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**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

**DETERMINATION OF MAJOR PROJECT NO. 06\_0150**

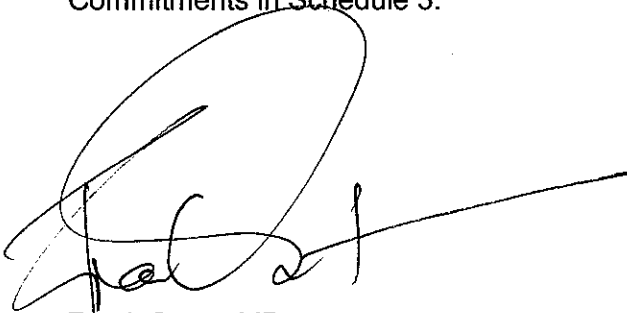
**(FILE NO. 9042978)**

**9-STOREY MULTI UNIT HOUSING DEVELOPMENT**

**111 OCEAN PARADE, COFFS HARBOUR**

I, the Minister for Planning, having considered the following, pursuant to Part 3A of the *Environmental Planning & Assessment Act, 1979*, Section 75J Clause (2) / Section 750 Clause (2) determine the major project referred to in the attached Director-General's Environmental Assessment Report, by **giving of approval** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2.

This approval applies to the plans, drawings and documents cited by the Proponent in their Preferred Project Report identified in Appendix 1 of that report and subject to the conditions of approval in the attached Schedule 2 and the Proponent's Revised Statement of Commitments in Schedule 3.



Frank Sartor MP  
**Minister for Planning**

Sydney,

28<sup>th</sup> Feb.

2007

## SCHEDULE 1

### PART A—TABLE

Application made by:	Coffs Beach Partnership
Application made to:	Minister for Planning
Major Project Application:	MP 06_0150
On land comprising:	Lot 19 DP 611010 & Lot 1 DP 41616 111 Ocean Parade, Coffs Harbour
Local Government Area	Coffs Harbour City Council
For the carrying out of:	9-storey multi unit housing development comprising 3 x 1 bedroom dwellings, 16 x 2 bedroom dwellings and 17 x 3 bedroom dwellings, and basement and on ground car parking for 54 cars.
Estimated Cost of Works	\$15,300,000
Type of development:	Major Project
S.119 Public inquiry held:	No
Determination made on:	28 February 2007
Date approval is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act.

### PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06-0150

#### Responsibility for other consents / agreements

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

#### Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

#### Appeals—Third Party

A third party right to appeal to this approval in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

#### Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

### PART C—DEFINITIONS

In this approval,

**Act** means the *Environmental Planning and Assessment Act, 1979* (as amended).

**Advisory Notes** means advisory information relating to the approved development but do not form a part of this approval.

**Council** means Coffs Harbour City Council.

**CPI** means Consumer Price Index.

**Department** means the Department of Planning or its successors.

**Director-General** means the Director-General of the Department.

**Environmental Assessment** means the Environmental Assessment prepared by Planning Workshop Australia and dated 22 August 2006.

**Minister** means the Minister for Planning.

**MP 06\_0150** means the Major Project described in the Proponent's Environmental Assessment.

**PCA** means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

**Proponent** means Coffs Beach Partnership or any party acting upon this approval.

**Regulation** means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

**Subject Site** has the same meaning as the land identified in Part A of this schedule.

## SCHEDULE 2

### RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 06\_0150

#### PART A—ADMINISTRATIVE CONDITIONS

##### **A1 Development Description**

Approval is granted only to carrying out the development described in detail below:

- (1) Excavation on site; and
- (2) Construction of a nine storey building (Max height RL 34.6 AHD):
  - (a) Containing 3 x 1 bedroom, 16 x 2 bedroom, and 17 x 3 bedroom dwellings;
  - (b) basement car parking for 43 cars;
  - (c) ground floor car parking for 11 cars;
  - (d) landscaping; and
  - (e) servicing for the site.

##### **A2 Development in Accordance with Plans**

The development will be undertaken in accordance with:

- 1) the following drawings listed in the table, as set out below;
- 2) the Environmental Assessment dated 22 August 2006 prepared by Planning Workshop Australia including all Appendices, as amended by the Preferred Project Report dated February 2007 also prepared by Planning Workshop Australia;
- 3) the Proponent's Revised Statement of Commitments appended to the Preferred Project Report (Schedule 3);
- 4) except for:
  - a) any modifications which are 'Exempt Development' as identified in the *Coffs Harbour City Local Environmental Plan 2000* or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
  - b) as otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings prepared by the Buchan Group dated February and April 2006, appended to the Preferred Project Report (except DA-5000 & DA – 7000)			
Drawing No.	Revision	Name of Plan	Date
DA – 100	B	Basement Car Park	16.02.07
DA – 101	B	Level 1 Floor Plan	16.02.07
DA – 102	B	Level 2 Floor Plan	16.02.07
DA – 103	B	Level 3-4 Floor Plan	16.02.07
DA – 104	B	Level 5-8 Floor Plan	16.02.07

DA – 105	B	Penthouse Floor Plan	16.02.07
DA – 106	B	Roof Plan	16.02.07
DA – 107	A	Adaptable Unit	16.02.07
DA – 150	B	Level 1 Floor Plan (Open Space calculation)	16.02.07
DA – 160	B	Basement Car Park (Deep Soil Calculations)	16.02.07
DA – 200	B	Section A-A	16.02.07
DA – 201	B	Section B-B	16.02.07
DA – 300	B	East Elevation	16.02.07
DA – 301	B	West Elevation	16.02.07
DA – 302	B	South Elevation	16.02.07
DA – 303	B	North Elevation	16.02.07
DA – 350	A	Perspective View	16.02.07
DA – 5000 (Appendix 1 of EA)	B	Details (typical planter box, pergola at driveway)	16.08.06
DA – 7000 (Appendix 1 of EA)	A	External Finishes Board details	5.05.06
<b>Survey Drawings prepared by Newnham Karl Weir at Appendix 1 of the Environmental Assessment dated 22 August 2006</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
6058, sheet 1	-	Plan Showing details and Services at Lot 1 DP 41616 and Lot 19 DP 611010	19.01.06
6058, sheet 2		Plan Showing trees at Lot 1 DP 41616 and Lot 19 DP 611010	19.01.06
6058	-	Plan showing location of trees adjacent to Lot 1 DP41616 and Lot 19 DP 611010	07.08.06

### **A3 Inconsistency Between Documents**

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, and the Revised Statement of Commitments in Schedule 3, the conditions of this approval prevail.

### **A4 Prescribed Conditions**

The Proponent shall comply with the prescribed conditions of development approval under clause 98 of the Regulation.

### **A5 Signage**

A separate development application to Council for any proposed signs (other than exempt or complying signs under Council's exempt and complying DCPs) which are either externally

fitted or applied must be submitted for the approval of Council prior to the erection or display of any such signs.

**A6 Construction certificate**

No construction work is to commence on site until a construction certificate has been issued for the work and the Department and Council has been notified that a Principal Certifying Authority has been appointed.

## **PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **Design Details and Changes**

#### **B1     *Balcony screening***

At least one of the balconies to each of the units are to be provided with fixed or moveable screens up to a minimum 1.5m in height to provide for screened clothes drying spaces for each unit (except where already provided), with details being provided to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground works.

#### **B2     *Reflectivity***

The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground works.

#### **B3     *Outdoor Lighting***

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground works.

#### **B4     *Design Verification Statement – Residential Flat Buildings***

Prior to the issue of a Construction Certificate for above ground works, the Proponent shall submit to the Certifying Authority a Design Verification Statement from a qualified designer, verifying that the plans and specifications for the residential component of the approved development achieve or improve the design quality of the development, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65—Design Quality of Residential Flat Development*.

#### **B5     *Disabled Access***

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy and the *Disability Discrimination Act*. Prior to the issue of a Construction Certificate for below ground works, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

#### **B6     *Flooding***

The carpark is to be designed such that it is flood proofed to 4.6m AHD including a weir to this level in the driveway entry. The ground floor level of the development is to be a minimum of 5.1m AHD.

#### **B7     *Separate Water Meters***

Individual water meters are to be provided to all units and common areas. A water reticulation plan is to be submitted to Council for approval prior to water fitting work commencing and prior to issue of the construction certificate.

## **B8 Water Feature**

The water feature is to comply as necessary with the Swimming Pool Act 1992, with details of compliance with this act accompanying the application for a construction certificate.

## **Stormwater Management**

### **B9 Stormwater Drainage plans and details**

Design details of the system are to be submitted to Council prior to the issue of the construction certificate. The on site drainage system is to be designed in such a way that the estimated peak flow rate from the site for the design average recurrence interval (ARI) of the receiving system is no greater than that which would be expected from the existing development. The design shall provide for stormwater to be drained to Hogbin Drove via an on site detention system. Calculations showing the effect of the proposed development on design storm run off flow rates and the efficacy of proposed measures to limit the flows as set out in this condition are to be submitted with the design details.

Where the stormwater drainage system involves the use of water tanks then a registered air gap is required and water meters are to have a reduced pressure zone valve (RPZ).

## **Landscaping**

### **B10 Landscape Plan**

A detailed landscaping plan must be approved by Council prior to issue of a construction certificate.

The plan must be prepared and certified by a qualified landscape architect or professional landscape consultant. The plan is also to be certified by appropriately qualified bushfire consultants and flora and fauna consultants to ensure that recommendations adopted by the statement of commitments are met, i.e. use of fire resistant species, minimum mulch and maximum hard landscaped surfaces, and planting and regeneration of native vegetation.

The plan is to comply with Council's Landscaping Guidelines, and is to incorporate measures to ensure the maintenance and survival of the landscaping. The plan is to include the planting of tree species, including species nominated in the statement of commitments. All landscaping is to be carried out in accordance with the plans and maintained in accordance with the plan at all times.

Subject to the prior approval of Council the landscape plan is also to provide for the installation of three artificial tree hollows within the existing trees/vegetation in Hogbin Drive, adjoining the site to the west. These are to be a minimum 3m above ground level.

All landscaping works are to be completed with the certification of satisfactory completion from a qualified landscape consultant being submitted, prior to occupation.

Note: *Murraya paniculata* and *Raphiolepis indica* shall not be used and where specified shall be replaced by *Hymenosporum flavum* and *Westringia fruticosa*, or similar species.

## **Acid Sulfate Soils and Groundwater Management**

### **B11 Acid Sulfate Soil Management Plan**

In accordance with the recommendations of the Geotechnical Assessment Report prepared by Coffey dated 5 May 2006, an Acid Sulphate Soils Management Plan shall be prepared by suitably qualified consultant/s in accordance with the *Acid Sulphate Soil Assessment Guidelines* (Acid Sulphate Soil Management Advisory Committee, 1998). The Acid Sulfate Soil Management Plan shall be submitted to and approved by the Certifying Authority prior to the issue of a Construction Certificate for below ground works.



### **B12    *Water Quality Management Plan***

A Water Quality Management plan shall be prepared by suitably qualified consultant/s and submitted to and approved by the Certifying Authority prior to the issue of a Construction Certificate for below ground works.

This shall include water quality parameters to be measured, threshold values, frequency of sampling, proposed treatment of water outside the threshold values, and reporting to Council.

### **B13    *Erosion and Sedimentation Control***

Submission to Council, of an Erosion and Sediment Control Plan together with a management strategy, certified by a qualified Environmental or Engineering consultant.

Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1 (2004)* by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for below ground works.

### **B14    *Pre-Construction Dilapidation Reports***

A Dilapidation Report detailing the current structural condition of the existing adjoining buildings, infrastructure and roads within 50 metres of the development shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the Certifying Authority prior to issue of a Construction Certificate.

A copy of this report is to be forwarded to the Director and Council.

## **Construction Management**

### **B15    *Construction Management Plan***

Prior to the issue of a Construction Certificate, a Construction Management Plan shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) contact details of site manager,
- (3) traffic and pedestrian management (see also B16 below),
- (4) noise and vibration management (see also B17 below),
- (5) waste and recycling management (see also B18 below),
- (6) erosion and sediment control (see also B13),
- (7) flora and fauna management, and
- (8) suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

The Proponent shall submit a copy of the approved plan to the Department and Council.

### **B16    *Traffic & Pedestrian Management Plan***

Prior to the issue of a Construction Certificate, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (1) ingress and egress of vehicles to the site,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes, and
- (4) pedestrian and traffic management methods.

The Proponent shall submit a copy of the approved plan to the Department and Council.

### ***B17 Noise and Vibration Management Plan***

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,
- (2) Identification of all potentially affected sensitive receivers including residences, schools, and properties containing noise sensitive equipment,
- (3) The construction noise objective specified in the conditions of this approval,
- (4) The construction vibration criteria specified in the conditions of this approval,
- (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,
- (6) Noise and vibration monitoring, reporting and response procedures,
- (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
- (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction
- (9) Justification of any proposed activities outside the construction hours specified in the conditions of this approval.
- (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
- (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration, and
- (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints.

The Proponent shall submit a copy of the approved plan to the Department and Council.

### ***B18 Construction Waste Management Plan***

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority a Waste Management Plan prepared by a suitably qualified person in accordance with Council's relevant waste policy. The Proponent shall submit a copy of the plan to the Department and Council.

## **Services**

### ***B19 Utility Services***

To ensure that utility authorities are advised of the development:

- (1) A survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (2) Prior to the commencement of work the Proponent is to negotiate with the utility authorities (eg. Energy Australia, Water and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.
- (3) Appropriate space and access for ducting and cabling is to be provided within the plant area and to each apartment within the building for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery. The details must be submitted for the approval of the Certifying Authority prior to the commencing of works.

## **Traffic Management**

### **B20 Traffic Control Devices**

In order to ensure that vehicles exit the site in a safe manner, a suitable traffic control device eg, signage, speed hump, line marking, traffic signals, etc shall be installed and shall be clearly visible at the upper threshold of the driveway. Details of the type, location and operation of the device are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for above ground works.

### **B21 Number of Car Spaces**

Fifty four (54) car parking spaces must be provided on the development site in accordance with the approved plan. All car parking and vehicular manoeuvring areas must be constructed in accordance with Council's Park Beach Development Control Plan and Australian Standard AS 2890.1-1993. Carparking areas are to be maintained in a serviceable condition at all times.

One parking space must be provided as a common and/or visitor parking space and designed so that it may be used as a car wash bay, with appropriate fittings and connections, and waste water disposal measures to be approved by Council.

Details demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior the issue of a Construction Certificate for below ground works.

Any future strata title of the units shall comply with the allocation of car spaces as required under Council's DCP.

## **Health**

### **B22 Mechanical Ventilation**

All mechanical ventilation systems including ventilation of the basement car park, shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground works.

## Waste Management

### **B23 Waste Storage Area Management Plan**

A waste storage area management plan is to be submitted to Council and approved prior to the issue of the Construction Certificate.

The waste storage area management plan is to be in accordance with Council's Waste Management Development Control Plan and is to allow for the collection and pick up of the three waste streams (recycling, organics and general garbage).

The plan is to provide details as to waste generation, storage space, storage location and access for residents and waste collectors.

The waste storage area is to be provided in accordance with the approved waste storage area management plan and is to be completed prior to occupation.

Note: A waste storage arrangement that involves the use of 1.5m<sup>3</sup> and 3m<sup>3</sup> bulk storage bins requires separate contract arrangements for collection as these bin sizes are not serviced by Council's general waste collection service.

## Water and Sewerage Services

### **B24 Certificate of Compliance**

The construction certificate shall not be issued until a certificate of compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 has been issued and is produced to Council, to ensure that adequate arrangements have been made for the provision of water and sewerage services to and within the development.

## Monetary Contributions and Contributions-in-lieu

### **B25 Monetary Contributions**

In accordance with section 75R(4) and Division 6 of Part 4 of the Act, the Proponent shall pay to Council the following monetary contributions:

#### **(1) Amount of Contribution**

Contribution Category	Contribution Rates, 36 units		Amount
	\$per unit <100sqm (19 units)	\$per unit >100sqm (17 units)	
Co-ordination and Administration	\$201.18 x 19	\$314.51 x 17	\$9,169.09
Coffs Harbour Road Network	\$989.80 x 19	\$1,539.68 x 17	\$44,980.76
Surf Rescue	\$57.25 x 19	\$89.05 x 17	\$2,601.60
Regional Libraries	\$129.82 x 19	\$201.94 x 17	\$5,899.56
Beach Protection Works	\$67.88 x 19	\$205.58 x 17	\$4,784.58
Regional Open space	\$218.27 x 19	\$339.53 x 17	\$,9919.14
Coffs Harbour District Open Space	\$791.91 x 19	\$1,231.85x 17	\$35,987.74
Traffic Facilities	\$233.82 x 19	\$363.73 x 17	\$10,625.99
Open Spaces	\$1,539.26 x 19	\$2,394.40x 17	\$69,950.74
<b>TOTAL</b>	<b>\$4,229.19 x 19</b> <b>\$80,354.61</b>	<b>\$6,680.27 x 17</b> <b>\$113,564.59</b>	<b>\$193,919.20</b>

**The Section 94 contribution is currently \$193,919.20 for the 36 units in the development. Contributions have been imposed under the following plans:**

- Regional, District & Neighbourhood Facilities 2004
- Coffs Harbour Road Network 2003
- Surf Rescue Equipment 2003
- Park Beach Areas

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

## **(2) Timing and Method of Payment**

The contribution shall be paid to Council in the form of cash or bank cheque, made out to Council. For accounting purposes, the contribution may require separate payment for each of the categories above and you are advised to check with Council.

Evidence of the payment to Council shall be submitted to the Certifying Authority/ Accredited Certifier prior to the issue of any Construction Certificate, unless other arrangements acceptable to Council are made.

If the development is to be staged, contributions are to be paid on a pro rata basis in respect of each stage.

## **(3) Indexing**

The rates will be adjusted in accordance with the procedures set out in Council's section 94 contribution plans. The applicant is advised to confirm the contribution rate applicable at the time of payment as rates are revised at least annually.

## **PART C—PRIOR TO COMMENCEMENT OF WORKS**

### **Excavation Works**

#### **C1     *Notice to be Given Prior to Excavation***

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site.

### **Structural Works**

#### **C2     *Structural Details***

Prior to the commencement of works/construction, the Proponent shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- (1) the relevant clauses of the BCA,
- (2) the relevant project approval,
- (3) drawings and specifications comprising the relevant Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

#### **C3     *Contact Telephone Number***

Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works. Adjoining property owners are to be advised of the relevant liaison officer prior to the commencement of work.

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

### **Sanitary Plumbing and Drainage**

#### **C4     *Sanitary Plumbing and Drainage***

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 works on the site.

All water supply, sanitary plumbing and drainage works are to comply with the relevant provisions of the *Local Government (Water, Sewerage and Drainage) Regulation 1993*.

Note: Recent changes to state regulations require that suitable temperature control devices are provided with any new hot water installations.

## **PART D—DURING CONSTRUCTION**

### **Site Maintenance**

#### ***D1 Erosion and Sediment Control***

All erosion and sediment control measures, as designed in accordance with Condition B13, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

A qualified Environmental or Engineering Consultant is to ensure that the erosion and sedimentation controls are appropriate for the site and current stage of construction.

No clearing or stripping works are to be undertaken on the site until erosion and sediment control measures have been implemented.

#### ***D2 Disposal of Seepage and Stormwater***

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

### **Structural Works**

#### ***D3 Setting Out of Structures***

The buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to the PCA certifying that structural works are in accordance with the approved development application.

#### ***D4 Height of Building***

The height of the development is not to exceed the design height as specified in the approved application plans, (34.6m AHD).

Written certification from a registered surveyor is to be submitted to the Principal Certifying Authority (PCA) at the following stages:

- Upon completion of basement floor slab form work, prior to placement of slab concrete.
- Upon completion of the building and prior to occupation.

The certification is to address the height and location of the form work to achieve the design height. Building construction is not to proceed beyond these stages until authorised to do so by the Principal Certifying Authority.

#### ***D5 Flooding***

Upon completion of ground floor slab form work, prior to placement/pouring of slab concrete, verification from a registered surveyor is to be provided to the PCA demonstrating that minimum floor levels can be achieved with further construction stages for the development project, including flood proofing to 4.6m AHD in the car park and minimum ground floor levels of 5.1m AHD.

Further construction stages of the development are not to take place until Council has viewed and confirmed this certification as meeting the requirements of this condition.

## **Construction Management**

### **D6      *Approved Plans to be On-site***

A copy of the approved and certified plans, specifications and documents incorporating 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 the Department, Council or the PCA.

### **D7      *Site Notice***

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to, the details of the Builder, Principal Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period until building works are completed;
- (3) The approved hours of work, 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) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

### **D8      *External Lighting***

External Lighting shall comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the Proponent shall submit to the approval authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

### **D9      *Protection of Trees – Street Trees***

Street trees and trees in the Hogbin Drive road reserve shall be suitably protected by way of tree guards, barriers or other measures as necessary to protect root systems, trunks and branches during excavation and construction activities. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

### **D10    *Protection of Trees – On-site Trees***

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during excavation and construction activities.

### **D11    *Hoardings***

A properly constructed hoarding is to be erected in all cases where occupation of the footpath/roadway is necessary for building purposes or where public safety is involved, the hoarding is to be approved by Council prior to commencement of construction works.

### **D12    *Building Materials on footpaths and roadways***

The use of public footpaths and roadways for the storage of building materials is not permitted unless Council's written approval is first obtained. Such approval will only be



granted where conditions warrant and in the instance where public thoroughfare will not be adversely affected.

### ***D13 Construction Site Access***

No construction site access is to be provided from Hogbin Drive North.

### ***D14 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:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
- (3) All materials shall be stored or stockpiled at the best locations,
- (4) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) 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 material,
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) Cleaning of footpaths and roadways shall be carried out regularly.

### ***D15 Lighting of site outside of standard construction hours***

Lighting of the site while any work is undertaken outside of Council's standard hours of construction must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood. If in the opinion of the Department, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents.

### ***D16 Loading and Unloading during Construction***

The following requirements apply:

- (1) all loading and unloading associated with construction must be accommodated on site;
- (2) the structural design of the building must permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development;
- (3) if, during excavation, it is not feasible for loading and unloading to take place on site, a construction zone on the street may be considered by Council;
- (4) in addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level;

- (5) if a construction zone is warranted an application must be made to Council prior to commencement of work on the site. An approval for a construction zone may be given for a specific period and certain hours of the days to meet the particular need of the site for such a facility at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

## **Noise and Vibration**

### **D17 Hours of Work**

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:30 am and 5:30 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 1:00 pm, Saturdays;
- (3) no construction work is to take place on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (4) the delivery of materials is required outside these hours by the Police or other authorities;
- (5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (6) the work is approved through the Construction Noise and Vibration Management Plan; and
- (7) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

### **D18 Noise Generation**

Any noise generated during construction of the development is not to exceed the limits specified in the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.

### **D19 Construction Noise Management**

The Proponent shall:

- (1) schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan:
  - (a) 9.00 am to 12.00 pm, Monday to Friday;
  - (b) 2.00 pm to 5.00 pm Monday to Friday; and
  - (c) 9.00 am to 12.00 pm, Saturday
- (2) ensure that wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where approved in the Construction Noise and Vibration Management Plan.

### **D20 Vibration Criteria**

Vibration caused by construction at any residence or structure outside the subject site must be limited to :

- (i) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- (ii) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472 – Guide to evaluate Human Exposure to Vibration in Buildings (1Hz to 80Hz) for low probability of adverse comment.

These limits apply unless otherwise approved in the Construction Noise and Vibration Management Plan.

### **D21 Vibration Management**

Vibratory compactors must not be used closer than 50 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.

### **D22 Waste and Contamination**

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 Department of Environment and Conservation's *Environmental Guidelines Assessment, Classification and Management of Non-Liquid Wastes*.

Any new information which 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 PCA.

### **Public Access**

#### **D23 Public Way to be Unobstructed**

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

### **Excavation**

#### **D24 Acid Sulfate Soils**

The Acid Sulfate Soils Management Plan shall be implemented in full with consideration to the following:

All works associated with the implementation of the Management Plan are to be supervised by a qualified environmental /engineering/soil science professional.

Consideration shall be given to impacts on adjacent areas of Potential Acid sulphate Soils with regard to dewatering activities during earth works and construction.

Any stormwater collected within the bunded treatment area must not be discharged to the stormwater system without the results of quality testing which demonstrates that the water satisfies ANZECC and NEPM Guidelines, particularly with regard to suspended soils, pH, aluminium and related parameters (the water must not contain any visible sediments).

All work undertaken on the site and within regard to implementation of the Management Plan shall be undertaken in accordance with a detailed sediment and erosion control plan.

Approval for any variation/deviations from the Management Plan is to be sought prior to implementation.

A report shall be provided to the PCA within 1 month of the successful completion of the Management Plan detailing how compliance with the Management Plan was achieved, e.g. the methods used and the amount of lime used and similar matters.

### **D25    *Excavation – Aboriginal Artefacts***

Should any Aboriginal relics be unexpectedly discovered then all excavation and/or disturbance to the area is to stop immediately and the National Parks and Wildlife Service (Department of Environment and Conservation) shall be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

### **D26    *Excavation – Historical Artefacts***

Should any historical relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

### **D27    *Excavated Material***

No excavated material is to leave the site until Council has been provided with the following information for approval:

- A complete list of all destination sites for excavated material;
- A report providing details as to how material will be transported such that there is no dust nuisance and material is not deposited along road surfaces; and
- A transport route for cartage vehicles.

On approval of this information, excavated material may leave the site but only in accordance with the details provided and any additional matters specified by Council.

## **Compliance**

### **D28    *General***

All works are to be carried out in accordance with the approved Construction Management Plan including but not limited to identification of hours of work, construction noise and vibration management, soil erosion and sediment control plan, air quality and dust control procedures, waste management plan, storage and handling of material, protection of trees and emergency procedures.

## **PART E—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**

### ***E1 Consolidation***

Evidence of lodgement of a plan of consolidation of the lots with the Department of Lands is to be submitted to the accredited certifier prior to issue of the Occupation Certificate.

### ***E2 Access and Services***

Sealed driveways being constructed over the footpath, at right angles to the road, in accordance with Council's standard drawings (copy of details enclosed). Any existing driveways which are not required for the development are to be removed and the footpath and kerb reinstated.

These works are to be completed prior to occupation of the development.

### ***E3 Footpath Construction***

A footpath must be constructed for the frontage of the site and extend to Council's existing footpath network in Ocean Parade in accordance with Council's Plan No. 2011007. The footpath is to be in concrete unless Council's approval is obtained for any alternative footpath treatment.

These works are to be completed prior to occupation of the development unless other arrangements are made to the satisfaction of Council.

### ***E4 Design verification***

Prior to the issue of any occupation certificate design verification from a qualified designer shall be submitted to the PCA. The design verification is a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65.

### ***E5 BASIX Commitments***

Written certification is to be submitted to the PCA prior to occupation inspections to confirm that all BASIX commitments specified on certificate Number 124131M (issued by David Howard on 23 February 2007) have been implemented.

A separate application is to be submitted to Coffs Harbour Water for approval prior to the installation of the proposed rainwater tank/s and any associated plumbing. Evidence confirming that the approval of Coffs Harbour Water has been obtained must be submitted to the PCA prior to the issue of an occupation certificate.

### ***E6 Waste Storage***

The waste storage area is to be provided in accordance with the approved waste storage area management plan and is to be completed prior to occupation.

## **Engineering**

### ***E7 Fire Safety Certificate***

A Fire Safety Certificate shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of any Occupation Certificate. A

copy of the Fire Safety certificate must be submitted to the approval authority and Council by the PCA.

### ***E8 Annual Fire Safety Statement***

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the approval authority's initial Fire Safety Certificate is received.

### ***E9 Mechanical Ventilation***

Following completion, installation and testing of all the mechanical ventilation systems, the Proponent shall provide evidence to the satisfaction of the PCA, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- (1) The Building Code of Australia;
- (2) Australian Standard AS1668 and other relevant codes;
- (3) The development approval and any relevant modifications; and,
- (4) Any dispensation granted by the New South Wales Fire Brigade.

### ***E10 Structural Inspection Certificate***

A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of any Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:

- (1) The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings; and,
- (2) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

### ***E11 Road Damage***

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the proponent prior to the issue of any Occupation Certificate.

### ***E12 Landscaping***

Landscaping of the site in accordance with approved landscape plan, condition B10 shall be completed prior to occupation of the development.

### ***E13 Stormwater Drainage***

Stormwater drainage works approved in accordance with condition B9 are to be completed prior to occupation of the development.

## **Second Dilapidation Report**

### ***E14 Post-construction Dilapidation Report***

- (1) The Proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- (2) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
  - (a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by Condition B14, and
  - (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (3) A copy of this report is to be forwarded to the Director and Council.

### ***E15 Sediment and Erosion Controls***

Prior to the issue of an Occupation Certificate or Interim Occupation Certificate, the site shall be stabilised to the Principal Certifying authority's satisfaction which at a minimum shall be at least 50% grass cover or application of mulch or hydro seeding to all disturbed areas.

## **ADVISORY NOTES**

### ***AN1 Subdivision or Strata Subdivision***

Subdivision/strata subdivision of the site and development will be subject to separate prior approval.

### ***AN2 Compliance Certificate, Water Supply Authority Act, 2000***

Prior to issuing a subdivision certificate, a Compliance Certificate shall be provided to the approval authority showing that the development has met with the detailed requirements of the relevant water supply authority for the region that the subject site is located within.

The developer shall obtain the Compliance Certificate from the relevant local water supply authority and produce this to the satisfaction of:

- (1) the certifying authority before release of the Construction Certificate,
- (2) the approval authority before the release of the subdivision certificate, and
- (3) the principal certifying authority prior to occupation.

### ***AN3 Requirements of Public Authorities for Connection to Services***

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

### ***AN4 Compliance with Building Code of Australia***

The Proponent is advised to consult with the PCA about any modifications needed to comply with the BCA prior to submitting the application for a Construction Certificate.

### ***AN5 Application for Hoardings and Scaffolding***

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (1) Architectural, construction and structural details of the design in accordance with Council's relevant policy,
- (2) Structural certification prepared and signed by a suitably qualified practising structural engineer.

The Proponent shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification shall be submitted to the satisfaction of the PCA prior to the commencement of works.

### ***AN6 Use of Mobile Cranes***

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the PCA:



- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
  - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
  - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

#### **AN7 Movement of Trucks Transporting Waste Material**

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

#### **AN8 Construction Inspections**

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction, such as the following:

- (1) Foundations,
- (2) Footings,
- (3) Damp proof courses and waterproofing installation,
- (4) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (5) Structural beam and column framing,
- (6) Timber wall and roof framing, and
- (7) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of approval.

#### **AN9 Noise Generation**

Any noise generated during the construction of the development shall not exceed the limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act 1997*, or exceed approved noise limits for the site.

#### **AN10 Street Numbering**

Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with Council's relevant policy, prior to the occupation of the building(s) or commencement of the use.

If street numbers or a change to street numbers are required, a separate application shall be made to Council.

### ***AN11 Stormwater drainage works or effluent systems***

A construction certificate for works that involve any of the following:

- (1) water supply, sewerage and stormwater drainage work
- (2) management of waste

as defined by Section 68 of the Local Government Act, 1993 will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

### ***AN12 Temporary Structures***

An approval under Section 68 of the Local Government Act 1993 must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the Local Government Act 1993 to certify the structural adequacy of the design of the temporary structures.

### ***AN13 Disability Discrimination Act***

This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

**SCHEDULE 3**

**PROPONENT'S STATEMENT OF COMMITMENTS**

**MAJOR PROJECT NO. 06\_0150**

## 3 REVISED DRAFT STATEMENT OF COMMITMENTS

	Commitment
<b>Vegetation</b>	A 10m buffer zone from the base of the existing trees of the swamp forest/littoral rainforest will be allowed to regenerate naturally and be maintained in the drain along Hogbin Drive North on the western boundary of the site. Revegetation of the buffer/setback will form part of a vegetation management plan for the site.
	Natural regeneration of the buffer zone/setback area along Hogbin Drive North will be encouraged and all development excluded from this area. This area will be monitored to ensure the re-establishment of swamp paperbarks. Where monitoring identifies poor regeneration of swamp paperbarks or that invasion by weeds and exotic species is threatening the integrity of the community, the buffer zone/setback will be landscaped planted with native swamp forest species including a dominant proportion of swamp paperbark and Ficus species. Long term regeneration of the buffer/setback zone will aim to achieve approximately 60% woody vegetation cover. Should landscape planting occur, some common open space for residents of the development can be provided for. Landscaping planting or regeneration will aim to achieve approximately 50% woody vegetation cover. Landscape mounding or other means to alter the topography of the buffer/setback zone will not be undertaken.
	<i>Murraya paniculate</i> and <i>Raphiolepis indica</i> species will be replaced by <i>Hymenosporum flavum</i> and <i>Westringia fruticose</i> .
	A minimum of four local, fleshy fruit producing fig trees from the range of species known to be included in the diet of the Barred Cuckoo Strike will be planted on the site.
	A minimum of three artificial tree hollow of a design suitable for micro bats will be installed in the buffer/setback or within the Hogbin Drive North swamp forest/littoral rainforest corridor at a minimum height of 3 metre above ground.
	Access to the site will be limited to the east to protect the integrity of the vegetation corridor along Hogbin Drive North to the west
	The EEC vegetation will be appropriately buffered from the impacts of the development and impacts during the construction phase.
	Monitoring of the buffer/setback zone and subsequent landscape planting will be undertaken to ensure that the integrity and conservation status of this area is maintained and improved.
	Soil and landscape mounding will not be permitted in the buffer/setback zone.
	Trees will be preserved in the buffer zone which will be fenced off prior to commencement of work. No parking of vehicles, siting of temporary structures or storage of topsoil or building materials will be permitted within the TPZ.

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	The rainforest species in the buffer zone are consistent with planting fire resistant vegetation.
	The proposed planting materials are to be selected on hardiness, ease of maintenance and proven ability in the area. Exotic plants will be incorporated to provide consistency with the character of the locality.
	Predominantly indigenous planting with some traditional beachside species will be used in landscaping on site. This will help to attract native bird life.
	Indigenous low water use species of vegetation will be planted on site.
	A further detailed landscape plan will be submitted prior to the issue of the Construction Certificate, nominating appropriate plant quantities and species in the buffer area, determined in consultation with a relevant Flora and Fauna Expert and consistent with the bushfire management report prepared by SP Consulting.
	An appropriately qualified specialist consultant in flora and fauna assessment will sign off on the final landscape plan to ensure it is consistent with the above commitments.
<b>Fauna</b>	The recommendations of the Fauna report repeat the commitments set out above in the Flora section above and, as such, it is considered that they do not need to be repeated here as per the Department of Planning's recommendation that they be included in the Statement of commitments.
	Replacement planting of the four <i>E. robusta</i> (known to be a primary food tree for Koala) within the 10 m wide buffer zone from the trunks of the mature trees compensate for the loss of the four <i>Melaleuca quinquenervia</i> will be undertaken.
<b>Water feature</b>	The water feature will not exceed 300m water depth
<b>Soils</b>	Preparation of a final acid sulphate soil management plan prior to the issue of Construction Certificate, to be followed and implemented during construction.
	Further tests will be carried out on soils prior to excavation in order to comprehensively assess acid sulphate soil level on site.
	An ASS Management Plan will be provided prior to the issuing of a construction certificate. This will be produced in accordance with the 1998 ASSMA acid sulphate soil manual.
	All excavated soils will be treated with good quality agricultural lime to neutralise the acidity produced by the oxidation of the soils when excavated.

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<b>Waste Management</b>	The development will include the provision of a number of separate garbage, recycling and organic waste bins instead of a single garbage chute in order to reduce noise and vermin while increasing hygiene.
	A waste management plan will be prepared in accordance with the provisions of Councils Waste Development Control Plan and provided prior to the issue of the construction certificate.
<b>Energy and water</b>	All doors and windows will be fitted with weather seals.
	Low-e comfort glazing will be used throughout the building.
	Rainwater collection zones will be put in place and connected to an alternative water supply in each dwelling for use in the WC flushing systems.
	On-demand hot water recirculation system, which regulates all hot water use throughout the dwelling, will be installed in all apartments.
	All spas will have covers.
	An automatic irrigation system which will incorporate a drip irrigation fitting will be installed linked to a rain check device. This will ensure the system does not operate when it is raining and will minimise water transpiration with water being delivered directly to the soil.
	An integrated water cycle management plan will be prepared and put in place.
	Further assessment, if necessary, will be undertaken at Construction Certificate stage to determine the potential effects of tidal fluctuations and rainfall on groundwater levels.
	A dewatering licence to be obtained from Department of Natural Resources prior to excavation.
<b>Safety and Security</b>	Dark and non visible areas will be avoided.
	Clear and safe access points will be provided.
	Overlooking on public and private communal spaces is maximised, while maintaining internal privacy, in order to increase natural surveillance.
	The main entrance will be secured by an intercom system.
	Ground and basement car park entrances will only accessible by electronic key.

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<b>Noise</b>	The exclusion of garbage chutes will reduce noise.
	Construction will only occur during Council's nominated standard hours of construction.
	Appropriate standards of glazing will be incorporated within each unit to ensure acoustic privacy.
	An acoustic report to address the potential impacts from the basement car park ventilation system will be provided prior to obtaining a construction certificate.
	The car park ventilation will comply with the relevant Australian Standard and will include mechanical ventilation/exhaust systems. The acoustic report will have regard to this system.
	Careful consideration of the location of any mechanical ventilation exhaust will be undertaken to avoid potential adverse impacts of neighbouring properties for the basement car park.
<b>Traffic &amp; Construction Management</b>	Vehicular Access to the site during construction will be located on the Ocean Parade frontage, with all movements undertaken in a forward direction, except where under the supervision of a Traffic Controller.
	Access routes for trucks during construction to be in accordance with the routes identified within the Traffic Assessment submitted with the Project Application in October 2006.
	Provision for pedestrian access during construction to be provided along the western footway of Ocean Parade.
	All materials will be stored on-site and will involve in-situ lifting.
<b>Construction Impacts</b>	The recommended construction practise will be that system that results in the least off site impacts. Information detailing the construction practise to be used will be provided prior to the issue of a construction certificate.
	A Water Quality Management Plan will be provided prior to the issuing of a construction certificate.
	Additional details in relation to the exact depth of the required dewatering level as well as the depth of the base of the excavation will be provided relative to the surface level prior to the issuing of a construction certificate.
	Additional investigations will be undertaken prior to the issuing of a construction certificate to ensure works carried out do not result in subsidence of material causing adverse impacts on the above ground structures.
	Extracted water will not be disposed of in Council's sewerage treatment system.



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<b>Service Vehicles</b>	Refuse removal will be undertaken by the Council or by contract vehicles from the storage area located on the Ocean Parade frontage.
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<b>Indigenous Heritage</b>	An initial site survey will be undertaken within the study area to locate and record any surface archaeological sites that may be present within the study area prior to the commencement of construction by a qualified archaeologist in conjunction with representatives from the appropriate identified Aboriginal stakeholder groups. This would include the Coffs Harbour and District Local Aboriginal Land Council (CHDLALC) and Registered Native Title Claimant bodies.
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	<p>A program of sub-surface test pitting will be developed and implemented for the site prior to commencement of construction. The scope and methodology for the test pitting will be developed and implemented by a qualified archaeologist, in consultation with representatives from the (CHDLALC) and Registered Native Title Claimant bodies.</p> <p>Given the small size of the study area, it is anticipated that the field survey and test pitting program could be implemented together, as part of a limited field investigation of the site.</p>
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	A report will be prepared prior to commencement of construction which documents the findings of the field survey and test pitting program, and outlines any further mitigation measures that are required to be undertaken prior to or during construction at the site. The report will conform to DEC standards, and should be endorsed by the relevant Aboriginal stakeholder groups.
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<b>Bushfire Hazard</b>	A construction level of Level 2 (as per the provisions of AS3959-1999) will be employed in the detailed design of the building. The Coffs Harbour office of the Rural Fire Service will be consulted when preparing the Construction Certificate.
	A hydrant water supply will be provided to the site as per the relevant Australian Standard.
	The more detailed Landscape Scheme prepared prior to issue of the Construction Certificate to ensure the use of fire resistant species of vegetation; employ a minimum of mulch and make maximum use of lawn areas and/or hard landscaped surfaces.
	The Landscaping Scheme will be the subject of a Landscaping/Outdoor Management Plan, maintained by the Owners Corporation or the owners of the building in perpetuity. This will include that all debris, leaves and flammable material be regularly swept and removed regularly.



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	The outdoor management plan will be extended to include the road reserve in front of the building.
	The Owners Corporation/owner's representative to draw up and hold an evacuation plan. This is to be circulated to all residents and advised of the need to ensure rapid evacuation of the building should the threat of a bushfire become apparent.
<b>Developer Contributions</b>	The developer will agree to all reasonable development contributions in accordance with the Council's relevant contributions plan.
<b>Compliance Certificates</b>	All necessary compliance certificates relating to necessary services will be obtained by the client and provided to the consent authority prior to issue of the Occupation Certificate.