image Landscape Architects 22 February 2023 consisting of 2 x Cabbage gum (*Eucalyptus amplifolia*), 2 x Grey gum (*Eucalyptus punctata*), 2 x Tallowwood (*Eucalyptus microcorys*) and 4 x Swamp mahogany (*Eucalyptus robusta*). Replacement trees to be located clear of services.

- (19) (E196) Prior to issue of Occupation Certificate for Stage 1 the following measures must be implemented:

- Koala signage installed to warn motorists of koala activity on the premises.
- Internal parking areas and roads limited to 10km speed zones with advisory signs.

- (20) (E197) Prior to issue of the Occupation Certificate for Stage 1, the provision of all car parking spaces as shown on ‘Parking Plan - Stage 1’ (Reference: DA-CP-ST1).

- (21) (E199) An acoustic screen/barrier is to be constructed at the south western car park identified in the acoustic report by JHA dated 10 March 2023 (Reference: 220225-AC-DA [B] REV B). The barrier is to be certified to meet the noise attenuation requirements in the report.
- (22) (E200) A maximum of 90 hospital beds to be provided at the site upon completion of Stage 2. Details to be provided to Principal Certifying Authority (PCA) prior to issue of the Occupation Certificate for Stage 2.

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 operation of development for use by both staff and patrons, except as provided by Condition F(2). A total of 159 spaces are to be provided on the site.
- (2) (F195) Car parking spaces shown numbered 144 to 159 on 'Parking Plan - Stage 1' (Reference: DA-CP-ST1) to be restricted for use between 7.00am and 7.00pm only.
- (3) Parking for a minimum of 10 bicycles to be provided in accordance with AS 2890.
- (4) (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.
- (5) (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.
- (6) (F025) Garbage and waste collection service is restricted to the following hours:
 - 7am to 6pm – Mondays to Fridays (including public holidays falling on a weekday).
 - No collections are to be carried out on weekends.
- (7) (F019) Clinical wastes shall be removed from the site by an approved contaminated waste contractor for disposal at an approved facility licenced to receive such waste.
- (8) (F020) Liquid materials, including cooking oil are to be stored in roofed and imperviously bund area. The bund shall be capable of containing 110% of the capacity of the largest container stored, or 25% of the total storage volume, whichever is greatest.
- (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 control of the obtrusive effects of outdoor lighting. No flashing, moving or intermittent lighting is permitted on the site.
- (10) (F037) Signs shall not be illuminated.
- (11) (F196) Landscape areas to be well maintained to ensure regular roadside weed management to increase driver visibility and all planted koala food trees to be managed on site and replaced if any failure occurs.