

21 December 2023

Palm Lake Works Pty Ltd
9 Lawson Street Southport

Our Reference: MOD2022/0253
Contact: Craig Wilkinson
02 7955 7777

Notice of Determination Modification of Development Consent

Issued under the Environmental Planning and Assessment Act 1979

DEVELOPMENT DETAILS

Modification Consent No:	MOD2022/0253
Original Consent No:	169/2010/DA
Property Details:	Lot 1 DP 594864, Lot 2 DP 1022067 Lewis Street OLD BAR NSW 2430
Development Details:	Manufactured Housing Estate
Determination:	Approved
Date determined:	13 December 2023 (Date of MODIFICATION approval)

Modified Conditions of Consent

In accordance with Section 4.55 of the Environment Planning and Assessment Act 1979, Development Consent No. 169/2010/DA is modified by:

1. MODIFIED CONDITIONS

Modify Conditions to read as follows:

Condition No. 1

The development is to be carried out in accordance with the following approved development plans, except as modified by any conditions of consent:

Title/Name	Drawing No.	Issue	Date	Prepared by
Proposed Site Plan	CP 1.0	11	07/08/2023	VIA Architects
Detailed Plan Part 1	CP 1.1 Detail Plan Part 1	6	21/10/2022	VIA Architects

Detailed Plan Part 2	CP 1.2 Detail Plan Part 2	6	21/10/2022	VIA Architects
Detailed Plan Part 3	CP.1.3 Detail Plan Part 3	6	21/10/2022	VIA Architects
Staging Plan	CP 2.0	4	21/10/2022	VIA Architects
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-200 Plan-Ground	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-202 Plan-Roof	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-400 Elevations Community Facility	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D401 Elevations – Community Facility	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-402 Materials and Finishes	-	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-500 Section – Community Facility	2	20/09/2018	ddc Architecture + Interior Design
Gateway Lifestyle	Future Road Dedication Plan CP 3.0	A	29/05/2018	---

(169/2010/DA/A – Modified 12 June 2014)
(169/2010/DA/B – Modified 8 June 2018)
(169/2010/DA/C – Modified 12 March 2019)

Condition No. 1A.

Staging of approved development

The approved development is to be constructed in stages and substages as indicated on the approved staging plan referred to in Condition 1:

Stage 1A – Bulk earthworks (entire site)
Stage 1B – Internal civil works
Stage 2 – Internal civil works
Stage 3 – Internal civil works

The construction of manufactured homes within the estate may occur during the development of civil stages.

Notice of completions, partial and full occupation certificates and approvals to operate may be granted where each individual bulk earthworks, civils and building/construction stage has been completed.

Reason: To be consistent with the development application and the progress of approved works.

(169/2010/DA/C – Modified 12 March 2019)

Condition No. 2

The Registered Proprietor of Lot 1 DP 594864 is to obtain registration of positive covenants pursuant to the provisions of Section 88e of the Conveyancing Act 1919 to the following effect and these instruments are to be recorded in the Register kept under the Real Property Act 1900.

- i. The Registered Proprietor shall take all necessary, adequate and sufficient steps to demolish or remove any building and its associated infrastructure located on the land, if the coastline continues to recede and advice is received from Mid Coast Council that the dwelling is at imminent risk of collapse.
- ii. The Registered Proprietor shall promptly carry out all actions that are identified or required by the Risk Management Plan Incorporated submitted with Development Application 169/2010/DA/B.
- iii. In addition to any powers vested in MidCoast Council pursuant to statute, that Council:
 - a) for the purpose of ensuring observance of any covenant above, may, by its employees, agents, contractors or persons authorised by it or its General Manager, enter upon the land after giving notice to the registered proprietor or its authorised officer or representative and view the condition of the land and anything upon it;
 - b) where the covenant is breached, the Council may do such things including the carrying out work or demolition by its employees, agents, contractors or persons authorised by it or its General Manager as may be reasonably necessary to remedy the breach;
 - c) may recover from the registered proprietor in a court of competent jurisdiction, any expense reasonable incurred by it in exercising any power authorised by a) and b) above.

The requirements of this condition are to be carried out prior to the issue of any Occupation Certificate.

(169/2010/DA/B – Modified 8 June 2018)

Condition No. 3

A Construction Traffic Management Plan (CTMP) shall be prepared for the whole development and shall specify operational details to minimise any potential impact to adjoining or adjacent properties.

The CTMP shall be submitted with the application for approval under S138 of the Roads Act 1993.

The CTMP shall be prepared to meet the requirements of the Roads and Maritime Services (RMS) "Roads and Traffic Authority – Traffic control at Work sites" manual June 2010.

The plan shall include:

- Primary vehicle routes
- Any potential road closures
- Control of vehicles, pedestrians and cyclists at the site access
- Safety of road users
- Parking associated with employees, contractors and site personnel to be fully contained on-site
- Access to and from the work site

- Delivery of equipment and materials to be contained with the site, with no loading or unloading on the public road. Other than in relation to public infrastructure works within Lewis and George Streets.
- Compliance with RMS requirements for delivery of homes where a transport permit is required from that authority.
- Restriction of heavy vehicle movement access on the public road system to ensure heavy vehicle movements only occur within approved work hours and outside of school zone hours. The exception will be for heavy vehicles operating within Lewis and George Streets involved in public infrastructure works.
- Consideration of the impact of heavy vehicle movements on the public road system in relation to their impact on participants of before and after school care.

(169/2010/DA/B – Modified 8 June 2018)

Condition No. 6.

All buildings (facilities and dwellings) are required to fully comply with the provisions of the Building Code of Australia.

Condition No. 7.

All dwellings shall be designed in accordance with AS4299-1995 Adaptable Housing.

Condition No. 8.

Odour Buffer

No manufactured home, mobile dwelling, caravan or any other form of residential accommodation is to be established within the 50m odour buffer to the Old Bar Waste Water Treatment Plant.

Buildings and facilities of a non-residential nature may be included within the odour buffer, where approved on the stamped plans referenced in Condition 1. A fence will be provided with no access on the southern boundary.

Reason: To ensure no residential sites are located within the buffer and allow non-residential facilities and infrastructure.

Condition No. 12

Compliance with the Bushfire Safety Authority dated 1 March 2023 (ref: DA20221223012498-Original-1) issued by the NSW Rural Fire Service. (copy attached).

(169/2010/DA/B – Modified 8 June 2018) (169/2010/DA/C – Modified 12 March 2019)

Condition No. 28.

Adjustments to Utility Services

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

Reason: To ensure all utility connection costs are funded by the applicant/developer.

Condition No. 32.

Submit to Council prior to release of the Construction Certificate a detailed Waste Management Plan for both general work and recycling including:

- i) the ability for vehicles to access and service waste facilities
- ii) the collection and removal of waste and recyclables from individual home sites.
- iii) the provision of adequately screened bulk bins or other waste facilities.



Condition No. 33.**Swimming Pool and Spa**

Operation of the Swimming Pool and Spa shall be undertaken in accordance with Australian Standards, inclusive of pool pump operation and location, pool fencing and safety requirements, maintenance and testing.

Reason: To ensure appropriate pool regulations and standards are adhered to.

(169/2010/DA/C – Modified 12 March 2019)

Condition No. 34.

The kitchen and associated food areas e.g. storage rooms, to the community facilities building shall be constructed to comply with the Food Act 2003, the National Food Safety Standard 3.2.3, “Food Premises and Equipment” and the guideline criteria of Australian Standard AS 4674-2004 “Design, Construction and fitout of food premises.”

Detailed fitout plans shall be submitted to Council for consideration and approval prior to issue of the clubhouse building construction certificate.

Condition No. 36.**Aboriginal heritage**

This consent does not authorise the harming of an Aboriginal object or place. Under the National Parks and Wildlife Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified. All directions of the Office of Environment and Heritage must be complied with at all times.

Reason: To protect Aboriginal heritage

Condition No. 37.**Water and Sewer Reticulation**

Each manufactured home is required to be connected to internal water and sewer reticulation infrastructure. A S68 for water & sewer is to be approved prior to construction. All connections are to be inspected by Council before the issue of a notice of completion for each dwelling or stage.

Reason: To ensure the development is connected to sewer and water infrastructure

Condition No. 41.

The revegetation zone as depicted on the Proposed Site Plan prepared by Via Architects and dated 7 August 2023 is to be retained and protected for the life of the development. The revegetation zone must be fenced off and managed to allow the re-establishment of native vegetation in a natural state. The revegetation zone is not to be used as part of any asset protection zone or for the installation of infrastructure, services or the like. Fencing to the revegetation zone must be suitable to restrict access, be of a height no greater than 1.2m and of post and rail or similar construction.

A vegetation management plan, which addresses the long-term management of the revegetation zone including revegetation, weed control, fencing, access, public education, and the like must be submitted to Council for approval prior to the issue of the first subdivision works certificate and implemented to the satisfaction of Council prior to the release of the first occupation certificate.

An appropriate 88B restriction shall be placed on the title of the land registering the vegetation management area and vegetation management plan prior to the release of the first occupation certificate. Evidence of the registering of the 88B restriction shall be provided to Council.

(169/2010/DA/B – Modified 8 June 2018)

Condition No. 44.

Work during construction which may result in noise nuisance being created, shall be restricted to hours of operation between 7 a.m. to 6 p.m. Monday to Friday, and 7 a.m. to 12 noon Saturdays. Work which will not result in noise nuisance being created can be carried out between 12 noon and 5 p.m. Saturday.

Reason: To mitigate construction noise nuisance.

Condition No. 19.**Civils Plans for civil works**

Plans for the internal civil works, prepared in accordance with relevant legislation and Australian Standards are required to be approved by the principle certifying authority before the issue of a Construction Certificate for each civils stage. A copy of approved civils Construction Certificates are to be provided to Council with a notice to commence civil works a minimum of 2 business days before works start.

Reason: To ensure Council obtain copies of relevant CC approvals and documentation.

Condition No. 24.

All stormwater is to be disposed of by a drainage system to Council's drainage network. A drainage design indicating all engineering details relevant to collection and disposal of roof water and stormwater from the site is to be submitted to and approved by Council in accordance with Section 68 of the Local Government Act, 1993 prior to the issue of a Construction Certificate. Details are to include existing site levels, finished levels, pipeline sizes and gradings. Stormwater shall be conveyed from the site to the:

- i. nearest piped drainage system,
- ii. kerb, using non-flexible galvanised kerb adaptors,
- iii. stormwater pit fronting or adjacent to the development,
- iv. interlot drainage system

All of the above works are to be carried out within each stage prior to the issue of an Occupation Certificate for the relevant stage.

Condition No. 31.**Local Government Act – Section 68 Install Manufactured Homes**

Section 68 applications are required to install manufactured homes. Applications shall be made to Council for assessment accompanied with detailed plans and specifications demonstrating compliance with the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

Reason: To ensure compliance with the regulation and allow section 68 applications for manufactured dwellings to be issued for each building stage.

Condition No. 3A.

Before the issue of an Occupation Certificate for the Clubhouse Building, the Applicant is required to dedicate that area of the site to enable the future connection of Wyden/George Street in accordance with the approved Future Road Dedication Plan referenced in Condition 1.

(169/2010/DA/B – Modified 8 June 2018)

(169/2010/DA/C – Modified 12 March 2019)

Condition No. 9.

No manufactured home, mobile dwelling, caravan, or any other form of residential accommodation existing shall be used for short term or tourist accommodation.

The following restriction is to be entered onto the title of the land, prior to the issue of the first Approval to Operate for the first manufactured home, with Council nominated as the body empowered to modify or waive such requirement:

"No manufactured home, mobile dwelling, caravan, or any other form of residential accommodation existing shall be used for short term or tourist accommodation"

Reason: To ensure no manufactured homes are used for short term or tourist accommodation.

Condition No. 18.

All internal road works are to be carried out according to the recommendations of a Geotechnical Engineer or Engineering Geologist and a copy of the recommendations is to be submitted to and approved by Principal Certifying Authority prior to the issue of a Construction Certificate.

A certificate from a suitably qualified person confirming that the internal road works have been constructed according to the recommendations of the Geotechnical Engineer or Engineering Geologist is to be submitted to Principal Certifying Authority prior to the issue of an Occupation Certificate.

Condition No. 21.**External Works**

Where any work is required within a public road reserve a Section 138 application must be prepared and submitted to Council for approval. Civil construction plans and a traffic management plan are required to form part of a Public Engineering Works Permit (PEWP) application submitted to Council.

Prior to the issue of the Clubhouse Building occupation certificate, a Council Approved contractor is to carry out the following civil work and services in accordance with the approved plans.

- Construction of a sealed cul-de-sac with a minimum radius of 8.5 metres and white reflectorised guideposts at the end of George Street and Lewis Street.
- Construction of Lewis Street, Old Bar, from the intersection with Rose Street to Lot 1, DP 594864 to the following Auspec standards:

Road No	Hierarchy	Carriageway Width
	Local Street	8

This includes new pavement, seal and drainage construction to Aus-spec standards for this road. The new kerb and gutter construction is to extend from the tangent points on Rose Street to the entry of the Manufactured Housing Estate. It will tie into the existing sections of kerb and gutter already constructed on Lewis Street.

- Construction of concrete footpath paving 1.2 metres wide on Lewis Street western side from the Manufactured Homes Estate frontage to a new pram ramp on the Rose Street corner. Plans for the footpath are to be in accordance with Council's Aus-spec standard drawings.

The verge area adjoining the full road frontage is to be regraded and an approved grass cover established in an adequate depth of topsoil prior to the issue of a building Occupation Certificate.

Reason: To ensure any works on public land are approved
(169/2010/DA/B – Modified 8 June 2018)

Condition No. 21A.**Footpath Works**

Before the Notice of Completion is issued for the 100th dwelling within the site, the applicant shall construct concrete footpath paving 1.2 metres wide (except where restricted by the existing culvert) and pram ramps where required on Rose St, Pacific Parade, and David Street connecting the development with the existing footpath adjacent Old Bar Primary School. Plans for the footpath are to be in accordance with Council's standard drawings.

Reason: To ensure footpath works are completed at a reasonable time of development
(169/2010/DA/B – Modified 8 June 2018)

Condition No. 13.

Parking areas, access lanes and vehicle movement areas are to be constructed, drained and concreted, bitumen sealed or alternatively constructed to a similar standard surface (but not gravel) with the parking spaces permanently and clearly identified. The work is to be completed prior to the issue of an Approval to Operate for the relevant stage.

Reason: To ensure roads are sufficiently completed prior to operation.
(169/2010/DA/C – Modified 12 March 2019)

Condition No. 23.

The applicant is to repair any damage to existing roads and concrete foot paving caused during the construction works, in accordance with Council requirements, prior to the issue of an Approval to Operate for each stage. Council must be provided with photographic evidence of any existing damage to Council infrastructure on Rose St, Lewis Street and George Street. Otherwise any damage is assumed to be related to the development and must be rectified at no cost to Council.

Reason: To ensure any public road damage is rectified.
(169/2010/DA/B – Modified 8 June 2018) (169/2010/DA/C
– Modified 12 March 2019)

Condition No. 38.

A plan of management shall be prepared for the development and submitted to Council for approval prior to the issue of an Approval to Operate. The plan shall include reference to:

- Management arrangements;
- Access
- Safety and security;
- Implementation of strategies to adequately deal with noise issues between neighbours;
- Management of Waste;
- Presentation of the premises; and
- Cleanliness of the premises.

Reason: To ensure the development is ready for occupation
(169/2010/DA/B – Modified 8 June 2018)

Condition No. 39.**Underground Comms**

Provision of underground telephone plant to each of the proposed sites in accordance with the requirements of Telstra. Documentary evidence of satisfactory arrangements being made to this effect with Telstra, including installation of service conduits, shall be supplied to Council prior to the issue of a Notice of Completion for each dwelling or stage.

Reason: To ensure each dwelling is connected to comms
(169/2010/DA/B – Modified 8 June 2018)

Condition No. 40.**Electrical Infrastructure**

Provision of underground electricity supply and street lighting to each of the dwelling sites. Certification from an accredited supplier of completion of these services shall be supplied to the principle certifying authority prior to the issue of a Notice of Completion for each dwelling.

Reason: To ensure each dwelling is connected to electricity.

2. DELETED CONDITIONS

Delete Conditions as follows:

Condition No. 3B.

DELETED

(169/2010/DA/B – Modified 8 June 2018)

Condition No.5.

DELETED

Condition No.15.

DELETE

Condition No.20.

Deleted

Condition No.22.

DELETED

Condition No. 35.

DELETED

3. NEW CONDITIONS

Insert New Conditions as follows:

New Condition No. 1.**Permitted fill material**

All fill material imported onto the site must be:

- a) virgin excavated natural material (VENM)(within the meaning of the Protection of the Environment Operations Act 1997) that meet the requirements of the NSW Environmental protection Authority's *Excavated Natural Material Exemption of 2014*; or
- b) any other waste-derived material the subject of a resource recovery exemption under Part 9, Clause 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014, that is permitted to be used as fill material.

Suitable documentation must be submitted to the principle certifying authority before the importation of any material to demonstrate that any fill import is VENM or that the material complies with the exemption conditions detailed in the resource recovery exemption.

Reason: To ensure that imported fill is of an acceptable standard.

New Condition No. 2.**Bulk Earthworks Plans**

Plans for bulk earthworks, prepared in accordance with Australian Standards are required to be approved by the principle certifying authority before the issue of a Construction Certificate

for Stage 1A. A copy of the approved plans is required to be provided to Council along with the complete Construction Certificate with a notice to commence bulk earthworks a minimum of 2 business days before works start.

Reason: To ensure Council obtain copies of relevant CC approvals and documentation

New Condition No. 3.

Sediment and Erosion Control

Prior to the issue of construction certificate, an erosion and sediment control plan prepared by a suitably qualified person and must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation

New Condition No. 4.

Water and Sewerage Section 68 Approval

Before the commencement of any civils stage works, an approval under Section 68 of the Local Government Act 1993 to carry out water supply and sewerage work must be obtained. A separate Section 68 approval for water and sewerage connection may be made for each individual civils stage.

Reason: to ensure the development is sufficiently connected to water and sewerage services

New Condition No. 5.

Local Government Act – Section 68 Approval to Operate

No sites shall be occupied unless an approval to operate a manufactured home estate under section 68 of the Local Government Act 1993 has been obtained from Council and approves use of those sites in accordance with this consent.

The approval to operate will require updating as dwellings are completed and occupied throughout the construction of the development to allow occupation during the completion of the development.

Reason: To the development can operate as per regulations

New Condition No. 6.

Fire Trail

The fire trail is to be a minimum of 4 meters in width in accordance with Planning for Bushfire standards and to be established as grass, gravel or similar appropriate material track that maintains access at all times. The establishment of the fire trail is to be completed as per the approved plans and before the issue of the first notice of completion for a manufactured home.

Reason: To ensure bushfire protection measures are in place before residents occupy dwellings.

RENUMBER CONDITIONS

Renumber and arrange conditions in accordance with the following table:

New Condition Reference	Original Condition Reference
1	1
2	1A
3	3B
4	4
5	5
6	6

7	7
8	8
9	12
10	10
11	11
12	23
13	28
14	32
15	15
16	33
17	34
18	36
19	37
20	20
21	41
22	22
23	44
24	45
25	47
26	27
27	New Condition 1
28	29
29	3
30	New Condition 2
31	New Condition 3
32	New Condition 4
33	42
34	19
35	35
36	24
37	25
38	26
39	31
40	3A
41	9
42	18
43	43
44	21
45	21A
46	30
47	New Condition 5
48	New Condition 6
49	2
50	13
51	14
52	16
53	17
54	46
55	38
56	39
57	40

Reasons for Conditions

The modified conditions have been imposed in order to safeguard the present and likely future amenity of the locality and to ensure a satisfactory standard of development.



Section 8.9 of the Environmental Planning and Assessment Act confers on an applicant for modification of consent who is dissatisfied with the determination of the application by the consent authority a right of appeal to the Land and Environment Court.

Enclosed for your information is the amended plan (where applicable) and consent.

Please note that modification of this consent under Section 4.55 of the Environmental Planning and Assessment Act may require amendment to any Construction Certificate for this development (if a Construction Certificate has been previously issued). It is recommended that you check with your Principal Certifying Authority.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Craig Wilkinson', with a horizontal line underneath.

Craig Wilkinson

Senior Development Planner

Encl. Modified Consent No. 169/2010/DA



21 December 2023

Palm Lake Works Pty Ltd
9 Lawson Street Southport

Our Reference: MOD2022/0253
Enquiries: Craig Wilkinson
02 7955 7777

NOTICE OF DETERMINATION

Issued under the Environmental Planning and Assessment Act 1979
Sections 4.16, 4.17, 4.18(1)(a)

Development Consent No: 169/2010/DA

Development: Manufactured Housing Estate

Property Address: Lewis Street OLD BAR NSW 2430, 106 Forest Lane
OLD BAR NSW 2430
Lot 1 DP 594864, Lot 2 DP 1022067

Determination:	Approved Subject to Conditions
Determination Date:	5 February 2010
Consent to Operate From:	5 February 2010
Consent to lapse on:	5 February 2015 (if physical commencement has not occurred)
Statutory Instrument:	Greater Taree Local Environmental Plan 2010
Other Approvals:	Nil

PART A - General Conditions

Condition No. 1

The development is to be carried out in accordance with the following approved development plans, except as modified by any conditions of consent:

Title/Name	Drawing No.	Issue	Date	Prepared by
Proposed Site Plan	CP 1.0	11	07/08/2023	VIA Architects
Detailed Plan Part 1	CP 1.1 Detail Plan Part 1	6	21/10/2022	VIA Architects
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Detailed Plan Part 3	CP 1.3 Detail Plan Part 3	6	21/10/2022	VIA Architects
Staging Plan	CP 2.0	4	21/10/2022	VIA Architects
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Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-202 Plan-Roof	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-400 Elevations Community Facility	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D401 Elevations – Community Facility	2	20/09/2018	ddc Architecture + Interior Design
Old Bar – Section 4.55 Drawings Gateway 1 Lewis St, Old Bar NSW	18012 – D-402 Materials and Finishes	-	20/09/2018	ddc Architecture + Interior Design
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Gateway Lifestyle	Future Road Dedication Plan CP 3.0	A	29/05/2018	---

(169/2010/DA/A – Modified 12 June 2014)
 (169/2010/DA/B – Modified 8 June 2018)
 (169/2010/DA/C – Modified 12 March 2019)
 (MOD2022/0253 – Modified 13 December 2023)

Condition No. 2.

Staging of approved development

The approved development is to be constructed in stages and substages as indicated on the approved staging plan referred to in Condition 1:

Stage 1A – Bulk earthworks (entire site)
 Stage 1B – Internal civil works
 Stage 2 – Internal civil works
 Stage 3 – Internal civil works

The construction of manufactured homes within the estate may occur during the development of civil stages.

Notice of completions, partial and full occupation certificates and approvals to operate may be granted where each individual bulk earthworks, civils and building/construction stage has been completed.

Reason: To be consistent with the development application and the progress of approved works.

(169/2010/DA/C – Modified 12 March 2019)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 3B.

DELETED

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 4.

A Construction Certificate issued by the principal certifying authority is to be deposited with Council at least 48 hours prior to commencement of any building work on the site.

Condition No. 5.

DELETED

Condition No. 6.

All buildings (facilities and dwellings) are required to fully comply with the provisions of the Building Code of Australia.

Condition No. 7.

All dwellings shall be designed in accordance with AS4299-1995 Adaptable Housing.

Condition No. 8.

Odour Buffer

No manufactured home, mobile dwelling, caravan or any other form of residential accommodation is to be established within the 50m odour buffer to the Old Bar Waste Water Treatment Plant.

Buildings and facilities of a non-residential nature may be included within the odour buffer, where approved on the stamped plans referenced in Condition 1. A fence will be provided with no access on the southern boundary.

Reason: To ensure no residential sites are located within the buffer and allow non-residential facilities and infrastructure.

Condition No. 9

Compliance with the Bushfire Safety Authority dated 1 March 2023 (ref: DA20221223012498-Original-1) issued by the NSW Rural Fire Service. (copy attached).

(169/2010/DA/B – Modified 8 June 2018)

(169/2010/DA/C – Modified 12 March 2019)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 10.

Deleted

(169/2010/DA/B – Modified 8 June 2018)



Condition No. 11.

The floor level of all habitable rooms shall not be lower than RL 6.00 Australian Height Datum. A certificate from a Registered Surveyor is to be submitted with each Notice of Installation certifying that the floor levels are in accordance with the requirements of this condition. The Surveyor is to establish a mark for reference by other authorities.

(169/2010/DA/B – Modified 8 June 2018)

(169/2010/DA/C – Modified 12 March 2019)

Condition No. 12.

The applicant is to repair any damage to existing roads and concrete foot paving caused during the construction works, in accordance with Council requirements, prior to the issue of an Approval to Operate for each stage. Council must be provided with photographic evidence of any existing damage to Council infrastructure on Rose St, Lewis Street and George Street. Otherwise any damage is assumed to be related to the development and must be rectified at no cost to Council.

Reason: To ensure any public road damage is rectified.

(169/2010/DA/B – Modified 8 June 2018)

(169/2010/DA/C – Modified 12 March 2019)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 13.**Adjustments to Utility Services**

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

Reason: To ensure all utility connection costs are funded by the applicant/developer.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 14.

Submit to Council prior to release of the Construction Certificate a detailed Waste Management Plan for both general work and recycling including:

- iv) the ability for vehicles to access and service waste facilities
- v) the collection and removal of waste and recyclables from individual home sites.
- vi) the provision of adequately screened bulk bins or other waste facilities.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 15.

DELETE

Condition No. 16.**Swimming Pool and Spa**

Operation of the Swimming Pool and Spa shall be undertaken in accordance with Australian Standards, inclusive of pool pump operation and location, pool fencing and safety requirements, maintenance and testing.

Reason: To ensure appropriate pool regulations and standards are adhered to.

(169/2010/DA/C – Modified 12 March 2019)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 17.

The kitchen and associated food areas e.g. storage rooms, to the community facilities building shall be constructed to comply with the Food Act 2003, the National Food Safety Standard 3.2.3, "Food Premises and Equipment" and the guideline criteria of Australian Standard AS 4674-2004 "Design, Construction and fitout of food premises."

Detailed fitout plans shall be submitted to Council for consideration and approval prior to issue of the clubhouse building construction certificate.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 18.

Aboriginal heritage

This consent does not authorise the harming of an Aboriginal object or place. Under the National Parks and Wildlife Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified. All directions of the Office of Environment and Heritage must be complied with at all times.

Reason: To protect Aboriginal heritage

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 19.

Water and Sewer Reticulation

Each manufactured home is required to be connected to internal water and sewer reticulation infrastructure. A S68 for water & sewer is to be approved prior to construction. All connections are to be inspected by Council before the issue of a notice of completion for each dwelling or stage.

Reason: To ensure the development is connected to sewer and water infrastructure

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 20.

Deleted

Condition No. 21.

The revegetation zone as depicted on the Proposed Site Plan prepared by Via Architects and dated 7 August 2023 is to be retained and protected for the life of the development. The revegetation zone must be fenced off and managed to allow the re-establishment of native vegetation in a natural state. The revegetation zone is not to be used as part of any asset protection zone or for the installation of infrastructure, services or the like. Fencing to the revegetation zone must be suitable to restrict access, be of a height no greater than 1.2m and of post and rail or similar construction.

A vegetation management plan, which addresses the long-term management of the revegetation zone including revegetation, weed control, fencing, access, public education, and the like must be submitted to Council for approval prior to the issue of the first subdivision works certificate and implemented to the satisfaction of Council prior to the release of the first occupation certificate.

An appropriate 88B restriction shall be placed on the title of the land registering the vegetation management area and vegetation management plan prior to the release of the first occupation certificate. Evidence of the registering of the 88B restriction shall be provided to Council.

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 22.

DELETED

Condition No. 23.

Work during construction which may result in noise nuisance being created, shall be restricted to hours of operation between 7 a.m. to 6 p.m. Monday to Friday, and 7 a.m. to 12 noon Saturdays. Work which will not result in noise nuisance being created can be carried out between 12 noon and 5 p.m. Saturday.

Reason: To mitigate construction noise nuisance.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 24.

A separate application shall be submitted for any signage with the development.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 25.

Use of the development will not be permitted until all conditions of development consent are satisfied, a satisfactory final inspection has been carried out and an Approval to Operate issued.

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

PART B – Before the issue of a construction certificate for Stage 1A – Bulk Earthworks**Condition No. 26.**

A **Soil & Water Management Plan** in accordance with Council's Policy is to be prepared by an Engineer whose qualifications are acceptable for membership of the Institution of Engineers Australia (or other professional approved by Council) detailing temporary and permanent measures proposed to be installed. The plan is to include an analysis of the susceptibility of soil to erosion and is to be submitted with the Engineering plans.

All erosion and sediment control measures undertaken on the site are to conform to the specifications and standards contained in the document 'Managing Urban Stormwater - Soils & Construction', Department of Housing, 2004 Manual.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 27.**Permitted fill material**

All fill material imported onto the site must be:

- c) virgin excavated natural material (VENM)(within the meaning of the Protection of the Environment Operations Act 1997) that meet the requirements of the NSW Environmental protection Authority's *Excavated Natural Material Exemption of 2014*; or
- d) any other waste-derived material the subject of a resource recovery exemption under Part 9, Clause 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014, that is permitted to be used as fill material.

Suitable documentation must be submitted to the principle certifying authority before the importation of any material to demonstrate that any fill import is

VENM or that the material complies with the exemption conditions detailed in the resource recovery exemption.

Reason: To ensure that imported fill is of an acceptable standard.
(MOD2022/0253 – Modified 13 December 2023)

Condition No. 28.

Prior to commencement of any works, the applicant is to lodge with Council:

- i) a plan, prepared by a registered surveyor, showing all survey marks on public record, which may be disturbed or destroyed during the course of the works;
- ii) a cash bond or bank guarantee to the value of \$1,500 to cover the potential cost of replacement of any such marks disturbed or destroyed during the course of the works. The value of such bond shall be determined by the Director Engineering on examination of the plan supplied in (i) above

The bond shall be released to the applicant, at the completion of the work, upon the lodgement with Council of:

- i) a declaration by a registered surveyor, stating that no survey marks as shown on the submitted plan have been disturbed or destroyed; or
- ii) a plan, prepared by a registered surveyor, and acceptable to the Land Titles Office for registration as a public record plan, showing the positions and values of all survey marks placed by the registered surveyor in lieu of the survey marks shown on the submitted plan which have been destroyed or disturbed during the course of the works.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 29

A Construction Traffic Management Plan (CTMP) shall be prepared for the whole development and shall specify operational details to minimise any potential impact to adjoining or adjacent properties.

The CTMP shall be submitted with the application for approval under S138 of the Roads Act 1993.

The CTMP shall be prepared to meet the requirements of the Roads and Maritime Services (RMS) “Roads and Traffic Authority – Traffic control at Work sites” manual June 2010.

The plan shall include:

- Primary vehicle routes
- Any potential road closures
- Control of vehicles, pedestrians and cyclists at the site access
- Safety of road users
- Parking associated with employees, contractors and site personnel to be fully contained on-site
- Access to and from the work site
- Delivery of equipment and materials to be contained with the site, with no loading or unloading on the public road. Other than in relation to public infrastructure works within Lewis and George Streets.
- Compliance with RMS requirements for delivery of homes where a transport permit is required from that authority.

- Restriction of heavy vehicle movement access on the public road system to ensure heavy vehicle movements only occur within approved work hours and outside of school zone hours. The exception will be for heavy vehicles operating within Lewis and George Streets involved in public infrastructure works.
- Consideration of the impact of heavy vehicle movements on the public road system in relation to their impact on participants of before and after school care.

(169/2010/DA/B – Modified 8 June 2018)
(MOD2022/0253 – Modified 13 December 2023)

Condition No. 30.

Bulk Earthworks Plans

Plans for bulk earthworks, prepared in accordance with Australian Standards are required to be approved by the principle certifying authority before the issue of a Construction Certificate for Stage 1A. A copy of the approved plans is required to be provided to Council along with the complete Construction Certificate with a notice to commence bulk earthworks a minimum of 2 business days before works start.

Reason: To ensure Council obtain copies of relevant CC approvals and documentation
(MOD2022/0253 – Modified 13 December 2023)

Condition No. 31.

Sediment and Erosion Control

Prior to the issue of construction certificate, an erosion and sediment control plan prepared by a suitably qualified person and must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation
(MOD2022/0253 – Modified 13 December 2023)

PART C – Before the issue of a construction certificate for Civils Stages (1B – 3)

Condition No. 32.

A landscaping plan prepared by a suitably qualified landscape architect shall be submitted to Council for approval prior to the issue of any construction certificate. The plan shall specify details of proposed plantings, including common and botanical names and height and spread at maturity as well as details of planting procedure and maintenance. Preference shall be given to local native species.

A plan shall include provision for a landscape buffer of minimum 2m in width along the western boundary and to the Lewis Street frontage so as to screen the visual impact of the development from the streetscape and adjoining residential properties.

All landscaping is to be carried out in accordance with the plan and maintained in accordance with the plan at all times.

(MOD2022/0253 – Modified 13 December 2023)



Condition No. 33.**Water and Sewerage Section 68 Approval**

Before the commencement of any civils stage works, an approval under Section 68 of the Local Government Act 1993 to carry out water supply and sewerage work must be obtained. A separate Section 68 approval for water and sewerage connection may be made for each individual civils stage.

Reason: to ensure the development is sufficiently connected to water and sewerage services

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 34.**Civils Plans for civil works**

Plans for the internal civil works, prepared in accordance with relevant legislation and Australian Standards are required to be approved by the principle certifying authority before the issue of a Construction Certificate for each civils stage. A copy of approved civils Construction Certificates are to be provided to Council with a notice to commence civil works a minimum of 2 business days before works start.

Reason: To ensure Council obtain copies of relevant CC approvals and documentation.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 35.

DELETED

Condition No. 36.

All stormwater is to be disposed of by a drainage system to Council's drainage network. A drainage design indicating all engineering details relevant to collection and disposal of roof water and stormwater from the site is to be submitted to and approved by Council in accordance with Section 68 of the Local Government Act, 1993 prior to the issue of a Construction Certificate. Details are to include existing site levels, finished levels, pipeline sizes and gradings. Stormwater shall be conveyed from the site to the:

- v. nearest piped drainage system,
- vi. kerb, using non-flexible galvanised kerb adaptors,
- vii. stormwater pit fronting or adjacent to the development,
- viii. interlot drainage system

All of the above works are to be carried out within each stage prior to the issue of an Occupation Certificate for the relevant stage.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 37.

On-site detention shall be provided within the development in accordance with Council's onsite detention guidelines. The guidelines require stormwater detention facilities to be provided within the lot, which will limit discharge to pre-development levels.

The design is to be prepared by a registered surveyor or practising engineer. The design is to be submitted to Greater Taree City Council for approval, with the approved



fee in accordance with section 68 of the Local Government Act 1993. The design is to be approved prior to the issue of a Construction Certificate.

The development is to incorporate water sensitive stormwater management measures in accordance with Council's Urban Stormwater Management Plan 2001 to ensure that the predevelopment discharges are maintained in terms of water quality and quantity.

The following requirements are to be satisfied prior to the issue of an occupation certificate:-

- Work-as-executed details obtained by the person responsible for the design and supervision are to be submitted to verify the storage has been constructed in accordance with the design requirements, and that floor levels are above the minimum required. Any significant variations must be supported by amended calculations.
- Verification that an appropriate 88B restriction as to user or transfer granting easement (in accordance with Council's standard wording) has been placed on the title of the land describing the facility clearly and that it is not to be varied in any way without the consent of Council.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 38.

Water Sensitive Urban Design (WSUD) principles are to be incorporated into the drainage design by a suitably qualified and experienced person. In this regard, provision is to be made for best practice stormwater quality improvement devices (SQUID'S) at the outlets to collect litter, sand, silts and oils etc.

The devices selected are to be submitted to Council for approval with the engineering drawings in accordance with the engineering drawings in accordance with Section 68 of the Local Government Act, 1993 and are to be capable of retaining pollutants in accordance with the requirements of Council's Stormwater Management Plan and Australian Runoff Quality (ARQ). Design details for the system are to be submitted to Council for approval prior to the issue of a Construction Certificate.

(MOD2022/0253 – Modified 13 December 2023)

PART D – Before the issue of Section 68 applications to install manufactured homes

Condition No. 39.

Local Government Act – Section 68 Install Manufactured Homes

Section 68 applications are required to install manufactured homes. Applications shall be made to Council for assessment accompanied with detailed plans and specifications demonstrating compliance with the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

Reason: To ensure compliance with the regulation and allow section 68 applications for manufactured dwellings to be issued for each building stage.

(MOD2022/0253 – Modified 13 December 2023)



PART E – Before the issue of an Occupation Certificate or Notice of Completion

Condition No. 40.

Before the issue of an Occupation Certificate for the Clubhouse Building, the Applicant is required to dedicate that area of the site to enable the future connection of Wyden/George Street in accordance with the approved Future Road Dedication Plan referenced in Condition 1.

(169/2010/DA/B – Modified 8 June 2018)

(169/2010/DA/C – Modified 12 March 2019)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 41.

No manufactured home, mobile dwelling, caravan, or any other form of residential accommodation existing shall be used for short term or tourist accommodation.

The following restriction is to be entered onto the title of the land, prior to the issue of the first Approval to Operate for the first manufactured home, with Council nominated as the body empowered to modify or waive such requirement:

“No manufactured home, mobile dwelling, caravan, or any other form of residential accommodation existing shall be used for short term or tourist accommodation”

Reason: To ensure no manufactured homes are used for short term or tourist accommodation.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 42.

All internal road works are to be carried out according to the recommendations of a Geotechnical Engineer or Engineering Geologist and a copy of the recommendations is to be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

A certificate from a suitably qualified person confirming that the internal road works have been constructed according to the recommendations of the Geotechnical Engineer or Engineering Geologist is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 43.

Deleted

(169/2010/DA/B – Modified 8 June 2018)

Condition No. 44.

External Works

Where any work is required within a public road reserve a Section 138 application must be prepared and submitted to Council for approval. Civil construction plans and a traffic management plan are required to form part of a Public Engineering Works Permit (PEWP) application submitted to Council.

Prior to the issue of the Clubhouse Building occupation certificate, a Council Approved contractor is to carry out the following civil work and services in accordance with the approved plans.

- Construction of a sealed cul-de-sac with a minimum radius of 8.5 metres and white reflectorised guideposts at the end of George Street and Lewis Street.
- Construction of Lewis Street, Old Bar, from the intersection with Rose Street to Lot 1, DP 594864 to the following Auspec standards:

Road No	Hierarchy	Carriageway Width
	Local Street	8

This includes new pavement, seal and drainage construction to Aus-spec standards for this road. The new kerb and gutter construction is to extend from the tangent points on Rose Street to the entry of the Manufactured Housing Estate. It will tie into the existing sections of kerb and gutter already constructed on Lewis Street.

- Construction of concrete footpath paving 1.2 metres wide on Lewis Street western side from the Manufactured Homes Estate frontage to a new pram ramp on the Rose Street corner. Plans for the footpath are to be in accordance with Council's Aus-spec standard drawings.

The verge area adjoining the full road frontage is to be regraded and an approved grass cover established in an adequate depth of topsoil prior to the issue of a building Occupation Certificate.

Reason: To ensure any works on public land are approved

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 45.

Footpath Works

Before the Notice of Completion is issued for the 100th dwelling within the site, the applicant shall construct concrete footpath paving 1.2 metres wide (except where restricted by the existing culvert) and pram ramps where required on Rose St, Pacific Parade, and David Street connecting the development with the existing footpath adjacent Old Bar Primary School. Plans for the footpath are to be in accordance with Council's standard drawings.

Reason: To ensure footpath works are completed at a reasonable time of development

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 46.

After practical completion of all public works and services to Council's standards the following will be required prior to the issue of an Occupation Certificate:

- A "Works as Executed" set of drawings prepared in accordance with the requirements of Council's AUSSPEC No. 1 Design Manual. These must be original drawings showing as constructed details of all works and services, suitably endorsed as correct on each sheet by the Superintendent.
- Maintenance Deposit - Deposit with Council (or a Bank Guarantee) for a period of twelve months from completion of engineering work of a sum equal to 5% of the cost of Engineering works prior to the issue of an Occupation Certificate for the community building. This security is to be lodged to guarantee the quality of work and to ensure that the contractor carries out all maintenance and repairs required during this period.
- Bonding Policy - Any work to be bonded must be in accordance with Council Policy AUSSPEC No. 1 Design Manual. Generally bonds will only be

accepted for final seal or Asphaltic Concrete surfacing. Bonding will be via a cash bond or bank guarantee in the sum of 150% of the current cost of carrying out the work at Council rates. The time limit for such bonds is three (3) months.

The actual contract values of all assets (roads, stormwater drainage, open space, etc) dedicated to the public are to be submitted with "Works as Executed" drawings on Council's standard form.

(169/2010/DA/B – Modified 8 June 2018)
(169/2010/DA/C – Modified 12 March 2019)
(MOD2022/0253 – Modified 13 December 2023)

Condition No. 47.

Local Government Act – Section 68 Approval to Operate

No sites shall be occupied unless an approval to operate a manufactured home estate under section 68 of the Local Government Act 1993 has been obtained from Council and approves use of those sites in accordance with this consent.

The approval to operate will require updating as dwellings are completed and occupied throughout the construction of the development to allow occupation during the completion of the development.

Reason: To the development can operate as per regulations
(MOD2022/0253 – Modified 13 December 2023)

Condition No. 48.

Fire Trail

The fire trail is to be a minimum of 4 meters in width in accordance with Planning for Bushfire standards and to be established as grass, gravel or similar appropriate material track that maintains access at all times. The establishment of the fire trail is to be completed as per the approved plans and before the issue of the first notice of completion for a manufactured home.

Reason: To ensure bushfire protection measures are in place before residents occupy dwellings.
(MOD2022/0253 – Modified 13 December 2023)

PART F – Before the issue of an Approval to Operate

Condition No. 49

The Registered Proprietor of Lot 1 DP 594864 is to obtain registration of positive covenants pursuant to the provisions of Section 88e of the Conveyancing Act 1919 to the following effect and these instruments are to be recorded in the Register kept under the Real Property Act 1900.

- iv. The Registered Proprietor shall take all necessary, adequate and sufficient steps to demolish or remove any building and its associated infrastructure located on the land, if the coastline continues to recede and advice is received from Mid Coast Council that the dwelling is at imminent risk of collapse.
- v. The Registered Proprietor shall promptly carry out all actions that are identified or required by the Risk Management Plan Incorporated submitted with Development Application 169/2010/DA/B.

- vi. In addition to any powers vested in MidCoast Council pursuant to statute, that Council:
- a) for the purpose of ensuring observance of any covenant above, may, by its employees, agents, contractors or persons authorised by it or its General Manager, enter upon the land after giving notice to the registered proprietor or its authorised officer or representative and view the condition of the land and anything upon it;
 - b) where the covenant is breached, the Council may do such things including the carrying out work or demolition by its employees, agents, contractors or persons authorised by it or its General Manager as may be reasonably necessary to remedy the breach;
 - c) may recover from the registered proprietor in a court of competent jurisdiction, any expense reasonable incurred by it in exercising any power authorised by a) and b) above.

The requirements of this condition are to be carried out prior to the issue of any Occupation Certificate.

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 50.

Parking areas, access lanes and vehicle movement areas are to be constructed, drained and concreted, bitumen sealed or alternatively constructed to a similar standard surface (but not gravel) with the parking spaces permanently and clearly identified. The work is to be completed prior to the issue of an Approval to Operate for the relevant stage.

Reason: To ensure roads are sufficiently completed prior to operation.

(169/2010/DA/C – Modified 12 March 2019)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 51

Provision being made within the site for a turning area to accommodate a 12.5m single unit Truck/Bus in accordance with the design guidelines of AUSTROADS.

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 52.

Full width reinforced concrete verge crossings are to be provided by the applicant at all approved vehicle entry location points at no cost to Council. An Urban Driveway Application is to be submitted to Council for approval, with the appropriate fee, prior to the commencement of construction. Vehicular crossings are to be designed and constructed in accordance with Council's standards (SD76 & SD74) and completed prior to the issue of an occupation certificate.

Vehicular crossings shall be a minimum of 7.0 metres wide and no closer than 6 metres to any road intersection.

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 53.

A concrete vehicular crossing to Council's standard is to be constructed in the kerb fronting the development prior to the issue of an Occupation Certificate.

(MOD2022/0253 – Modified 13 December 2023)



Condition No. 54.

The applicant is to pay to Council contributions levied in respect of Section 94 of the Environmental Planning & Assessment Act for the following designated purposes prior to the issue of an Approval to Operate for each stage.

The TOTAL CONTRIBUTIONS at rates applicable at the time of granting development consent are:

\$7003.66 per dwelling site

The amount of each contribution may be revised in accordance with the indexing or review provisions of the relevant Contribution Plan under which the contribution is levied. The amount of each contribution will be determined by Council at the time of payment in accordance with those provisions.

The individual contributions (Per Dwelling Site) from section 94 Contributions Plan 2001 are as follows:

Old Bar	No exclusion	<u>\$5,021.73</u> Per Dwelling Site
	Open Space	\$1,702.78
	Roads	\$2,666.69
	Multi-Purpose Community Centre	\$286.44
	Rural Fire Fighting (Rural)	\$214.47
	Finance	\$151.35
Greater Taree	No exclusions	<u>\$1,981.93</u> Per Dwelling Site
	Central Library Service enhancement	\$396.93
	Library bookstock	\$113.12
	Aquatic Centre	\$180.99
	Rural Fire Fighting (Centre)	\$352.27
	Surf Life Saving Facilities	\$175.40
	Regional Open Space	\$362.94
	s94 Co-ordinator	\$269.37
	s94 Plan Preparation	\$8.86
	<u>Finance</u>	\$152.05

(169/2010/DA/C – Modified 12 March 2019)
(MOD2022/0253 – Modified 13 December 2023)

Condition No. 55.

A plan of management shall be prepared for the development and submitted to Council for approval prior to the issue of an Approval to Operate. The plan shall include reference to:

- Management arrangements;
- Access
- Safety and security;
- Implementation of strategies to adequately deal with noise issues between neighbours;

- Management of Waste;
- Presentation of the premises; and
- Cleanliness of the premises.

Reason: To ensure the development is ready for occupation

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 56.

Underground Comms

Provision of underground telephone plant to each of the proposed sites in accordance with the requirements of Telstra. Documentary evidence of satisfactory arrangements being made to this effect with Telstra, including installation of service conduits, shall be supplied to Council prior to the issue of a Notice of Completion for each dwelling or stage.

Reason: To ensure each dwelling is connected to comms

(169/2010/DA/B – Modified 8 June 2018)

(MOD2022/0253 – Modified 13 December 2023)

Condition No. 57.

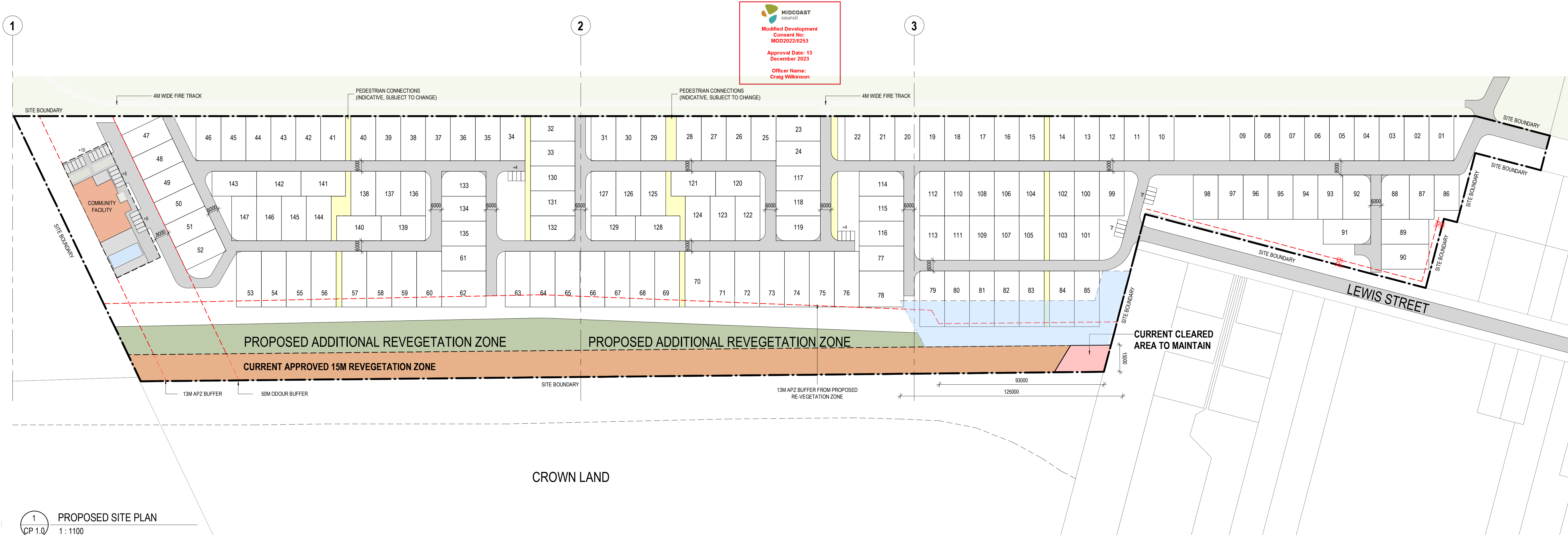
Electrical Infrastructure

Provision of underground electricity supply and street lighting to each of the dwelling sites. Certification from an accredited supplier of completion of these services shall be supplied to the principle certifying authority prior to the issue of a Notice of Completion for each dwelling.

Reason: To ensure each dwelling is connected to electricity.

(MOD2022/0253 – Modified 13 December 2023)





LEGEND

- PROPOSED RE-VEGETATION ZONE
- ASSET PROTECTION ZONE (APZ) FROM PROPOSED RE-VEGETATION ZONE
- CURRENT APPROVED 15M RE-VEGETATION ZONE
- CURRENT CLEARED AREA TO MAINTAIN
- AREA APPROVED TO BE CLEARED UNDER ORIGINAL CONSENT

OVERALL SUMMARY

TOTAL NO. OF SITES	147 SITES
TOTAL NO. OF VISITOR CAR SPACES	36
TOTAL SITE AREA	101,289.89m ²
REVEGETATION AREA	14,690m ²
OPEN SPACE (COMMUNAL AMENITY)	24,655m ²
BUILDING HEIGHT FGL	8.5m

RE-VEGETATION ZONE SUMMARY

PROPOSED RE-VEGETATION ZONE	14,690m ²
CURRENT APPROVED 15M RE-VEGETATION ZONE	7,825m ²
TOTAL ADDITIONAL RE-VEGETATION ZONE PROPOSED	6,865m ²
CURRENT CLEARED AREA TO MAINTAIN	380m ²
APPROVED TO BE CLEARED UNDER ORIGINAL CONSENT	3,185m ²

VIA ARCHITECTS

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REV.	DESCRIPTION	DATE	BY
5	FOR SUBMISSION	27/09/22	TM
6	FOR DISCUSSION	06/10/22	TM
7	FOR SUBMISSION	14/10/22	NV
8	FOR DA SUBMISSION	21/10/22	TM
9	FOR REVIEW	28/05/23	TM
10	FOR APPROVAL	20/07/23	RL
11	FOR APPROVAL	07/08/23	TM

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TIMESTAMP: 07/08/2023 11:35:07 AM

KEY PLAN



NORTH POINT



THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORK OR MAKING OF ANY SHOP DRAWINGS. FIGURED DIMENSIONS MUST BE USED IN PREFERENCE TO SCALING. SCALED DIMENSIONS MUST BE VERIFIED ON SITE. SHEET TO BE PRINTED IN COLOUR. THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT.

STATUS APPROVAL

PROJECT
PALM LAKE - OLD BAR

ADDRESS
LOT 1 LEWIS STREET, OLD BAR,
NSW 2430

SCALE (@A1) As indicated / DRAWN BY RL / CHECKED BY TM / PROJECT No. 2210012 / DRAWING No. CP 1.0 / REV 11

CLIENT
PALM LAKE GROUP

DRAWING TITLE
PROPOSED SITE PLAN

1

2

STATUS **SUBMISSION****V / A**
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REV	DESCRIPTION	DATE	BY	CHK
1	DRAFT	03/08/22	TM	
2	FOR REVIEW	11/08/22	TM	
3	FOR REVIEW	01/09/22	TM	
4	FOR SUBMISSION	27/09/22	TM	
5	FOR SUBMISSION	14/10/22	NV	
6	FOR DA SUBMISSION	21/10/22	TM	

PROJECT REF C:\Users\TMitton\Documents\2210012 - PALM LAKE GROUP - OLD
TIMESTAMP: 21/10/22 10:26 AM**CLIENT**
PALM LAKE GROUP**ADDRESS**
LOT 1 LEWIS STREET, OLD BAR,
NSW 2430THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORK
OR MAKING OF ANY SHOP DRAWINGS. FIGURED DIMENSIONS MUST BE USED IN PREFERENCE TO
SCALING. SCALED DIMENSIONS MUST BE VERIFIED ON SITE. SHEET TO BE PRINTED IN COLOUR.
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NORTH POINT

**PROJECT**
PALM LAKE - OLD BAR
DRAWING TITLE
DETAIL PLAN PART 1SCALE (@A3) / PROJECT No. / DRAWING No. / REV
1 : 1000 / 2210012 / CP 1.1 / 6



STATUS **SUBMISSION**

V / A
ARCHITECTS

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REV	DESCRIPTION	DATE	BY	CHK
1	DRAFT	03/08/22	TM	
2	FOR REVIEW	11/08/22	TM	
3	FOR REVIEW	01/09/22	TM	
4	FOR SUBMISSION	27/09/22	TM	
5	FOR SUBMISSION	14/10/22	NV	
6	FOR DA SUBMISSION	21/10/22	TM	

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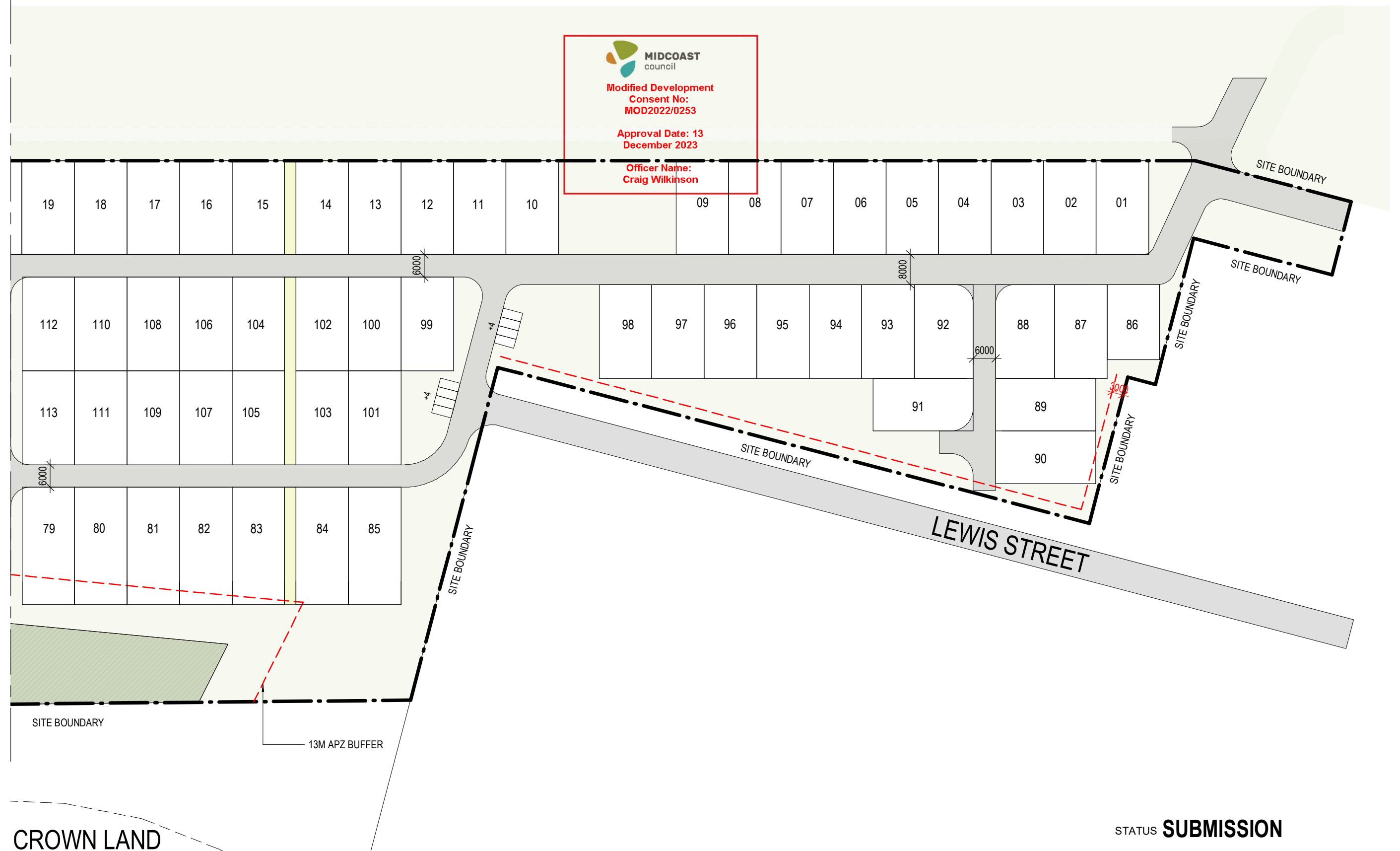
CLIENT
PALM LAKE GROUP
ADDRESS
LOT 1 LEWIS STREET, OLD BAR,
NSW 2430

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PROJECT
PALM LAKE - OLD BAR
DRAWING TITLE
DETAIL PLAN PART 2

SCALE (@A3) / PROJECT No. / DRAWING No. / REV
1 : 1000 / 2210012 / CP 1.2 / 6



V / A
ARCHITECTS

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REV	DESCRIPTION	DATE	BY	CHK
1	DRAFT	03/08/22	TM	
2	FOR REVIEW	11/08/22	TM	
3	FOR REVIEW	01/09/22	TM	
4	FOR SUBMISSION	27/09/22	TM	
5	FOR SUBMISSION	14/10/22	NV	
6	FOR DA SUBMISSION	21/10/22	TM	

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TIMESTAMP: 24/10/2022 10:22:46 AM

CLIENT
PALM LAKE GROUP

ADDRESS
LOT 1 LEWIS STREET, OLD BAR,
NSW 2430

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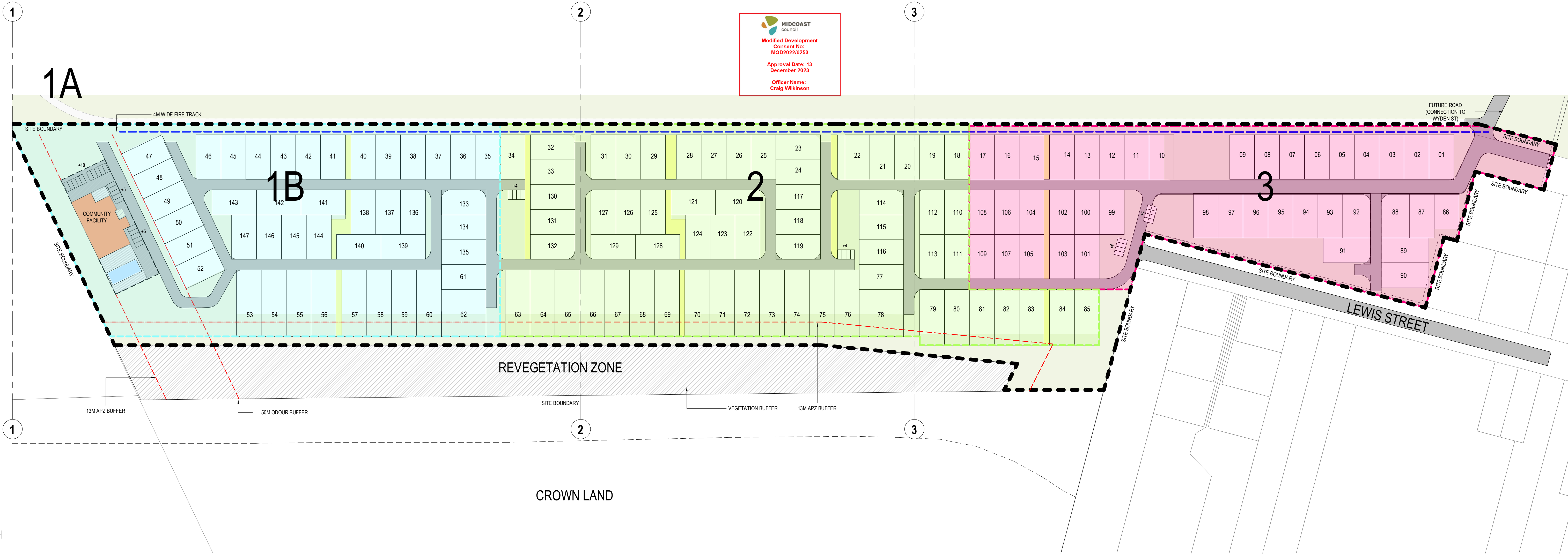


NORTH POINT



PROJECT
PALM LAKE - OLD BAR
DRAWING TITLE
DETAIL PLAN PART 3

SCALE (@A3) / PROJECT No. / DRAWING No. / REV
1 : 1000 / 2210012 / CP 1.3 / 6



1 PROPOSED STAGING PLAN
1 : 1100

LEGEND	CIVIL STAGES
---	STAGE 1A - BULK EARTHWORKS (ENTIRE SITE)
---	STAGE 1B - 43 SITES AND CLUBHOUSE
---	STAGE 2 - 63 SITES
---	STAGE 3 - 41 SITES

REV.	DESCRIPTION	DATE	BY
1	DRAFT	03/08/22	TM
2	FOR REVIEW	11/08/22	TM
3	FOR SUBMISSION	14/10/22	NV
4	FOR DA SUBMISSION	21/10/22	TM

