

**ADMINISTRATIVE CONDITIONS**

**Development Description:**

1. Development consent is granted only to carrying out the development described in detail below:
  - ***Demolition of existing structures and construction of new structures for a Transitional Group Home***

**Prescribed Conditions:**

2. The proponent shall comply with the prescribed conditions of development approval under Clauses 97A, 98, 98A - E of Environmental Planning and Assessment Regulation 2000 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. 0901/20DA).

<b>Plan No. / Supporting Document(s)</b>	<b>Version</b>	<b>Prepared by</b>	<b>Dated</b>
Location Plan – A01	7	Vilbrickman Architects	16/09/2020
Site Plan – A02	7	Vilbrickman Architects	16/09/2020
Floor Plan – A03	4	Vilbrickman Architects	06/06/2020
Elevations – A05	4	Vilbrickman Architects	06/06/2020
Tree Removal Plan – 3575/02	-	Geolink	17/06/2020
Landscape Plan – 3575/03	-	Geolink	17/06/2020

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:
  - *Statement of Environmental Effects*, prepared by Bennell & Associates and dated 17 June 2020.
  - *Biodiversity Assessment*, prepared by Geolink and dated 7 October 2020 (third issue).
  - *Due Diligence Aboriginal Heritage Assessment* prepared by Coast History and Heritage and dated 25 September 2020 (Final Report).
  - *Revised Wastewater Management Plan – Adele Woman's Group Home*, prepared by Whitehead & Associates dated 11 June 2020 (Version 3).
  - *Moonee Beach Noise Impacts Assessment - Adel Training Farm Ltd*, prepared by

Advitech Environmental, dated 5 June 2020 (Rev 1 Final).

- *Adele House Asbestos Register and Management Plan*, prepared by North Coast Occupational Hygiene, dated 6 May 2020.
- *Preliminary Acid Sulphate Soil Assessment for Adele house* prepared by Whitehead & Associates dated 21 May 2020 (Version 2 - Final)

**Inconsistency Between Documents:**

5. In the event of any inconsistency between:
- (1) The conditions of this approval and the drawings/documents referred to in conditions 3 and 4, the conditions of this approval prevail; and
  - (2) Any drawing/document listed in conditions 3 and 4 and any other drawing/document listed in conditions 3 and 4, the most recent document shall prevail to the extent of inconsistency.

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

**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 Certifier has been appointed.

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

**Access over Lot 25 DP 1140702:**

7. Easements shall be provided burdening Lot 25 DP 1140702 and benefiting Lot 11 DP 1140702, where applicable, for services, vehicular and pedestrian access. Alternatively, the applicant may negotiate with the TfNSW for the dedication of Lot 25 DP 1140702 as Public Road. Such easement or dedication or public road shall be in an acceptable form to Council with subsequent evidence of lodgement with the Land Titles Office prior to the issue of any Construction Certificate, and evidence of registration at Occupation Certificate. All costs are to be borne by the applicant.

**Vegetation Management Plan:**

8. **Prior to issue of the 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).

**Stormwater Management Plan:**

9. A Stormwater Management Plan complying with the relevant controls of Council's Water Sensitive Urban Design Policy being submitted to and approved by Council **prior to issue of a Construction Certificate.**

Note: The stormwater management plan submitted with the development application is acceptable in principle. The plan needs to detail scour protection at the outlets to ensure no detrimental effect on the receiving environment.

**Intersection Upgrade:**

10. Access to the development from Solitary Island Way being provided by the construction of an Austroads Type BAR intersection prior to issue of an Occupation Certificate.

Plans and specifications of the works are to be submitted to and approved by Council **prior to issue of a Civil Works Certificate.**

**Erosion and Sedimentation Control Plan:**

11. Erosion and sediment control measures, shall be prepared by a qualified environmental or engineering consultant in accordance with the document Managing Urban Stormwater - Soils & Construction Volume 1 (2004) by Landcom. Details being submitted and approved by the Certifying Authority **prior to issue of a Construction Certificate or Civil Works Certificate.**

**Fill:**

12. Contour plans indicating the location of proposed fill areas in the subdivision being submitted and approved by Council **prior to issue of a Construction Certificate.**

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

**On Site Sewage Management:**

13. An application to install an on site sewage disposal system **and undertake sanitary plumbing and drainage work** is to be submitted and approved by Council **prior to issue of any Construction Certificate.** Such application shall include full details of the proposed system and the location of the drainfield area.

**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 (formerly sec 94) Contributions Plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at least annually.

**Note 3 -** If the development is to be staged, contributions are to be paid on a pro rata

basis in respect of each stage.

	\$ Per Bed
- Coordination and Administration	86.60
- Coffs Harbour Road Network	198.98
- Surf Rescue Facilities	50.23
- District Open Space	1,412.06

**The Section 7.11 (formerly sec 94) contribution is currently \$31,711.37 for the 21 bed group home development.** This includes a credit of \$4,993.90 for the existing dwelling

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

- Coffs Harbour Open Space 2017
- Coffs Harbour Road Network 2016
- Surf Rescue Facilities 2019
- Coffs Harbour Administration Levy 2019

The Contribution Plans may be inspected at the Council Administration Offices, 2 Castle Street, Coffs Harbour or on Council's web site, [www.coffsharbour.nsw.gov.au](http://www.coffsharbour.nsw.gov.au).

**Bushfire Hazard Construction Standards:**

15. New construction shall comply with various specified outcomes for the following noted building areas:

- **The southern accommodation section of the building with walls facing north-west, south-west and south-east:**

Sections 3 and 7 (BAL-29) Australian Standard "AS3959-2018 Construction of buildings in bush fire-prone areas" or NASH Standard (1.7.14 updated) "National Standard Steel Framed Construction in Bushfire Areas – 2014", as appropriate, and Section 7.5 "Additional construction requirements" of PBP 2019.

- **The southern accommodation section of the building with walls facing north-east:**

Sections 3 and 6 (BAL-19) Australian Standard "AS3959-2018 Construction of buildings in bush fire-prone areas" or NASH Standard (1.7.14 updated) "National Standard Steel Framed Construction in Bushfire Areas – 2014", as appropriate, and Section 7.5 "Additional construction requirements" of PBP 2019.

- **The northern section of the building that generally includes; the yoga room, counselling rooms, centre management rooms, kitchen and dining areas:**

Sections 3 and 6 (BAL-19) Australian Standard "AS3959-2018 Construction of buildings in bush fire-prone areas" or NASH Standard (1.7.14 updated) "National Standard Steel Framed Construction in Bushfire Areas – 2014", as appropriate, and Section 7.5 "Additional construction requirements" of PBP 2019.

**Retaining Works:**

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

**PRIOR TO COMMENCEMENT OF WORKS**

**Site Notice:**

17. Prior to commencement of works a site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of the development details including but not limited to:
- (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.

**Erosion and Sediment Control:**

18. 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.

**Demolition Works:**

19. All works including (where relevant) the handling and disposal of materials containing asbestos, are to be undertaken in accordance with the relevant requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard AS 2601-2001 “The Demolition of Structures”.

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

**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.

**Tree Removal:**

21. The trees listed as being removed in the Biodiversity Assessment by Geolink dated 17 October 2020; and as shown on the approved Tree Removal Plan are the only trees approved for removal.

**DURING CONSTRUCTION**

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

22. 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.

**Waste and Contamination:**

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

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

**Fill:**

24. All fill is to be placed in accordance with the requirements of Council's Development Design and Construction Specifications and the approved Sediment and Erosion Control Plan.

**Importation of Fill:**

25. The only fill material that may be received at the development is:
- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);
  - b) Any other waste-derived material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (*Waste*) Regulation 2005 that is permitted to be used as fill material, excluding waste tyres.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifier on request.

**Erosion and Sediment Control (Minor Works):**

26. Where excavation works or removal of vegetation is to take place on the site, control measures in accordance with the document Managing Urban Stormwater - Soils & Construction Volume 1 (2004) by Landcom are to be undertaken at each appropriate construction stage to prevent erosion of soil.

**Dust Control Measures:**

27. Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:
- (1) All materials shall be stored or stockpiled at the best locations;
  - (2) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that runoff occurs;
  - (3) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other materials;
  - (4) Cleaning of footpaths and roadways shall be carried out regularly; and
  - (5) Rumble grids being installed at access points to the site.

**Hours of Work:**

28. 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:**

29. The road reserve must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless approved by Council's Road and Open Spaces section.

**Cultural Heritage:**

30. 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.

**Stormwater:**

31. No new paving, excavation, filling or other work on the site is to interfere with the existing drainage system so as to pond or divert water onto adjoining properties.

**Asbestos:**

32. All works associated with the handling and disposal of asbestos containing materials are to be undertaken in accordance with North Coast Occupational Hygiene's report, dated 6 May 2020 and the Code of Practice: How to Safely Remove Asbestos (Safe Work NSW, 2019).

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

33. The finished floor level of the ground floor of the building is to be a minimum of 6.8mAHD (Estimated 1 in 500 year level + 500mm freeboard). The detailed design of the driveway is to achieve a minimum finished level of 6.3mAHD to provide adequate flood-free access in/out of the development.

An accredited surveyor's certificate certifying such level is to be submitted to the Principal Certifying Authority prior to works proceeding above finished floor level.

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

**Occupation Certificate:**

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

**Stormwater Drainage:**

35. 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 Certifying Authority and Council to the effect that the stormwater system has been installed and complies with the approved design.

**BASIX:**

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

**Private supply of drinking water:**

37. The private supply of drinking water to the premises must meet the requirements contained within the Public Health Act 2010 and the Australian Drinking Water Guidelines 2011 and any subsequent amendments to the Guidelines.

**Car Parking Spaces:**

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

All car parking and manoeuvring areas being constructed in accordance with the provisions of Australian Standard AS 2890. Parking Spaces 9 and 10 shall be marked as designated parking spaces for the facilities minibuses

**Noise attenuation to building:**

39. Noise attenuation methods specified in the acoustic report prepared by Advitech Environmental (Moonee Beach Noise Impacts Assessment Adel Training Farm Ltd (dated 5 June 2020) being implemented in the proposed development and the completed works subsequently certified by a suitably qualified person 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**.

**Vegetation Management Plan:**

40. The works (other than maintenance works) prescribed in the approved Vegetation Management Plan (VMP) being completed **prior to issue of the 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:**

41. The registered proprietor of the land must enter into positive covenants with Council to maintain the works as effected on the 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" and must be registered on the title.

**Intersection Upgrade:**

42. Access to the development from Solitary Island Way being provided by the construction of an Austroads Type BAR intersection. Prior to the issue of an Occupation Certificate, a Letter of Completion for Civil Works is required to be obtained from Council confirming that the access works have been completed to Councils satisfaction.

**Maintenance Bond:**

43. Prior to issue of an Occupation Certificate and acceptance of 'On Maintenance' period, a maintenance bond for the constructed civil engineering works 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 a 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.

**Flood Management:**

44. A Floodsafe Plan in accordance with the NSW State Emergency Service Guidelines (FloodSafe Toolkit) is to be prepared prior to Occupation Certificate. For further details, visit the SES website at [www.ses.nsw.gov.au](http://www.ses.nsw.gov.au)

**Flood Management (Change of Use/Minor Additions):**

45. All new electrical infrastructure and equipment (wiring, power outlets, switches etc.), and the storage of oil's or hazardous materials on site is to be located at minimum level of 6.8mAHD, or suitably waterproofed prior to Occupation Certificate.

**Access over Lot 25 DP 1140702:**

46. Easements shall be provided burdening Lot 25 DP 1140702 and benefiting Lot 11 DP 1140702, where applicable, for services, vehicular and pedestrian access. Alternatively, the applicant may negotiate with the TfNSW for the dedication of Lot 25 DP 1140702 as Public Road. Such easement or dedication or public road shall be in an acceptable form to Council with subsequent evidence of registration with the Land Titles Office prior to the issue of any Occupation Certificate. All costs are to be borne by the applicant.

**OPERATIONAL MATTERS**

**Loading and Unloading:**

47. All loading and unloading activities associated with the use of the premises being carried out wholly within the site at all times.

**Unobstructed Driveways and Parking Areas:**

48. 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.

**Car Parking Areas:**

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

**Permissible Vehicles On-Site:**

50. The site is not to be accessed by a vehicle larger than that represented by the 8.8m service vehicle as defined in AS2890.2, with the exception of the Emergency Services.

**Noise (Operational):**

51. Noise emanating from the proposed development shall at all times be in accordance with the provisions of the Protection of the Environment (Operations) Act 1997.

**INTEGRATED TERMS OF APPROVAL CONDITIONS**

**Bushfire Hazard – Asset Protection Zones:**

52. From the commencement of building works, and then in perpetuity (to ensure ongoing protection from the impact of bush fires), the property around the proposed alterations and additions to an existing Group Home shall be managed in accordance with the plan prepared by Geolink, titled "Proposed Asset Protection Zones - Illustration 3.3" and dated 01/07/2020. This plan identifies both: inner protection areas (IPAs) and outer protection areas (OPAs). Management of these areas shall be in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

**Bushfire Hazard – Landscaping:**

53. Landscaping of the development shall comply with the requirements of Table 7.4a of '*Planning for Bush Fire Protection 2019*'.

**Access – Internal Roads:**

54. Access roads for special fire protection purpose (SFPP) developments shall comply with the following requirements of Table 6.8b of Planning for Bush Fire Protection 2019:
- SFPP access roads are two-wheel drive, all-weather roads;
  - access is provided to all structures;
  - traffic management devices are constructed to not prohibit access by emergency services vehicles;
  - access roads must provide suitable turning areas in accordance with Appendix 3;

- hydrants are to be located clear of parking areas;
- where kerb and guttering is provided on the proposed roads, roll top kerbing should be used to the hazard side of the road;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees;
- curves of roads have a minimum inner radius of 6m;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided; and
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.

**Water and Utility Services Intent of measures:**

55. The provision of water, electricity and gas shall comply the following in accordance with Table 6.8c of Planning for Bush Fire Protection 2019:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
  - a) lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - b) no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer sheathed flexible gas supply lines are not used; and -
- above-ground gas service pipes are metal, including and up to any outlets.

**Fire Fighting Water Supply:**

56. The proposed large 291,000 litre firefighting water supply is noted to be primarily for structural firefighting and will be used to supply hydrants (a BCA outcome). This tank appears to be located in a remote area of the site that may not be easily accessible.

Three other water tanks are noted to be proposed on site and these should be accessed (with the correct fittings provided) by the NSW RFS for firefighting purposes. To this purpose, the connection point must be a 65mm storz fitting that is located within 4m of a hard stand point (e.g. an access road surface). The location of such a connection also needs to be within the IPA and away from the hazard to the south-west or provided with shielding for the protection of fire fighters.

**Emergency and Evacuation Planning Assessment:**

57. A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: "A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan". The plan must include, but not be limited to, the following:

- that the Group Home is not to be occupied on days with an 'extreme' or 'catastrophic' fire danger rating;
- a mechanism for the relocation of occupants on days with an 'extreme' or 'catastrophic' fire danger rating or days declared as a total fire ban;
- contact details for the local Rural Fire Service office;
- procedures for co-ordinated evacuation of the site in consultation with local emergency services. A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.

**General Terms of Approval:**

58. The General Terms of Approval (GTA) listed below apply to the controlled activities described in the plans and associated documentation relating to Development Application No. 0901/20DA and provided by Council.

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Water (DPI) must be notified to determine if any variations to these GTA will be required.

**Controlled Activity Approval:**

59. Before commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act 2000 from the Natural Resources Access Regulator. The application for a controlled activity approval must include the following plans:

- *Work Schedule*
- *Vegetation Management Plan.*
- *Soil and water management plan.*
- *Erosion and Sediment Control Plan.*

60. Any proposed controlled activity must be undertaken in accordance with a plan submitted as part of a controlled activity approval, to be approved by the Natural Resources Access Regulator.

The plans must be prepared in accordance with Natural Resources Access Regulator guidelines located on the website <https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities>

Note: a copy of the CAA being submitted to Council prior to the issue of Construction Certificate.

61. The consent holder must ensure that any proposed materials or cleared vegetation which may obstruct water flow or, wash into the waterbody or, cause damage to river banks; are not stored on the waterfront land unless in accordance with a plan held by Natural Resources Access Regulator or as part of a controlled activity approval.

When the carrying out of the controlled activity has been completed, surplus materials must be removed from the waterfront land.

62. Where excavation works or removal of vegetation is to take place on the site, control measures in accordance with the document Managing Urban Stormwater - Soils & Construction Volume 1 (2004) by Landcom are to be undertaken at each appropriate construction stage to prevent erosion of soil.
63. The erosion and sedimentation control work must be inspected and maintained throughout the construction or operation period of the controlled activity and must not be removed until the site is fully stabilized.

### **ADVISORY NOTES**

#### **Public Road Reserves:**

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

#### **Civil Works Certificate:**

65. A Civil Works Certificate means a:
- Section 138 & 139 Roads Act 1993 (road opening) approval issued by Council and/or Transport for NSW (TfNSW);
  - Section 68 Local Government Act (drainage, water & sewer) approval;

#### **Issuing of Civil Works Certificates:**

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

A private certifier accredited for Civil Construction may be engaged for all or part of the civil engineering works, noting the following;

- A private certifier accredited for Civil Construction under the NSW Building Professionals Act 2005 (Categories B and/or C), may be engaged for all or part of civil works (subdivision and/or on private property) other than public infrastructure, water and sewer reticulation works;
- Accreditation of private certifiers for public sewer and water reticulation works is not

offered under the Building Professionals Act 2005

- Connection to Council drainage, water and sewer systems require the approval of Council under the NSW Local Government Act.
- Works within public road reserves require the approval of the Road Authority as defined in the NSW Roads Act.

A private certifier who issues a Civil Works Certificate must forward a copy of the Certificate along with a copy of the approved plans and ITP to Council two days before work commences on the development. Council attendance at any required inspections will be charged in accordance with the adopted 'Fees & Charges' current at the time of the inspections. Payment is required prior to any inspections.

**Safer By Design - NSW Police advice:**

67. The following matters raised by the NSW Police Service should be considered for implementation into the development:

- a) The development applicant submit a security plan - Management in Use Plan.
- b) The development applicant provide a Closed Circuit Television (CCTV) Plan.
- c) Surveillance equipment should be installed to enhance the physical security of the premises and assist in the identification of people involved in anti-social or criminal behaviour.
- d) Cameras should be installed both within and around the premises to maximise surveillance opportunities.
- e) Once installed, a suitable person should be trained in the operating procedures of the equipment.
- f) Any surveillance system should be manufactured and installed by a qualified and reputable company and regularly function tested.
- g) Ensure that the requirements of the Surveillance and Privacy Act are adhered to.
- h) Cameras should also cover the carpark area and any entry / exit points. Ensure that the requirements of the Surveillance and Privacy Act are adhered to.
- i) Lighting should be designed to the Australian and New Zealand Lighting Standards or higher.
- j) Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- k) A lighting maintenance policy should be established for the development.
- l) Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas.
- m) Warning signs can assist in controlling activities and movements throughout the premises and grounds.
- n) Post warning signs around the perimeter of the buildings to warn intruders of what security treatments have been implemented to reduce opportunities for crime, such as, "Warning. This property is under electronic surveillance".
- o) The street/building number must be prominently displayed at the front of the unit complexes to comply with the Local Government Act, 1973.
- p) Remove obstacles and rubbish from property boundaries, footpaths, driveways, car parks and buildings to restrict concealment of offenders.
- q) Any new landscaping should be designed so that it does not provide concealment or entrapment areas and should be maintained regularly.
- r) As the surrounding area to the general north is large lot residential housing, it is recommended that noise resistant materials including the use of vegetation be utilised on the perimeter fence to the north. This will reduce the likelihood for noise complaints from the surrounding residents.

- s) Furniture should pose no threat to being used as a weapon or used to cause malicious damage. This includes chairs and tables, planter boxes and potential inclusion of garden rocks, garden statues, etc.
- t) Consideration is to be given in relation to installing chairs, tables and other items in communal/common areas of the development. The developer must decide, and clearly indicate, what activity is to be undertaken in these areas and avoid crime 'blackspots' and unsafe practices.
- u) The premises should be fitted with single cylinder locksets (Australia and New Zealand Standards – Locksets), which comply with the Building Code of Australia.
- v) Windows can also be re-enforced to restrict unauthorised access by applying a shatter resistant film.
- w) Emergency evacuation plans should be implemented and maintained to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed.
- x) It is recommended that the premise be fitted with an Intruder alarm system as this will enhance the security of the development. Ensure that the system has been designed and installed to the Australian Standard (Domestic and Commercial Alarm Systems).
- y) Access to the building, including communal areas designed for residents and staff, should be restricted to staff only and therefore, entry doors should have either electronic/pin code or key access. This will enhance the overall security of the facility as it is known that premises of this nature can become targets for theft and break-ins.
- z) Unfortunately, offenders target this type of development in its construction phase. Police would recommend the use of security sensor lights and a security company to monitor the site while construction is in progress.
- aa) Mailbox facilities being installed at the location need to have Australian Standard locks fitted. These mailboxes should have good surveillance, and lighting needs to be included to illuminate them in darkness.
- bb) The entry point to the facility should have restricted access via swipe pass or code through a suitable gate and front fence. It is often with facilities of this type, even with restricted access to the main carpark, steal from motor vehicle and steal from dwelling offences regularly occur due to the lack of individually secured car and/or storage spaces.
- cc) To ensure Police can adequately access the building complexes, access codes should be used and provided to Police for access to the entire building (excluding private residential units).
- dd) NSW Fire and Rescue need to be consulted in relation to access to the facility including access to the surrounding bushland.