

**ADMINISTRATIVE CONDITIONS**

**Development Description:**

1. Development consent is granted only to carrying out the development described in detail below:
  - ***Boarding House and Boundary Alteration Subdivision***

**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 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. 0741/23DA).

<b>Plan No. / Supporting Document(s)</b>	<b>Title</b>	<b>Rev</b>	<b>Prepared by</b>	<b>Dated</b>
Project No. 22026. Dwg No. DA-010	Existing / Demolition Site plan	D	Become	17/05/23
Project No. 22026. Dwg No. DA-015	Proposed Site Plan	E	Become	19/10/23
Project No. 22026. Dwg No. DA-100	Proposed Ground Level	J	Become	19/10/23
Project No. 22026. Dwg No. DA-101	Proposed Level 01 Plan	H	Become	19/10/23
Project No. 22026. Dwg No. DA-102	Proposed Level 02 Plan	C	Become	19/10/23
Project No. 22026. Dwg No. DA-103	Proposed Level 03 Plan	E	Become	19/10/23
Project No. 22026. Dwg No. DA-104	Proposed Level 04 Plan	B	Become	17/05/23
Project No. 22026. Dwg No. DA-105	Proposed Level 05 Plan	H	Become	19/10/23
Project No. 22026. Dwg No. DA-106	Proposed level 06 Plan	D	Become	19/10/23
Project No. 22026. Dwg No. DA-107	Proposed Roof Plan	E	Become	19/10/23

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Plan No. / Supporting Document(s)	Title	Rev	Prepared by	Dated
Project No. 22026. Dwg No. DA-400	Proposed Building Elevation	F	Become	19/10/23
Project No. 22026. Dwg No. DA-401	Proposed Building Elevation	F	Become	19/10/23
Project No. 22026. Dwg No. DA-402	Proposed Building Elevation	F	Become	19/10/23
Project No. 22026. Dwg No. DA-403	Proposed Building Elevation	F	Become	19/10/23
Project No. 22026. Dwg No. DA-404	Proposed Building Elevation	D	Become	19/10/23
Project No. 22026. Dwg No. DA-420	Proposed Building Sections	F	Become	19/10/23
Project No. 22026. Dwg No. DA-421	Proposed Building Sections	F	Become	19/10/23

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.

### Development in Accordance with Documents:

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

Planning Documentation

- (1) *Acoustic Report prepared by Acoustic Logic dated 2 May 2023*
- (2) *Statement of Environmental Effects of Keiley Hunter Town Planning*
- (3) *Plan of Management of Keiley Hunter Town Planning*

### Staging of Development:

5. This development consent acknowledges that the construction of the project will be staged.

#### Stage one to comprise:

- Subdivision (Boundary Adjustment)

#### Stage two works to comprise:

- Construction of ground floor level and Building 'A' and 'B'.

### PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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### 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 Certifying Authority has been appointed.

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

### Design Amendments:

7. Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:
  - a) The provision of perimeter fencing being provided along the northern side boundary. The fencing shall comprise of a solid material (no openings) and measure 1.8m above respective ground level.

### Landscape Plan Modifications:

8. A revised landscape plan shall be submitted to and approved by the PCA **prior to the issue of a Construction Certificate**.
  - a) The landscape plans must be modified to reflect the landscaped areas shown on the stamped approved plans of 'Become' and be designed in accordance with the requirements of the CHCC DCP.

### Traffic Management Plan:

9. A Traffic Management Plan must be submitted with the Construction Management Plan for approval by Council prior to the issue of a Construction Certificate. The Plan must show the proposals for reducing any impact of the construction site on the adjacent traffic network and detail procedures for notifying residents and the community of any potential disruption. 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. Unimpeded access shall be maintained to neighbouring properties unless prior approval is obtained from Council.

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

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.

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

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Plan and/or Traffic Management Plan to accommodate the change in the construction methodology.

### **Demolition and Construction Waste Management Plan:**

10. **Prior to issue of a Construction Certificate**, the proponent shall submit to the satisfaction of Council a Demolition and Construction Waste Management Plan prepared by a suitably qualified person in accordance with Council's DCP Sections F6.5, F6.7 and the below.

The Plan shall include the following provisions:

- Identify all demolition and construction waste type and volumes (including any hazardous waste types eg Asbestos)
- Identify the disposal facility for each waste type identified
- Identify on a site plan the number and size of bins and location of bins to be used during demolition and construction to ensure separation of the waste types and volumes for transport and disposal
- all waste building materials shall be reused, recycled or disposed of to an approved waste disposal depot;
- all waste disposal receipts are to be kept and provided to Council upon request.
- no burning of materials is permitted on site.

### **Construction Site Management Plan**

11. Before the issue of a Construction Certificate, a construction site management plan must be submitted to and approved by Council. The plan must include the following matters:
1. The location and materials for protective fencing and hoardings on the perimeter of the site;
  2. Provisions for public safety;
  3. Pedestrian and vehicular site access points and construction activity zones;
  4. Details of construction traffic management including:
    - a. Proposed truck movements to and from the site;
    - b. Estimated frequency of truck movements; and
    - c. Measures to ensure pedestrian safety near the site;
  5. Details of bulk earthworks to be carried out;
  6. The location of site storage areas and sheds;
  7. The equipment used to carry out works;
  8. The location of a garbage container with a tight-fitting lid;
  9. Dust, noise and vibration control measures;
  10. The location of temporary toilets;
  11. A management and record process for addressing complaints and enquiries

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

**REASON:** *To require details of measures that will protect the public, and the surrounding*

*environment, during site works and construction.*

### Works in Road Reserve

12. Apply for and obtain a Roads Act Consent through a Civil Works Certificate from Council for all works required within the road reserve.

The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably qualified and experienced engineer in accordance with Council's policies design standards, Development Control Plan and conditions of this consent.

Design drawings, reports and documentation will be required to address the following works within the road reserve:

- a) *Laneway full width construction along property frontage;*
- b) *Minimum Ø150mm water main to service development along Duke St;*
- c) *Sewer Junction;*
- d) *stormwater connection into Stormwater pit on Duke St;*
- e) *Footpath along Duke St property frontage*

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.

Note:

- (1) *The laneway is to be rebuilt along the property frontage, with kerb both sides and design consideration of stormwater drainage.*
- (2) *Amplification of the water main is to be provided from the existing ø 150mm main on Duke St and is to be a minimum of ø 150mm.*
- (3) *The sewer riser is to be located within the property with calculations provided to justify the size proposed*
- (4) *Stormwater infrastructure within the lane, draining to the existing Council network, is to be provided to adequately service the development and contributing catchment.*
- (5) *The design is to achieve compliance with the Coffs Harbour City Council Water Sensitive Urban*
- (6) *Footpath width is to be consistent with path on Southern side of development on Duke St*

The section 138 Roads Act Works Approval must be issued by Council and all conditions of that approval must be addressed prior to occupying and commencing any works in the road reserve.

Note: The application may be subject to separate fees and charges.

### Equitable Access:

13. 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 NCC.

Details indicating compliance must be submitted and approved by the certifying authority

prior to the issue of a Construction Certificate.

### Section 7.11 (formerly sec 94) Monetary Contributions:

14. 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 Contributions Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at quarterly.

**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 bed
- Coordination and Administration	100.68
- Coffs Harbour Road Network	359.81
- Surf Rescue Facilities	58.40
- District Open Space	1,641.76

**The Section 7.11 contribution is currently:**

- **\$54,324.91** This includes a credit of \$6,173.29 for the one existing lot.

The applicant has applied for the Coffs Harbour City Centre Development Incentive Policy (revoked 8 June 2023). This incentive may provide a exemption up to \$500,000 of section 7.11 contributions (excluding car parking) and section 64 contributions. The application currently meets the criteria, however construction will need to be completed through the issue of an occupation certificate by 19 May 2026 and before the \$2.5m incentive allowance is exhausted. The contributions are levied as normal within the consent and will only be payable if the policy conditions are not met.

**The exemption amount becomes payable prior to the release of the occupation certificate, if conditions relating to the Coffs Harbour City Centre Development Incentive Policy are not satisfied or the 2.5m allowance has been exhausted.**

**Contributions have been imposed under the following plans:**

- Coffs Harbour Open Space 2019
- Coffs Harbour Road Network 2019
- Surf Rescue Facilities 2019
- Coffs Harbour Administration Levy 2019

The Contribution Plans may be inspected at the Yarrila, 27 Gordon Street, Coffs Harbour or on Council's web site, [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au).

### Water Management Act 2000:

15. **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.

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The current contribution rate is:

	Amount per Bed \$	Total \$
Works to satisfy increased demand within the area for a 28 boarding house development.		
28 Beds		
Water	4,409.49	123,465
Sewer	4,216.72	118,086
Sub total (less credit for 1 lot)		(24,646.33) 216,887

The applicant has applied for the Coffs Harbour City Centre Development Incentive Policy (revoked 8 June 2023). This incentive may provide a exemption up to \$500,000 of section 7.11 contributions (excluding car parking) and section 64 contributions. The application currently meets the criteria, however construction will need to be completed through the issue of an occupation certificate by 19 May 2026 and before the \$2.5m incentive allowance is exhausted. The contributions are levied as normal within the consent and will only be payable if the policy conditions are not met.

**The exemption amount becomes payable prior to the release of the occupation certificate, if conditions relating to the Coffs Harbour City Centre Development Incentive Policy are not satisfied or the 2.5m allowance has been exhausted.**

The developer contributions are reviewed from time to time and are also subject to quarterly adjustment in accordance with the Consumer Price Index for Sydney (All Groups).

Prior to making your payment you should ascertain the level of developer contributions payable from Council's Developer Contributions Team telephone (02) 6648 4285.

### Stormwater and Drainage Works Design

16. Stormwater being drained to City Infrastructure. Design details of the system being approved by Council **before issue of a Construction Certificate**. The design of drainage works on the public road are subject to separate application, fees, and approval from the City.

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

### Street Tree Planting (Plan):

17. A plan is to be submitted to PCA showing street tree planting, which has been prepared in accordance with the requirements of Council's "*Street Tree Master Plan*", '*Street Tree Planting Detail and guidance of CBD Masterplan 2031*'. 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

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requirements; alternatively a higher standard may be considered for tree protection. The Plan is to be approved by PCA **prior to the issue of a Construction Certificate**.

### **PRIOR TO COMMENCEMENT OF WORKS**

#### **Site Notice**

18. Before building work commences, 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.
    - a) The sign is to be maintained until the building work has been completed and must be erected prior to commencement of work.

REASON: To ensure site signage requirements under EP&A (Development Certification & Fires Safety) Regulation 2021 s75 are met.

#### **Notice to be Given Before Commencement of Works**

19. The Principal Certifying Authority and Council shall be given written notice, at least 48 hours prior to the works commencing on the site and a 24-hour telephone number to be operated for the duration of the construction works.

The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Environmental Planning and Assessment Act 1979.

**REASON:** To ensure satisfaction of the notice requirements to council and PCA under EP&A Act s6.6 and s6.12.

#### **Sanitary Plumbing and Draining:**

20. 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.

#### **Contact Telephone Number:**

21. 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 Plan Implementation

22. Runoff and sediment erosion controls as designed in accordance with the approved plans and the current version of document Managing Urban Stormwater - Soils & Construction Volume 1 (2004) by Landcom are to be installed **prior to the commencement of any site works** and incorporate:
- a) Diversion of uncontaminated up-site runoff around cleared and/or disturbed areas.
  - b) Containment of the downslope perimeter of the cleared and/or disturbed area with a silt fence and/or other devices to prevent sediment and other debris escaping from the land.
  - c) Maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated after completion of construction.

*Reason: To properly manage soil erosion, water pollution or the discharge of sediment onto surrounding land for the protection of the environment Pursuant to the Section 8 of the Local Government Act 1993.*

### Dilapidation Report

23. Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, including No. 15 Duke Street and to the satisfaction of Principal Certifier (PCA)

Where access has not been granted 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 satisfaction of the PCA, that all reasonable steps were taken to obtain access to the adjoining properties.

Prior to any site work commencing, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time.

**REASON:** *To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report*

### DURING CONSTRUCTION

#### Approved Plans to be on-site

24. During Works, 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.

**REASON:** To ensure development and works are consistent with the approved plans and consent.

#### Hours of Work

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

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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.

### **Excavated Material:**

26. 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.

### **Construction Waste Management:**

27. Compliance with the terms of approved construction waste management plan.

### **Erosion and Sediment Control:**

28. Compliance with the Erosion and Sediment Control Plan shall be undertaken at each appropriate construction stage to prevent erosion of soil.

### **Dust Control Measures:**

29. 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.

### **Public Way to be Unobstructed:**

30. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

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Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

Reason: For the provision of public safety in compliance with Local Government Act 1993 and property accessibility in compliance with *NSW Roads Act 1993*.

### **Cultural Heritage:**

31. 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.

### **Acid Sulphate Soil Management Plan:**

32. The Acid Sulphate Soil Management Plan shall be implemented in full.

### **Finished Floor Level (New Building):**

1. To provide for flood protection the finished floor level of the ground floor of the building is to be a minimum of 4.2mAHD. An accredited surveyor's certificate certifying such level is to be submitted to the Principal Certifying Authority and a copy submitted to Council before works proceed above finished floor level.

### **Waste and Contamination:**

33. 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 Certifying Authority.

### **Stormwater**

34. 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 structures and adjoining properties.

The land surrounding any structure must be graded to divert surface water to the legal point of adequate discharge and clear any structures and adjoining premises.

Reason: For the provision of public amenity and management of stormwater runoff in

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*compliance with Local Government Act 1993.*

### Shoring and adequacy of adjoining property

35. 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 on adjoining land from possible damage from the excavation, and
  - b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This section does not apply if—

- a) the person having the benefit of the development consent owns the adjoining land, or
- b) the owner of the adjoining land gives written consent to the condition not applying.

This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.

### **PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE**

#### **Occupation Certificate:**

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

#### **Acoustic Certification**

37. The following acoustic documentation must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.
- A. The Acoustic methods specified in the acoustic consultant report (*Acoustic Logic dated 2/5/2023*) being implemented in the development and the completed works subsequently certified by the acoustic consultant **prior to the issue of an Occupation Certificate**. A copy of the certification being referred to the Principal Certifying Authority **prior to the issue of an Occupation Certificate**
  - B. Mechanical plant must be assessed by a suitably qualified person as meeting the noise emission criteria specified in Acoustic Logic's Noise Impact Assessment, dated 2/05/2023. A report demonstrating compliance with the noise emission criteria must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(One month after the use has commenced a follow up report is to be submitted to the Principal Certifying Authority to assess noise emission from the development, the effectiveness of the noise attenuation methods and compliance with the appropriate maximum noise level) (where applicable).

#### **Car Parking Spaces:**

38. Car parking spaces as shown on the approved plans being provided on the development site **prior to the issue of an Occupation Certificate**.

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Car parking and manoeuvring areas for spaces 1, 2, 3 & 5 being constructed in accordance with the provisions of Australian Standard AS 2890.1 "Parking Facilities: Off-Street Car Parking" and the provisions of AS/NZS 2890.6:2009 "Parking Facilities: Part 6: Off-Street parking for people with disabilities". Car Parking Space No. 4 as shown on the approved plans must be allocated and signposted as 'Building Manager Car Park' and used for a 'small car' only.

### Road Design and Services

39. The following works:

- a) *Laneway full width construction along property frontage;*
- b) *Minimum Ø150mm water main to service development along Duke St;*
- c) *Sewer Junction;*
- d) *stormwater connection into Stormwater pit on Duke St;*
- e) *Footpath along Duke St property frontage*

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.

### Stormwater Management Certification

40. **Before issue of an Occupation Certificate**, the design engineer/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.

### Maintenance Bond

41. **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. 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

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determine whether this institute is acceptable to Council as well as to ascertain specific requirements of the guarantee.

### **Works-as-executed plans and any other documentary evidence**

42. Before the **issue of an Occupation Certificate**, the following must be submitted to the satisfaction of Council:
- works-as-executed plans endorsed by a registered surveyor,
  - quality testing required for compliance with Council's standards and conditions of this consent,
  - a compliance certificate prepared by superintendent certifying they inspected the works with sufficient frequency to ensure materials and workmanship conform to the requirements of the approved plans and specifications,
  - any other required evidence confirming completion with approved plans and specifications,
  - certification from a registered surveyor that all relevant structures are wholly contained within the relevant easement.

*Reason: For the intention of unique identification to facilitate access, delivery of emergency services or maintenance of records Pursuant to the Section 124 (order No.8) of the Local Government Act 1993.*

### **Letter of Completion for Civil Works**

43. **Prior to the issue of an Occupation Certificate**, a Letter of Completion for Civil Works is required to be obtained from the relevant Civil Works Principal Certifying Authority(s) stating that all conditions relating to the civil works have been satisfactorily completed.

### **Street Tree Planting (Individual Trees)**

44. Any street tree planting being carried out to satisfaction of Council, **prior to issue of an Occupation Certificate**.

The planting being maintained for twelve (12) months in accordance with Council's requirements to ensure successful establishment and development. A bond per tree is to be paid to Council **prior to issue of an Occupation Certificate**. The bond will be returned at the end of the twelve month maintenance period provided that plantings have been established successfully.

### **Landscaping Works:**

45. **Prior to the 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 plan.

### Infrastructure (Flood Management)

46. All new electrical infrastructure and equipment (wiring, power outlets, switches etc.) to the maximum extent possible must be located a minimum of 0.5m above finished floor level or suitably waterproofed.

### Flood Management (Business)

47. An Emergency Business Continuity Plan (Business Floodsafe Plan) in accordance with the NSW State Emergency Service FloodSafe Guides (<https://www.ses.nsw.gov.au/local-region-information/cnr/flood-storm-and-tsunami-guides/>) is to be prepared, and a copy submitted to Council and/or Principal Certifying Authority, **before issue of an Occupation Certificate**.

For further details visit the SES website at <http://www.sesemergencyplan.com.au/>

Note: Shelter in place is the recommended evacuation strategy if early evacuation is not possible.

## **OPERATIONAL MATTERS**

### Plan of Management

48. The approved Plan of Management being fulfilled.

### Car Parking Areas:

49. Car Parking areas are to be maintained in a serviceable condition at all times.

### Driveway Access

50. Any device (gate, door, or similar) preventing uninhibited vehicular access from a lane to an internal driveway, carport or parking space, must have a remote operating system installed for driver access. The system shall be maintained in a serviceable condition at all times.

### Sewer manholes, inspection openings and water meters

51. 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.

### Stormwater

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

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### Noise

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

### External Lighting

54. External lighting shall comply with *Australian Standard AS 4282: 1997 Control of Obtrusive Effects of Outdoor Lighting*.

### Boarding Houses

55. It is a condition of the development consent that from the day on which an occupation certificate is issued for the development—
- a) the boarding house must be used for affordable housing, and
  - b) the boarding house must be managed by a registered community housing provider in accordance with a plan of management, and
  - c) notice of a change in the registered community housing provider who manages the boarding house must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and
  - d) notice of a change to the plan of management must be given to the consent authority no later than 3 months after the change.

## **INTEGRATED TERMS OF APPROVAL CONDITIONS**

### **Compliance with Other Department, Authority or Service Requirements:**

56. Development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

<b>Other Department, Authority or Service</b>	<b>NSW Planning Portal Reference</b>	<b>Dated</b>
Rural Fire Service	CNR-55752	5/07/2023
Essential Energy (Advice)	A-72410	16/10/2023

Thee above referenced document/s form attachment 1 and 2.