

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	Approved plans and supporting documentation			
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.			
	Plan Title	Revision number	Drawn by	Date of plan
	Proposed Plan of Easement & Subdivision	-	Applicant	11/12/2024 (Date Stamped)
	Units 1 to 8 Proposed Site Plan Level 0 & 1	C	T. Lonergan	9/10/2024
	Units 1 to 8 Proposed Site Elevation	C	T. Lonergan	9/10/2024
	Proposed Admin Core Dimension Plans	C	T. Lonergan	9/10/2024
	Proposed Communal Core Dimension Plan	C	T. Lonergan	9/10/2024
	Proposed Cluster Level 0 & 1 Floor Dimension Plans	C	T. Lonergan	9/10/2024
	Proposed Cluster Elevations & Section Plan	C	T. Lonergan	9/10/2024
	Driveway/Carpark Plan	C	T. Lonergan	9/10/2024
	Units Dimensioned Plans	C	T. Lonergan	9/10/2024
	Site Works	C	T. Lonergan	9/10/2024

	Landscape Concept	B	DA Landscape Plans	28/02/2024
Approved documents				
	Document title	Version number	Prepared by	Date of document
	Crime Prevention Through Environmental Design (CPTED) Report	B	Kristy Cianci	20.09.24
	Arboricultural Impact Assessment	1.2	Chad Shakeshaft	16.10.24
In the event of any inconsistency between the approved plans and documents, the approved Documents prevail.				
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.				
Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.				
2	Prescribed Conditions			
	The proponent shall comply with the prescribed conditions of the development approval under Clauses 69-75 of the Environmental Planning and Assessment Regulation 2021 as are of relevance to this development.			
	Condition reason: To ensure compliance with the legislation.			
3	Staging of Development			
	This development consent acknowledges that the construction of the project will be staged with the works comprised into the below stages:			
	Stage one works:			
	<ul style="list-style-type: none">Consolidation and subdivision to create proposed Lot A and Proposed Lot B			
	Stage two works:			
	<ul style="list-style-type: none">Demolition of Pitt Square dwelling			

	<ul style="list-style-type: none"> • Construcion of Group home and associated works <p>Stage three works:</p> <ul style="list-style-type: none"> • Demolition of Azalea Avenue dwelling • Construction of Dual occupancy and associated works
	<p>Condition reason: To allow the development to be completed and certified in stages during works.</p>

Building Work

Before issue of a construction certificate

4	<p>Construction Site Management Plan</p> <p>Before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> a. The location and materials for protective fencing and hoardings on the perimeter of the site; b. Provisions for public safety; c. Pedestrian and vehicular site access points and construction activity zones; d. Details of construction traffic management including: <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e. Details of bulk earthworks to be carried out; f. The location of site storage areas and sheds; g. The equipment used to carry out works; h. The location of a garbage container with a tight-fitting lid; i. Dust, noise and vibration control measures; j. The location of temporary toilets; <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
5	<p>Erosion and sediment control plan</p>

	<p>Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the Pprincipal Certifying Authority:</p> <ol style="list-style-type: none"> 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and
	<p>Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
6	<p>External lighting</p> <p>Before the issue of a construction certificate, plans detailing external lighting must be prepared by a suitably qualified person.</p> <p>The lighting plan must be consistent with the approved plans and documents, including the Crime Prevention through Environmental Design Report, and the following requirements:</p> <ol style="list-style-type: none"> 1. comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting 2. lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas; 3. lighting must not interfere with traffic safety; 4. lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and <p>The lighting plan must be submitted to the certifier:</p> <p>Note – All above documents refer to the version in effect at the time the consent is granted</p> <p>Condition reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area</p>
7	<p>Construction Certificate</p> <p>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.</p> <p>Note: Separate Certificates are to be obtained for the building works and any civil works.</p> <p>Note 2: Construction Certificates are required to be applied for through the NSW Planning Portal and may be subject to separate fees and charges.</p>

	Condition reason: To ensure construction is compliant with Australian Standards.
8	<p>Construction Waste Management Plan</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>The Principal Certifier is required to verify the development conforms for the duration of the construction phase.</p> <p>Condition reason: To minimise and manage waste generation during construction stages of the development in compliance with relative controls.</p>
9	<p>Driveway Access</p> <p>Prior to the issue of a construction certificate for stages 2 & 3, a separate application pursuant to the Road Act 1993 shall be made for works required within the road reserve. These works shall be in accordance with Council's standards and include:</p> <ol style="list-style-type: none"> 1. Sealed driveway access over the road reserve at right angle to the road with widths in accordance with Council's standards. 2. The removal of existing driveways which are not required for the development and reinstatement of surrounding infrastructure. <p>Condition reason: To ensure that required works including vehicular access to and egress from the development site designed and constructed to Council's standards.</p>
10	<p>Waste Storage Plan</p> <p>Before issue of a construction certificate, a Waste Storage Area 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 Area must include the following:</p>

	<ul style="list-style-type: none"> • 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. <p>The design and materials of the enclosure are to be compatible with the development.</p> <p>Condition reason: To minimise and manage waste generation during construction stages of the development in compliance with NSW Waste Avoidance and Resource Recovery (WARR) Strategy 2014-21, the Coffs Coast Region Resource Recovery and Waste Management Strategy 2015-2027.</p>
11	<p>Water Management Act Certificate of Compliance (Building)</p> <p>A Certificate of Compliance pursuant to the Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 must be applied for through the City.</p> <p>When you apply for a Certificate of Compliance, your application must be accompanied by:</p> <ol style="list-style-type: none"> 1. Evidence that, <ol style="list-style-type: none"> a. stormwater, water supply, sewerage, drainage and interallotment drainage has been supplied to the development; or b. arrangements satisfactory to the City have been made for the provision of all such services; and 2. Payment (preferably by way of EFT) of the City's contributions applicable at the time of the application for the Certificate of Compliance. <p>For your information the developer contributions applicable at the date of the development consent are:</p> <p>Stage 2</p> <p>The current contribution rate is \$68,488.75.</p> <p>Stage 3</p> <p>The current contribution rate is \$19,725.19.</p> <p>The rates will be adjusted in accordance with the Consumer Price Index for Sydney (All Groups). The applicant is advised to confirm the contribution rate applicable after 31 January 2025 as rates are revised quarterly.</p> <p>Prior to making your application for the Certificate of Compliance, you should ascertain the level of developer contributions payable from the City's Contributions team on telephone (02) 6648 4285.</p>

	<p>If the development is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.</p> <p>Condition reason: To ensure contributions are paid to address demand for water supply and wastewater infrastructure in the City of Coffs Harbour by a growing population.</p>
12	<p>Building in the Vicinity of Council Underground Assets</p> <p>Prior to issue of the Building Construction Certificate for Stage 2, piercing details and plans for structures within close proximity to Council sewer mains must be provided to Council for approval.</p> <p>Note: Close proximity to the sewer main is defined in accordance with Councils 'Construction in the Vicinity of and Protection of Council Underground Assets Policy.'</p> <p>Condition reason: To ensure measures are in place to protect Council's underground assets.</p>
13	<p>Retaining Walls</p> <p>A Construction Certificate is required for retaining walls exceeding 600mm in height.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. All retaining walls are to be within private property. 2. The retaining wall shall have a minimum design life of 50 years and structural classification B in accordance with AS4678 3. The materials are to be of natural cut stone, masonry, concrete or galvanized structural steel. <p>Condition reason: To ensure retaining walls are structurally sound.</p>

Before building work commences

14	<p>Erosion and sediment controls in place</p> <p>Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p>
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	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
15	<p>Notice to be Given Before Commencement of Works</p> <p>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.</p> <p>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 81A of the Environmental Planning and Assessment Act 1979.</p> <p>Condition reason: To ensure satisfaction of the notice requirements to council and PCA under EP&A Act s6.6 and s6.12.</p>
16	<p>Sanitary Plumbing and Draining</p> <p>Before the commencement of sanitary plumbing and drainage work, separate approval must be obtained under Section 68 of the Local Government Act 1993.</p> <p>All drainage works shall be carried out in accordance with the Plumbing and Drainage Act 2011 and Australian Standard AS/NZS 3500 except where otherwise provided in the Local Government Act 1993, or the Local Government (General) Regulation, 2021.</p> <p>Condition reason: For the provision of sanitary plumbing and draining for compliance with Plumbing and Drainage Act 2011, Australian Standard AS/NZS 3500 and Local Government Act 1993, or Local Government (General) Regulation, 2021.</p>
17	<p>Site Notice</p> <p>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:</p> <ol style="list-style-type: none"> 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.

	The sign is to be maintained until the building work has been completed and must be erected prior to commencement of work.
	Condition reason: To ensure site signage requirements under EP&A (Development Certification & Fires Safety) Regulation 2021 s75 are met.

During building work

18	Discovery of relics and Aboriginal objects
	<p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ul style="list-style-type: none"> i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. <p>Site work may recommence at a time confirmed in writing by:</p> <ul style="list-style-type: none"> a. for a relic – the Heritage Council; or b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.
	Condition reason: To ensure the protection of objects of potential significance during works.
19	Soil management
	<p>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:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> a. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or

	<ul style="list-style-type: none"> b. a material identified as being subject to a resource recovery exemption by the NSW EPA; or c. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA. <p>Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
20	<p>Waste management</p> <p>While site work is being carried out:</p> <ul style="list-style-type: none"> 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: <ul style="list-style-type: none"> a. The contact details of the person(s) who removed the waste; b. The waste carrier vehicle registration; c. The date and time of waste collection; d. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; e. The address of the disposal location(s) where the waste was taken; f. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.</p> <p>Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
21	<p>Approved Plans to be on site</p> <p>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.</p> <p>Condition reason: To ensure development and works are consistent with the approved plans and consent.</p>
22	<p>Arborist Works</p>

	<p>Approved arborist works are to be conducted as per Australian Standard AS 4373-2007 "Pruning of Amenity Trees" and the approved Arboricultural Impact Assessment prepared by Chad Shakeshaft, dated 16 October 2024. Works are to be done by a minimum AQF Level 3 qualified arborist, except for root pruning which must be done by a minimum AQF Level 4 arborist.</p> <p>Condition reason: To eliminate or mitigate environmental impacts.</p>
23	<p>Hours of Work</p> <p>Construction works are to be limited to the following hours:</p> <p>Monday to Friday 7.00 am - 6.00 pm</p> <p>Saturday 7.00 am - 1.00 pm if inaudible from adjoining residential properties otherwise 8.00 am - 1.00 pm</p> <p>No construction work is to take place on Sunday and Public Holidays.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
24	<p>Public way to be Unobstructed</p> <p>The road reserve must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless approved by Council's Transport and Open Spaces section.</p> <p>Condition reason: For the provision of public safety in compliance with Local Government Act 1993 and property accessibility in compliance with NSW Roads Act 1993.</p>
25	<p>Stormwater</p> <p>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.</p> <p>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.</p> <p>Condition reason: For the provision of public amenity and management of stormwater runoff in compliance with Local Government Act 1993.</p>
26	<p>Fill</p> <p>All fill is to be placed with Level 1 Inspection and Testing in accordance with AS3798 and in accordance with the requirements of Council's Development Design and Construction Specifications and the approved Sediment and Erosion Control Plan.</p>

	Condition reason: To minimise the effects of erosion, land slip and run-off resulting from excavation or fill.
27	Dust Control Measures 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: <ol style="list-style-type: none"> (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. Condition reason: To ensure measures are in place to mitigate dust impacts.
28	Unexpected Contamination Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination. Condition reason: To ensure unexpected site contamination is appropriately managed.

Before issue of an occupation certificate

29	Access Works Prior to the issue of an Occupation Certificate for Stages 2 and 3, the driveway access works the subject of the Roads Act Consent (required by this consent) must be satisfactorily completed. Condition reason: To ensure compliance with Australian Standards and the legislation.
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30	BASIX
	Before issue of an Occupation Certificate, all commitments listed in BASIX Certificate no. 1737751M are to be fulfilled.
	Condition reason: To ensure the development is sustainable.
31	Fill
	All filling is to be placed in accordance with the requirements of Council's Development Design and Construction Specifications, the approved Sediment and Erosion Control Plan and shall be compacted to not less than 95% Standard Compaction.
	The Principal Certifying Authority is required to verify the develop conforms before the issue of an Occupation Certificate .
32	Fire Safety Certificate
	Submission of a Fire Safety Certificate to the Principal Certifier prior to the issue of an Occupation Certificate.
	A copy of the Fire Safety Certificate shall be provided to the Commissioner of the NSW Fire Brigades by the owner of the building and to Council where the Council is not the Principal Certifier.
33	Individual Council Water Meters
	The Fire Safety Certificate is also to be prominently displayed in the building.
	Condition reason: To ensure fire safety obligations under the EP&A Act 1979 are met.
34	Occupation Certificate
	Before issue of the relevant Occupation Certificate, individual Council water meters are to be provided to the group home and each dwelling of the dual occupancy.
	Condition reason: For compliance with Council's metering requirements.
35	Occupation Certificate
	A person must not commence occupation or use of the new building before obtaining an Occupation Certificate from the Principal Certifying Authority.

	<p>Note: Occupation Certificates are required to be applied for through the NSW Planning Portal and may be subject to separate fees and charges.</p> <p>Condition reason: To ensure the building is compliant with Australian Standards and the Building Code of Australia and certified by the principal certifying authority.</p>
35	<p>Rainwater Tanks</p> <p>A separate application is to be submitted to Council for assessment and registration of the proposed rainwater tank(s) and associated plumbing works, prior to their installation. Evidence of registration is to be confirmed by the Principal Certifying Authority before issue of an Occupation Certificate.</p> <p>Note 1: A testable backflow prevention device is required with underground water storage tanks.</p> <p>Note 2: Applications can be made on Council's web site www.coffsharbour.nsw.gov.au</p> <p>Condition reason: To ensure rainwater tanks are approved and installed in accordance with Council requirements.</p>
36	<p>Stormwater Management Certification (Building)</p> <p>Before issue of the relevant Occupation Certificate, the design engineer/hydraulic consultant shall issue a certificate to the Principal Certifying Authority to the effect that the stormwater drainage system has been installed and complies with the approved design.</p> <p>As the development is to be staged, a certificate is to be provided to the Principal Certifying Authority prior to issue of an Occupation Certificate for stage 2 and stage 3.</p> <p>Condition reason: To ensure the design has been constructed and certified in accordance with the approved Construction Certificate plans.</p>
37	<p>Car Parking Spaces</p> <p>Car parking spaces as shown on the approved plans being provided on the development site prior to the issue of an Occupation Certificate.</p> <p>All car parking and manoeuvring areas being constructed in accordance with the provisions of Australian Standard AS 2890 and be constructed with Concrete.</p> <p>Condition reason: To ensure adequate car parking is in place to service the development.</p>
38	<p>Operational Management Plan</p>

	<p>Before issue of an Occupation Certificate, an Operational Management Plan must be prepared for the operation of the group home. The plan must include, but is not limited to, the following matters:</p> <ul style="list-style-type: none"> • Details of access and security arrangements including CCTV. • Complaints management and record keeping procedure. • Notification to adjoining properties of site contact and after hour contact details. • Arrangements for the keeping of pets on site.
	<p>Condition reason: To ensure the development has appropriate measures and procedures in place for operation.</p>
39	<p>Waste Management Plan</p>
	<p>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:</p> <ul style="list-style-type: none"> • 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. • Details on maintenance of any bin storage area. <p>The waste management practices of the premises should provide for the continued separation of recycling and organic waste from the general waste stream.</p>
	<p>Condition reason: To minimise and manage waste generation during operation of the development.</p>

Occupation and ongoing use

40	<p>External lighting during ongoing use</p>
	<p>During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved plans and the requirements of this consent.</p>
	<p>Condition reason: To ensure the safe operation of the premises and protect the amenity of the local area</p>
41	<p>Landscaping Works</p>

	Landscaping is to be maintained in accordance with the approved landscape plans at all times.
	Condition reason: To uphold execution of works within the terms of consent and approved plan set.
42	Operational Management Plan
	The group home is to be operated in accordance with the Operational Management Plan required by this Consent.
	Condition reason: To ensure the development has appropriate measures and procedures in place for operation.
43	Stormwater
	All stormwater management systems must be maintained in accordance with the approved stormwater plans.
	Condition reason: To ensure the stormwater management system operates as designed.
44	Unobstructed Driveways and Parking Areas
	All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for parking of vehicles associated with the use of the premises.
	Condition reason: To ensure car parking spaces are maintained to service the development.

Subdivision Work

Before issue of a subdivision works certificate

45	Civil Works Required
	<p>The following works:</p> <ol style="list-style-type: none"> 1. Interallotment Drainage 2. Footpaths 3. Sewer decommissioning 4. Street Trees

	<p>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).</p> <p>Note:</p> <ol style="list-style-type: none"> 1. Footpaths 1.5m wide are to be constructed on the Pitt Square and Azalea Ave Frontages 2. The sewer main is to be decommission to the northern side of 57 Azalea Ave with a manhole and sewer junction installed at the end of the line. <p>Plans and specifications are to be submitted to Council and/or accredited private certifier and approved prior to issue of a Subdivision (Civil) Works Certificate. Plan submissions are to be accompanied by payment of prescribed fee.</p> <p>Plans and specifications submitted later than six (6) months from the date of development consent shall comply with The City's current specifications at a date six (6) months prior to submission.</p> <p>All work is to be at the developer's cost.</p> <p>Condition reason: To ensure appropriate detail is provided for works required to be undertaken as part of the development.</p>
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Before subdivision work commences

46	<p>Erosion and Sediment Control Devices</p> <p>Erosion and sediment control devices in accordance with the document Managing Urban Stormwater - Soils & Construction Volume 1 (2004) by Landcom are to be installed before the commencement of work. These devices are to be maintained for the full period of construction and beyond this period where necessary.</p> <p>Condition 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.</p>
47	<p>Prestart Meeting</p> <p>Arrange a prestart meeting with Council officers from Development Engineering Section not less than 7 days prior to commencing any site works associated with the Subdivision Works Certificate.</p> <p>The following people will be required to attend the prestart meeting:</p>

	<ul style="list-style-type: none"> • Developer's Superintendent • Contractor's Engineer/Project Manager • Contractor's Site Supervisor
	Condition reason: To ensure requirements and documentation for construction are understood and maintained by all parties.

During subdivision work

48	Dust Minimisation				
	<p>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:</p> <ol style="list-style-type: none"> 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. 				
	Condition reason: To minimise and control erosion and sedimentation.				
49	Hours of Work				
	<p>Construction works are to be limited to the following hours:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Monday to Friday</td> <td style="width: 50%;">7.00 am - 6.00 pm</td> </tr> <tr> <td>Saturday</td> <td>7.00 am - 1.00 pm if inaudible from adjoining residential properties otherwise 8.00 am - 1.00 pm</td> </tr> </table> <p>No construction work is to take place on Sunday and Public Holidays.</p>	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
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				
	Condition reason: To protect the amenity of the surrounding area.				

50	Public Way to be Unobstructed
	The road reserve must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless approved by Council's Transport and Open Spaces section.
	Condition reason: For the provision of public safety in compliance with Local Government Act 1993 and property accessibility in compliance with NSW Roads Act 1993.

Before issue of a subdivision certificate

51	Civil Works Executed
	<p>The following works:</p> <ol style="list-style-type: none"> 1. Interallotment Drainage (easement) 2. Footpaths 3. Sewer decommissioning 4. Street trees <p>being constructed in accordance with the approved plans and specifications are to be completed prior to issue of the Subdivision Certificate.</p> <p>Condition reason: To ensure accurate records of completed works can be verified and maintained.</p>
52	Maintenance Bond
	<p>Prior to issue of a Subdivision 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.</p> <p>The bond required is the larger sum of:</p> <ul style="list-style-type: none"> • 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 <p>All work to be dedicated to Council is subject to a maintenance period of six (6) months from the date of release of the Subdivision Certificate. The maintenance</p>

	<p>period may be extended by Council due to material or construction work compliance reasons.</p> <p>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.</p> <p>Note: If a financial institution 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.</p> <p>Condition reason: To ensure any defects with subdivision works are rectified and ensure any damage to public infrastructure is rectified and public works can be completed.</p>
53	<p>Restriction on Title</p> <p>An easement for drainage 2m wide shall be registered over the stormwater interallotment drainage infrastructure. A restriction on title under Section 88B of the Conveyancing Act 1919, being registered on the title of the proposed lot B, to the effect that drainage lines installed in the development being maintained by the benefiting property owners.</p> <p>The 88B shall contain a provision enabling such restrictions, easements to be revoked, varied or modified only with the consent from Council.</p> <p>Details of the Restriction(s) are to accompany the application for Subdivision Certificate.</p> <p>Condition reason: To enable the creation and release of affecting interests upon registration of the plan.</p>
54	<p>Surveyor Certification</p> <p>Before issue of a Subdivision Certificate, certification is to be provided to Council by a registered surveyor confirming that all infrastructure (including services, stormwater infrastructure and drainage paths, access) are contained within the respective lots or easements for the lands to be subdivided.</p> <p>Condition reason: To ensure the development is in accordance with the approved consent.</p>
55	<p>Works as Executed Plan</p> <p>Before the issue of a Subdivision Certificate, the following must be submitted to the satisfaction of Council:</p> <ul style="list-style-type: none"> works-as-executed plans endorsed by a registered surveyor,

	<ul style="list-style-type: none"> • 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.
	<p>Condition 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.</p>
56	<p>Street Tree Planting (Subdivision)</p> <p>Street trees being planted along the road frontage of the site in accordance with the approved plans.</p> <p>The planting is to be maintained for a period of twelve (12) months in accordance with the City's requirements to ensure successful establishment.</p> <p>A bond per tree is to be paid to Council before the issue of a Subdivision Certificate. The bond is to be returned at the end of the twelve-month maintenance period only where plantings have been successfully established. Note, the current street tree bond as at 1 July 2024 is \$1,700 per tree and is subject to indexation at the CP/Sydney Index rate.</p> <p>Condition reason: To ensure the successful establishment of street trees in contribution to the amenity of the area.</p>

Ongoing use for subdivision work

No additional conditions have been applied to this stage of development.

Demolition Work

Before demolition work commences

57	Demolition management plan
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	<p>Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.</p> <p>The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures and the Code of Practice – Demolition Work.</p> <p>Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site</p>
58	<p>Disconnection of services before demolition work</p> <p>Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.</p> <p>Condition reason: To protect life, infrastructure and services</p>
59	<p>Notice of commencement for demolition</p> <p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <ol style="list-style-type: none"> 1. name 2. address, 3. contact telephone number, 4. licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and 5. the contact telephone number of council and 6. the contact telephone number of SafeWork NSW (4921 2900). <p>Condition reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries</p>

During demolition work

60	<p>Handling of asbestos during demolition</p> <p>While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:</p> <ol style="list-style-type: none"> 1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;
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	<p>2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and</p> <p>3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.</p>
	<p>Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally</p>

On completion of demolition work

61	<p>Waste disposal verification statement</p>
	<p>On completion of demolition work, a signed statement must be submitted to the certifier verifying that demolition work was undertaken in accordance with the demolition management plan approved under this consent, and if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to the certifier within 14 days of completion of the demolition work.</p>
	<p>Condition reason: To provide for the submission of a statement verifying that demolition waste management has been undertaken in accordance with the approved demolition management plan.</p>

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a

principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

DRAFT

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means COFFS HARBOUR CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision work certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Northern Regional Planning Panel.