

DA2018/209 - RECOMMENDED CONDITIONS

GENERAL CONDITIONS OF THIS CONSENT

Development is to be in accordance with approved plan(s)

1. The development is to be implemented in accordance with the plan(s) endorsed with the Council stamp, dated 20/11/2018 and set out in the following table except where modified by any conditions of this consent.

Plan Title/Description	Dwg. No	Prepared by	Dated
Site Layout	Page 1 of 2	Vertel Telecoms Pty Ltd	17/09/2018
NE Elevation	Page 2 of 2	Vertel Telecoms Pty Ltd	17/09/2018

In the event of any inconsistency between conditions of this development consent and the plan(s) referred to above, the conditions of this development consent prevail.

Limited Consent

2. In the event that the telecommunications facility is no longer required it is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed, within 12 weeks of the date it was decommissioned.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE FOR BUILDING WORKS

Long Service Levy

3. A Long Service Levy must be paid to the NSW Long Service Corporation prior to the issue of a Construction Certificate. In accordance with clause 14 of the *Building and Construction Industry Long Service Payments Regulation 2011*, the amount payable at the date of this consent is 0.35% of the estimated cost of the work. This is a State Government Levy and is subject to change.

Note: These payments may be made at Council's Administration Office. All cheques are to be made payable to Nambucca Shire Council.

Documentation Required Prior to Issue of Construction Certificate

4. The following documentation must accompany any application for a Construction Certificate application to Council:
 - Structural Engineer's certified design for the proposed building(s).
 - Appropriate building work plans and specifications.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ANY BUILDING OR CONSTRUCTION WORKS COMMENCING

Construction Certificate

5. The erection of the building the subject of this development consent **MUST NOT** be commenced until:
 - a Detailed plans/specifications of the building have been endorsed with a Construction Certificate by:
 - i the Council, or
 - ii an accredited certifier, **and**
 - b The person having the benefit of the development consent has:

- i Appointed a Principal Certifying Authority (PCA) for the building work, and
 - ii Notified Council of the appointment, and
 - iii Notified the PCA that the person will carry out the building work as an owner-builder; or appointed a contractor for the building work who is the holder of a contractor licence if any residential building work is involved, notified the PCA of any such appointment, and notified the contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work; **and**
- c The person having the benefit of the development consent has given Council written notice, at least two days prior to work commencing on site, of the name and details of the PCA and the date construction work is proposed to commence.

Site Construction Sign

6. A sign must be erected before the commencement of the work in a prominent position within the frontage of the subject land:
- a Showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - b Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c Stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Public Liability

7. All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. A minimum of \$20 million public liability insurance cover is to be maintained for the duration of the construction of the development by the person/company undertaking the works on the public road reserve. Council is to be nominated as an interested party on the policy. Council is not to be held responsible for any negligence caused by the undertaking of the works. A copy of the certificate of currency must be submitted to Council prior to the commencement of works.

Erosion & Sediment Control

8. Erosion and sedimentation controls are to be in place in accordance with the NSW Landcom publication "Managing Urban Stormwater: Soils and Construction – Volume 1, Landcom 2004" and the Nambucca Development Control Plan 2010 prior to the commencement of works. Particular attention is to be given to the provision of the following sediment and erosion control measures:

- Temporary driveway from the edge of road to the building site;
- Temporary downpipes connected immediately after the roof has been erected;
- Sediment fencing.

Note: Council may impose on-the-spot fines for non-compliance with this condition.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING CONSTRUCTION

Building Code of Australia

9. All building work must be carried out in accordance with the requirements of the *Building Code of Australia* as in force on the date the application for the relevant Construction Certificate was made.

Construction Times

10. Any works involving the generation of noise which extends beyond the boundary of the land, other than works required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm, shall only be carried out between 7:00 am and 6:00 pm Monday to Saturday inclusive. No works shall occur on public holidays.

The builder/site manager is responsible to instruct and control sub-contractors regarding the hours of work

Construction Waste and Materials

11. All construction waste must be contained on the subject land in a suitable waste enclosure and disposed of at a facility that may lawfully accept the waste. Building materials are to be delivered directly onto the subject land. Public roads and reserves are to be maintained clear of rubbish, building materials and all other items.

Maintenance of Erosion and Sediment Control Measures

12. Erosion and sediment control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface. The measures must ensure that only clean stormwater leaves the site.

Discovery of a Relic

13. The development is to proceed with caution. If any Aboriginal objects are found, works are to stop immediately and the NSW Office of Environment and Heritage (OEH) notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and OEH are to be notified.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO THE USE OF THE BUILDING

Occupation Certificate

14. The development shall not be used until an Occupation Certificate has been issued by the Principal Certifying Authority.

Works to be Completed

15. All of the works required by this development consent, including any other certificates/approvals that are necessary for the completion of this development, are to be completed prior to the issue of an Occupation Certificate or use the development (whichever occurs first).

Damage to Council's Infrastructure

16. Where any damage occurs to Council's infrastructure during construction, such as kerb and gutter, footpaths, inlet pipes, etc, fronting the development site, the principal contractor shall replace or make good the damaged infrastructure prior to the use of the development. Approval from Council must be obtained for all works on public land.

REASONS FOR CONDITIONS

- To ensure that the proposed development:
 - a achieves the objectives of the *Environmental Planning and Assessment Act 1979*;
 - b complies with the provisions of all relevant Environmental Planning Instruments;
 - c is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.

- To ensure that the relevant public authorities have been consulted and their requirements met, or arrangements made, for the provision of services to the satisfaction of those authorities.
- To ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
- To minimise any potential adverse environmental, social or economic impacts of the proposed development.
- To ensure that all traffic, car parking and access requirements arising from the development are addressed.
- To ensure the development does not conflict with the public interest.