**ADMINISTRATIVE CONDITIONS**

**Development Description**:

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

**Use of land as a manufactured home estate and construction of associated buildings (clubhouse and communal amenity areas) and infrastructure**

**Prescribed Conditions**:

1. 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.

**General Terms of Approval**

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

|  |  |  |
| --- | --- | --- |
| **Other Department, Authority or Service** | **NSW Planning Portal Reference** | **Dated** |
| DPE – Heritage NSW | A-75338 | 24 March 2024 |
| Rural Fire Service | A-75339 | 9 January 2024 |

**Note:** For a copy of the above referenced document/s, please refer to the NSW Planning Portal.

**Development is to be in accordance with approved plans**:

1. 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. 0829/23DA).

| **Plan No. / Supporting Document(s)** | **Version** | **Prepared by** | **Dated** |
| --- | --- | --- | --- |
| TP100 / Community-Masterplan | 02 | DKO Architecture | 29/05/2024 |
| TP200 / Clubhouse Precinct Plan | 02 | DKO Architecture | 29/05/2024 |
| TP201 / Clubhouse – Building A | 02 | DKO Architecture | 29/05/2024 |
| TP202/Clubhouse – Building B | 02 | DKO Architecture | 29/05/2024 |
| TP300 / Building A North & South Elevations | 02 | DKO Architecture | 29/05/2024 |
| TP301 / Building A East & West Elevations | 02 | DKO Architecture | 29/05/2024 |
| TP302 / Building B North & South Elevations | 02 | DKO Architecture | 29/05/2024 |
| TP303 / Building B East & West Elevations | 02 | DKO Architecture | 29/05/2024 |
| TP304 / Building A & B Sections | 02 | DKO Architecture | 29/05/2024 |
| DA2 / Masterplan | 02 | DKO Landscape | 29/05/2024 |
| DA3 / The Entry | 02 | DKO Landscape | 29/05/2024 |
| DA5 / The Clubhouse Precinct | 02 | DKO Landscape | 29/05/2024 |
| DA7 / The Green | 02 | DKO Landscape | 29/05/2024 |
| DA8 / The Boardwalk | 02 | DKO Landscape | 29/05/2024 |
| DA9 / The Boundary | 02 | DKO Landscape | 29/05/2024 |
| DA10 / Section | 02 | DKO Landscape | 29/05/2024 |
| DA11 / The Park | 02 | DKO Landscape | 29/05/2024 |
| DA12 / The Park | 02 | DKO Landscape | 29/05/2024 |
| DA14 / Newmans Road – Street Trees | 02 | DKO Landscape | 29/05/2024 |
| DA15 / Fencing Plan | 02 | DKO Landscape | 29/05/2024 |
| DA-C02.01 / Erosion & Sediment Control Plan | 3 | Northrop | 21 March 2024 |
| DA-C02.10 / Erosion & Sediment Control Details | 1 | Northrop | 29 September 2023 |
| DA-C03.01 / Bulk Earthworks Plan | 4 | Northrop | 31 May 2024 |
| DA-C03.51 / Site Sections Sheet 1 | 2 | Northrop | 29 September 2023 |
| DA-C04.01 / General Arrangement and Road Hierarchy Plan | 5 | Northrop | 31 May 2024 |
| DA-C04.10 / Civil Works Plan Sheet 1 | 4 | Northrop | 31 May 2024 |
| DA-C04.11 / Civil Works Plan Sheet 2 | 4 | Northrop | 21 March 2024 |
| DA-C05.01 / Longitudinal Sections – MC01 & MC02 | 3 | Northrop | 31 May 2024 |
| DA-C05.02 / Longitudinal Sections – MC03 Sheet 1 | 3 | Northrop | 31 May 2024 |
| DA-C05.03 / Longitudinal Sections – MC03 Sheet 2 | 3 | Northrop | 31 May 2024 |
| DA-C05.04 / Longitudinal Sections – MC04 | 4 | Northrop | 31 May 2024 |
| DA-C05.05 / Longitudinal Sections – MC05 | 3 | Northrop | 31 May 2024 |
| DA-C05.06 / Longitudinal Sections – MC06 | 3 | Northrop | 31 May 2024 |
| DA-C09.01 / Civil Details Sheet 1 | 3 | Northrop | 15/03/2024 |
| DA-C09.02 / Civil Details Sheet 2 | 1 | Northrop | 15/03/2024 |
| DA-C06.01 / Service Reticulation Plan | 4 | Northrop | 4 June 2024 |

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**:

1. The development shall be undertaken in accordance with the following documents:
2. *Statement of Environmental Effects, prepared by Etrhos Urban and dated 6 October 2023*
3. *Biodiversity Assessment Report, prepared by ecosure and dated 30 May 2024*
4. *Arborist Report (7623c), prepared by Arbpro and dated 5 March 2024*
5. *Aboriginal Cultural Heritage Assessment Report, prepared by Everick Heritage and dated 5 March 2024*
6. *Traffic Impact Assessment, prepared by Stantec and dated 4 October 2023*

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

In the event of any inconsistency between any documents and plans, the most recent document or plan prevails.

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

**Planning Agreement:**

1. The applicant shall enter into a Voluntary Planning Agreement (VPA) with Council, in accordance with Division 6 Part 4 of the Environmental Planning & Assessment Act, and the terms of the offer made to the Council in the following documentation:

1. Letter of offer from “INA Plantations Development Pty Limited” dated 1 July 2024.

The VPA is to be executed **prior to issue of a Construction Certificate**.

Note: The Section 7.11 contribution is currently $2,436,829.00 for the 180 manufactured home development. This includes a credit of $20,000.00.

**Stormwater and Drainage Works Design**

1. Design plans of the stormwater drainage systems and treatment measures within the proposed manufactured housing estate, prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Council, shall be submitted to and approved by the Certifying Authority **prior to issue of a Construction Certificate**.

Design details are to include consideration of the impact of concentration of stormwater on receiving land parcels.

The design is to achieve where applicable, compliance with the Coffs Harbour City Council Water Sensitive Urban Design Policy Targets. Design details are to include calculations showing the effect of the proposed development on design stormwater run-off flow rates and the efficiency of proposed measures to limit the flows.

(1) The bio-retention basin(s) are to be constructed as a sediment basin, until 80% of the building allotment phase is complete, or after 4 years following practical completion of the development (whichever occurs first)

(2) The design shall be accompanied by an Operation and Maintenance Plan for the system. This is to include details of (but not limited to)

a. Establishment period

b. Maintenance activities and frequency (including rectification works)

c. Timing of conversion works (including details on filter media testing)

d. Access arrangements to facilitate basin conversion and on-going maintenance

e. Compliance inspections and checklists

f. On-going monitoring

**Internal Infrastructure:**

1. **Prior to issue of a Construction Certificate** designs plan that comply with the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 and Councils Design Standards for any aspect not covered fully in the Regulations shall be designed and certified from a suitably qualified, experience and registered engineer. These plans shall include as a minimum the following provisions:

1) Design measures to facilitate the required speeds restrictions within the Manufactured Home Estate.

2) The internal road network for this Manufactured Homes Estate must connect into the manufactured housing estate of Lot 82 DP 1251657.

3) Contour plans indicating the location of proposed fill areas. These Contour plans are to include a clear description of impact of changes proposed on water movement both to and from the site on all adjacent land and to show stormwater discharge points.

4) Stormwater management measures as required by this approval.

5) Internal water reticulation.

**Construction Certificate**:

1. 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**.

**Liquid Trade Waste:**

1. An Application for Approval to Discharge Liquid Trade Waste under Section 68 of the Local Government Act, being submitted and approved by The City of Coffs Harbour **before issue of a Construction Certificate**.

All trade waste discharges are to conform with criteria as stipulated in The Liquid Trade Waste Procedure and or any standards applied by the Environment Protection Authority for the discharge.

Note: Depending upon your individual circumstances, some trade waste pre-treatment equipment may need to be incorporated into the building work. The City of Coffs Harbour (Trade Waste Section) should be contacted for enquiries and the issue of a Liquid Trade Waste Application.

**Ecosystem credit retirement – like for like:**

1. **Before the issue of a construction certificate**:
2. The class and number of ecosystem credits in the table of ecosystem credits required be retired – like for like – non-threatened ecological community must be retired to offset the residual biodiversity impacts of the development; and/or
3. the class and number of ecosystem credits in the table of ecosystem credits required to be retired – like for like – threatened ecological community must be retired to offset the residual biodiversity impacts of the development.
4. c) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority. Table of ecosystem credits required to be retired – like for like- non-threatened ecological community

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Impact plant community type** | **Number of ecosystem credits** | **Hollow bearing trees (HBTs)** | **IBRA subregions from which credits can be used to offset the impacts from development** | **Trading group that can be used to offset the impacts from development** |
| 3174-Northern Turpentine-Brush Box Wet Forest | 13 | 13 | Coffs Coast and Escarpment, Armidale Plateau, Chaelundi, Clarence Sandstones, Dalmorton, Ebor Basalts, Macleay Gorges, Macleay Hastings and Yuraygir. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site. | North Coast Wet Sclerophyll Forests <50% |

**Street Tree Planting (Plan)**:

1. A plan is to be submitted to Council showing street tree planting along Newmans Road 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**.

**Erosion and sediment control plan:**

1. Before site work commences, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to **principal certifying authority:**
2. Council’s relevant development control plan,
3. the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time), and

**Road Design and Services (Building):**

1. The following works:

(a) Water main along Newmans Road to be upgraded from end of 225ø to a 150ø to the western boundary of property.

(b) Sewer extension to service Lots 6 & 8 DP 787792 and Lot 3 DP 747586.

(c) Internal sewer reticulation.

(d) Driveway Access into the site.

(e) Roundabout on intersection of Newmans Road and Solitary Island Way.

(f) Reconstruction of Newmans Road along the frontage of the development.

(g) Construction of a safe crossing location on Newmans Road to link the shared path from the Southern side of Newmans Road with the existing shared path on the Northern Side of Newmans Road.

(h) Construction of a shared path along the frontage of the property connecting to the pedestrian/shared crossing facility on Newmans Road.

(i) Construction of path from Lot 82 DP 1251657 to Newmans Road through the subject site.

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) The construction of a Basic Left Turn and Basic Right Turn treatments will be required for the construction of the access into the development site.*

*(2) The existing water main within the property is to be capped and made redundant. Details to be provided at CW stage.*

*(3) The shared path through the site that connects to Newmans Road shall be 2.5m wide with the disused section within Lot 82 DP 1251657 being decommissioned.*

*(4) Any safety measures required on the path due to the WSUD basin must be detailed on the Civil Works Plans.*

*(5) The internal sewer reticulation shall be designed to comply with Auspec or AS3500 with only one connect to Councils sewer main at one location.*

*(6) The works required for the roundabout and Newmans Road frontage to the site are to be consistent with the executed Voluntary Planning Agreement.*

Plans and specifications are to be submitted to Council and a separate **Civil Works Certificate** approved prior to commencement of any works excluding vegetation removal. 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.

**Vegetation Management Plan (Construction):**

1. **Before issue of a Construction Certificate**, and prior to commencement of any works on the site, a detailed Vegetation Management Plan (VMP) in accordance with Council’s ‘Guideline for Preparing Vegetation Management Plans’ in Appendix 2 of the Coffs Harbour Development Control Plan being submitted and approved by Council.

The VMP shall be prepared by persons with professional qualifications and/or knowledge and experience in bush regeneration/stream rehabilitation practices and who is eligible for membership to the Australian Association of Bush Regenerators (AABR).

**Retaining Works:**

1. 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.

**Consolidation:**

1. Lot 11 DP 830936 and Lot 82 DP 1251657 being consolidated to ensure vehicle access and drainage can be provided as proposed. Evidence of lodgement of a plan of consolidation being submitted to Council or the certifying authority **prior to issue of the Construction Certificate for building works.**

**Construction Waste Management Plan:**

1. **Before issue of a construction certificate**, a Construction Waste Management Plan must be prepared by a suitably qualified person in accordance with Council’s waste policies and provided to the principal certifying authority. The plan must include the following matters:

* Implementation of the Waste Hierarchy to promote waste avoidance and minimisation.
* Type of Waste Generated e.g., concrete, glass, timber etc.
* Estimate volume of each type
* Method of disposal
* Waste depot or recycling outlet to be used.
* No burning of materials is permitted on site.

The Principal Certifying Authority is required to verify the development conforms for the duration of the construction phase.

**Waste Storage Plan:**

1. **Before issue of a construction certificate for the relevant stage (building works)**, a plan for Waste Storage Areas must be prepared by a suitably qualified person in accordance with Council’s waste policies to the satisfaction of the principal certifying authority. The Waste Storage Areas must include the following:

• Enclosed by a roofed and screened enclosure.

• Graded and drained to the sewer via a dry basket arrestor.

• A hose cock is to be provided in the enclosure.

The design and materials of the enclosure are to be compatible with the development.

**Separation of Waste:**

1. The waste management arrangements for the proposal are to cater for the separation of both recyclables and all organics (including food) wastes from the mixed waste stream. In this regard, an area for a minimum number of bins to accommodate waste volumes generated is required, with details being submitted to Council for approval **prior to the issue of a Construction Certificate for the relevant stage (building works).**

**Water Management Act 2000**:

1. A Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 evidencing that adequate arrangements have been made for the provision of water and sewerage services to and within the development is produced to Council **prior to the issue of a Construction Certificate.**

Note: The current contribution rate for provision of water and sewer infrastructure is:

|  |  |  |
| --- | --- | --- |
|  | **Amount/unit**  **$** | **Total**  **$** |
| Works to satisfy increased demand within the area for 180 units |  |  |
| Water | 7,559.13 | 1,360,643.40 |
| Sewer | 7,228.67 | 1,301,160.60 |
| Sub total  Less existing use credit |  | 2,661,804.00  (24,755.22) |
| **TOTAL AMOUNT PAYABLE** |  | **2,637,048.78** |

**PRIOR TO COMMENCEMENT OF WORKS**

**Site Notice**:

1. 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 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.

The sign is to be maintained until the building work has been completed and must be erected prior to commencement of work.

**Notice to be Given Prior to Commencement / Earthworks:**

1. 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 81A of the Environmental Planning and Assessment Act 1979.

**Contact Telephone Number:**

1. 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:**

1. A Construction Management Plan must be submitted to and approved by Council **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.

**Pre-Clearing Procedures:**

1. Prior to commencement of tree removal, a search for the presence of fauna is to be conducted in the area before commencement of operations each day by a suitably qualified and experienced Ecologist.

Presence includes both physical presence within the proposed tree removal area and occurrence of fresh scat materials.

a. All hollows shall be searched and all checks shall be carried out a minimum distance of 50m from the tree clearing area.

b. Koala faecal pellets (scats) check is required within a three metre radius of the base of all Koala Feed Trees.

c. If a threatened arboreal species is located, the tree must be identified (flagged with tape). No further action shall occur until the animal has moved on of its own accord. If after two nights the animal has not moved the NSW Biodiversity and Conservation Division should be contacted for further advice.

d. Physical removal of the animal is not an option and shall not be attempted.

e. All injured animals shall be reported to WIRES immediately. To secure any wildlife which may be accidentally injured during the clearing process, a blanket, heavy duty gloves and a large bin is required on-site (note the bin lid must have holes to permit air passage).

f. WIRES contacts: Coffs Harbour/ Woolgoolga: 1300 094 737

g. Relocation of habitat features such as fallen timber, hollow logs from the impacted area into adjacent retained vegetation

h. Time clearing works to avoid critical life cycle events such as general breeding activity during late winter/spring

Note: In relation to Koalas such search should include both lower branches and upper canopy in all listed koala food species (Tallowwood, Swamp Mahogany, Broad-leaved Paperback, Flooded Gum, Blackbutt, Forest Red Gum, Small-fruited Grey Gum, Forest Oak).

**Arboriculture Impact Assessment:**

1. An Arboriculture Impact Assessment (AIA) prepared in accordance with Australian Standard AS 4970-2009 ‘Protection of Trees on Development Sites’ being submitted and approved by Council prior to the commencement of any works. The AIA is to be prepared by a minimum AQF Level 5 Consultant arborist.

The AIA shall be prepared by a qualified Arborist and should identify all significant indigenous native trees, including all trees to be retained and removed. The Plan should detail protection measures and show the Tree Protection Zones (TPZ) for retained trees and, where impacted, the Structural Root Zones (SRZ).

The Assessment will include construction methods to minimise impacts on retained trees where there is encroachment into the TPZ and SRZ.

**Regulatory Traffic Signs:**

1. **Prior to commencement of works within the road reserve**, all proposed regulatory signs must be in accordance with AS1742.9 and approved the Local Traffic Committee.

**Traffic Management Plan:**

1. The proponent shall prepare and implement a Construction Traffic Management Plan endorsed by Council for the development. The plan must:
2. Be prepared by a suitably qualified and experienced person, in consultation with Council.
3. Detail the measures that would be implemented to ensure road safety and network efficiency during development works.
4. Detail heavy vehicle routes, access and parking arrangements.
5. Include a Driver Code of Conduct to:
   1. Minimise the impacts of works on the local and regional road network.
   2. minimise conflicts with other road users.
   3. ensure truck drivers use specified routes.
6. Include a program to monitor the effectiveness of these measures; and
7. If necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

**Existing Power Line:**

1. The electrical power line through the site must be relocated to ensure they do not traverse over or through the manufactured housing lots. Certification from a registered survey or the electricity authority must be provided to the Certifying Authority **prior to issue of an Occupation Certificate.**

**Erosion and Sediment Control:**

1. 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.

**Removal of Hazardous Materials:**

1. 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.

**Undertake Works on a Public Road Approval:**

1. Prior to the commencement of works within the road reserve, an approval to Undertake Works on a Public Road is required to be obtained from Council Roads and Open Space Section in accordance with Section 138 of the Roads Act 1993.

**DURING CONSTRUCTION**

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

1. 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.

**Protection of Trees On-Site:**

1. All trees on site that are to be retained are to be suitably protected in accordance with Australian Standard AS 4970-2009 ‘*Protection of Trees on Development Sites*’ by way of tree guards, barriers or other measures as necessary to protect root system, trunk and branches, during construction of any stage of the project, or in line with the approved Tree Protection Plan / Arboricultural Impact Assessment. Any approved Tree Protection Plan / Arboricultural Impact Assessment must be kept onsite during construction and be made available to relevant contractors as required.

**Soil Management:**

1. While site work is being carried out, the Principal Certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

a) All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the Principal Certifier.

b) All fill material imported to the site must be:

i. Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or

ii. a material identified as being subject to a resource recovery exemption by the NSW EPA, or

iii. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA.

**Site preparation works:**

1. Site preparation works are to be carried out in accordance with the preliminary site investigation prepared by Regional Geotechnical Solutions, Report No. RGS32990.3-AC and dated 21 September 2023.

**Erosion and Sediment Control (Implementation):**

1. Runoff and sediment erosion controls as designed in accordance with the approved plans and the 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:
2. Diversion of uncontaminated up-site runoff around cleared and/or disturbed areas.
3. Containment of the downslope permitter 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.
4. Maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated after completion of construction.

**Dust Control Measures:**

1. Adequate measures being taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

(1) All materials shall be stored or stockpiled at the best locations;

(2) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that runoff occurs;

(3) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other materials;

(4) Cleaning of footpaths and roadways shall be carried out regularly;

(5) Rumble grids being installed at access points to the site.

**Hours of Work**:

1. 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:**

1. 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.

**Stormwater**:

1. 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.

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

**Stormwater and Drainage Works Design (Subdivision)**

1. Design plans of the stormwater drainage systems and treatment measures within the proposed subdivision, prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Council, shall be submitted to and approved by the Certifying Authority **before issue of a Subdivision Works Certificate.**

A plan of any required interallotment drainage and easements to facilitate this drainage is to be approved by Council.  Design details are to include consideration of the impact of concentration of stormwater on receiving land parcels.

The design is to achieve where applicable, compliance with the Coffs Harbour City Council Water Sensitive Urban Design Policy Targets. Design details are to include calculations showing the effect of the proposed development on design stormwater run-off flow rates and the efficiency of proposed measures to limit the flows.

1. The bio-retention basin(s) are to be constructed as a sediment basin, until 80% of the building allotment phase is complete, or after 4 years following practical completion of the subdivision (whichever occurs first)
2. The design shall be accompanied by an Operation and Maintenance Plan for the system. This is to include details of (but not limited)
   1. Establishment period
   2. Maintenance activities and frequency (including rectification works)
   3. Timing of conversion works (including details on filter media testing)
   4. Access arrangements to facilitate basin conversion and on-going maintenance
   5. Compliance inspections and checklists
   6. On-going monitoring.

**Letter of Completion for Civil Works**

1. **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 Certifier Authority(s) stating that all conditions relating to the civil works have been satisfactorily completed.

**Maintenance Bond:**

1. **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.

**Retaining Works:**

1. Any excavation or fill, regardless of height must be suitably retained or stabilised **prior to the issue of an Occupation Certificate**.

**Stormwater Management Certification:**

1. **Before issue of an Occupation Certificate,** the design engineer/hydraulic consultant shall issue a certificate to the Principal Certifier to the effect that the stormwater treatment system has been installed and complies with the approved design.

**Vegetation Management Plan Report (Construction):**

1. The works (other than maintenance works) prescribed in the approved Vegetation Management Plan (VMP) being completed **before issue of an Occupation Certificate**. A report from the consultant who prepared the VMP or other suitably qualified consultant being submitted to the Principal Certifier with the Subdivision Certificate application to the effect that all works except for maintenance works have been completed in accordance with the approved VMP.

**Vegetation Management – Positive Covenant Title:**

1. The registered proprietor of the land must enter into positive covenants with Council to maintain the works as effected on each proposed lot in accordance with the Vegetation Management Plan as it affects that lot. The positive covenants shall be in, or to the effect of covenants approved by Council from time to time and be created pursuant to Section 88E of the Conveyancing Act 1919, generally in accordance with the attached draft covenant “A” (below) and must be registered on the title to each lot. Registration must be effected **prior to issue of an Occupation Certificate**.

**Street Tree Planting**:

1. The planting proposed in the approved Street Tree Planting Plan is to be carried out to satisfaction of Council, **prior to issue of an Occupation Certificate** unless other arrangements satisfactory to Council for completion at some other stage are made. This may include an agreement being reached with Council for the completion of work by Council.

The plantings are to be maintained for twelve (12) months in accordance with Council’s Street Tree Master Plan to ensure successful establishment and development. A bond per tree is to be paid to Council **prior to the issue of an Occupation Certificate** (whichever occurs first) for the relevant stage. The bond will be returned at the end of the twelve month maintenance period provided that plantings have been established successfully. At the end of the maintenance period Council will replace plantings that have failed with the cost of this work taken from the bond.

Works as executed plans shall be provided to Council in Digital CAD or Arcview format for all street trees. The information shall be provided on disc **prior to the issue of an Occupation Certificate** (whichever occurs first). Note, the current street tree bond as at 1 July 2024 is $1100.00 per tree and is subject to indexation at the CP/Sydney Index rate.

**Waste Storage Compliance:**

1. The Principal Certifying Authority is required to verify the development conforms to the Waste Storage Plan **before issue of an Occupation Certificate**.

**Operational Management Plan:**

1. **Before issue of an Occupation Certificate**, an Operational Waste Management Plan must be prepared by a suitably qualified person in accordance with Council’s waste policies and provided to the principal certifying authority. The plan must include the following matters:

• Implementation of the Waste Hierarchy to promote waste avoidance and minimisation.

• Three stream waste system - separation of both recyclables and all organics (including food) wastes from the mixed waste stream.

• Provision being made on the site for the storage of garbage/recycling and green waste bins as per the approved plans.

The waste management practices of the premises should provide for the continued separation of recycling and organic waste from the general waste stream.

**Services**

1. All dwelling sites being provided with reticulated electricity and telephone cables. The applicant shall provide a letter from the relevant electricity energy provider stating that satisfactory arrangements have been made for the supply of electricity and a letter from the telecommunications provider stating that satisfactory arrangements have been made for telecommunications infrastructure in the development. These letters are to be provided to Council **prior to release of an Occupation Certificate**.

**Stormwater Drainage:**

1. All stormwater is to be conveyed to a legal point of discharge by means of an approved drainage system **prior to the issue of an Occupation Certificate**. The plumber shall issue a certificate to the Principal Certifier and Council to the effect that the stormwater system has been installed and complies with the approved design.

Drainage works on the public road are subject to separate application, fees, and approval from Council prior to the commencement of these works.

**Letter of Completion for Civil Works**

1. **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.

**Stormwater Management Certification**:

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

**Retaining Works:**

1. **Before issue of an Occupation Certificate**, any excavation or fill, regardless of height must be suitably retained or stabilised.

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

1. **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.

**Internal Infrastructure:**

1. The internal infrastructure shall be fully constructed in accordance with the plans approved with Condition 8 of this consent. Certification to this effect is to be submitted from a suitably qualified, experienced and registered engineer **prior to issue of an Occupation Certificate**.

**Speed signage:**

1. Speed signage is to be installed at the entrance and throughout the site to ensure vehicles maintain a maximum speed of 15km/hr **prior to issue of an Occupation Certificate**.

**Easement for Pathway:**

1. A 4m easement for right of carriageway and use to benefit Council and the public being created over Lot 11 DP 830936 to allow for the construction of a pedestrian path connecting Newman Road and the existing Council path within Lot 82 DP 1251657.

Evidence of lodgement of this easement with land titles shall be provided to Council **prior to the of issue of an Occupation Certificate.**

**OPERATIONAL MATTERS**

**Manufactured Home Estate Approval**

1. Prior to the operation of a ‘Manufactured Home Estate’ Council approval must be obtained in accordance with Part 1 of Chapter 7 of the *Local Government Act 1993*.

*Note: Separate approvals to operate may be obtained for dwelling sites up to the maximum approved under this consent.*

**Stormwater:**

1. All stormwater management systems must be maintained in accordance with the approved stormwater plans including the operation and maintenance plan.

**Sewer manholes, inspection openings and water meters:**

1. 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.

**Waste Management:**

1. Waste is to be managed in accordance with the approved Operational Waste Management Plan at all times.

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