

PROPOSED CONDITIONS - 2011

NOTE: THESE ARE DRAFT ONLY

DA NO: 2021/889

DATE: 4/02/2022

PRESCRIBED CONDITIONS

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

A – GENERAL MATTERS

- (1) (A001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table, as stamped and returned with this consent, except where modified by any conditions of this consent.

Plan / Supporting Document	Reference	Prepared by	Date
Cover/Title Page	Job No: J4588 Issue: L	Collins W Collins Pty Ltd	01.02.22
Site Plan	Sheet: 1 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
S68 Plan	Sheet: 2 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Ground Floor Plan	Sheet: 3 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
First Floor Plan	Sheet: 4 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Subfloor & Roof Plan	Sheet: 5 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Elevations	Sheet: 6 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Sections	Sheet: 7 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Glazing Schedule	Sheet: 8 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Shadow Diagrams	Sheet: 9 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Building Specifications & Construction Notes	Sheet: 10 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Work Safety Notes	Sheet: 11 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
Legends	Sheet: 12 of 12 Issue: L	Collins W Collins Pty Ltd	01.02.22
BASIX Certificate	No.1227462S_02	Collins W Collins Pty Ltd	Thursday 02 December 2021
Statement of	Ref: J4588	Collins W Collins Pty	December

Environmental Effects		Ltd	2021
Bushfire Attack Level Certificate	Unreferenced	Krisann Johnson - S & K Johnson Constructions Pty Ltd	22 nd July 2021

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

- (2) (A002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

- a) the appointment of a Principal Certifying Authority and
- b) the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

- (3) (A008) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
- (4) (A009) The development site is to be managed for the entirety of work in the following manner:
1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 2. Appropriate dust control measures;
 3. Building equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained. Where work adjoins the public domain, fencing is to be in place so as to prevent public access to the site;
 4. Building waste is to be managed via appropriate receptacles into separate waste streams;
 5. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
 6. Building work being limited to the following hours, unless otherwise permitted by Council;
 - Monday to Saturday from 7.00am to 6.00pm
 - No work to be carried out on Sunday or public holidays

The builder to be responsible to instruct and control his sub-contractors regarding the hours of work.

B – PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (B001) Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Port Macquarie-Hastings Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval:
- Position and depth of the sewer (including junction)
 - Stormwater drainage termination point

- Easements
 - Water main
 - Proposed water meter location
- (2) (B006) An application pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be submitted to and obtained from Port Macquarie-Hastings Council prior to release of the Construction Certificate.
- Such works include, but not be limited to:
- i. Footway and gutter crossing
 - ii. Functional vehicular access
- (3) (B046) The building shall be designed and constructed so as to comply with the Bushfire Attack Level (BAL) LOW requirements of Australian Standard 3959 and the specifications and requirements of Planning for Bush Fire Protection. Details shall be submitted to the Principal Certifying Authority with the application for Construction Certificate demonstrating compliance with this requirement.
- Please note: Compliance with the requirements of the current Planning for Bush Fire Protection Guidelines to prevail in the extent of any inconsistency with the Building Code of Australia.
- (4) (B039) Detailed drawings and specifications prepared by a professional engineer for all retaining walls supporting:
- i. earthworks that are more than 600mm above or below ground level (existing); or
 - ii. located within 1m of the property boundaries; or
 - iii. earthworks that are more than 1m above or below ground level (existing) in any other location; are to be submitted to the Principal Certifying Authority with the application for Construction Certificate.

C – PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (C013) Where a sewer manhole and/or Vertical Inspection Shaft exists within a property, access to the manhole/VIS shall be made available at all times. Before during and after construction, the sewer manhole/VIS must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.
- (2) A peg out survey must be undertaken by a registered land surveyor prior to any footings and/or slab being poured. Such survey shall set out the boundaries of the site and the actual location of the proposed buildings in accordance with the stamped approved plans.

D – DURING WORK

- (1) (D003) The Port Macquarie-Hastings area is known to contain rock that may contain naturally occurring asbestos (NOA). Should potential NOA be located on site notification shall be provided to Council and Workcover prior to works proceeding. No work shall recommence until a NOA management plan has been approved by Council or Workcover.

E – PRIOR TO OCCUPATION OR THE ISSUE OF OCCUPATION CERTIFICATE

- (1) (E001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.

- (2) (E058) Written confirmation being provided to the Principal Certifying Authority (PCA) from any properly qualified person (eg the builder), stating that all commitments made as part of the BASIX Certificate have been completed in accordance with the certificate.
- (3) (E034) Prior to occupation or the issuing of the Occupation Certificate provision to the Principal Certifying Authority of documentation from Port Macquarie-Hastings Council being the local roads authority certifying that all matters required by the approval issued pursuant to Section 138 of the Roads Act have been satisfactorily completed.
- (4) (E051) Prior to occupation or the issuing of any Occupation Certificate a section 68 Certificate of Completion shall be obtained from Port Macquarie-Hastings Council.
- (5) Certification that the construction of footings and piers adjacent to the sewer lines has been carried out in accordance with the approved drawings and specifications, shall be provided by a practising chartered professional civil and/or structural engineer to Council with the application for the Section 307 - Certificate of Compliance/Occupation Certificate.
- (6) (E057) A Certificate of Compliance under the provisions of Section 307 of the Water Management Act must be obtained prior to the issue of any occupation or subdivision certificate.
- (7) (E065) The applicant will be required to submit prior to occupation and the issue of the Occupation Certificate, certification by a Registered Surveyor that the dwelling has been constructed to the levels to AHD as detailed on the approved plans referenced in this consent.
- (8) Prior to the issue of the Occupation Certificate a privacy screen is to be erected along the entirety of the eastern elevation of the upper floor balcony. The privacy screen is to be a minimum height of 01.50m, that has 25% openings (max), with no individual opening more than 30mm wide that is permanently fixed and is made of durable materials.

F – OCCUPATION OF THE SITE

- (1) (F035) The consent only permits the use of the building as a single dwelling and does not permit the adaption or use of the building so as to create a second occupancy.

CONDITIONS APPLYING TO JETTIES AND BOAT RAMPS

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