

MINUTES OF THE NORTHERN REGION PLANNING PANEL MEETING HELD AT TWEED HEADS CIVIC CENTRE AUDITORIUM ON THURSDAY 22 JULY 2010 AT 4:00 PM

PRESENT:

Dr John Griffin	Acting Chair
Pamela Westing	Panel Member
Bruce Clarke	Panel Member
Robert Quirk	Panel Member
Dr Ned Wales	Panel Member

IN ATTENDANCE

Rowena Michel	Development Assessment Coordinator, Tweed Shire Council
Vince Connell	Director Planning and Regulation, Tweed Shire Council
Lindsay McGavin	Manager Development Assessment, Tweed Shire Council
Mike Rayner	General Manager, Tweed Shire Council
John Muzyczka	Development Engineer, Tweed Shire Council
Denise Galle	Development Assessment Co-ordinator, Tweed Shire Council
Janet Twohill	Minute Taker - Administration Assistant, Tweed Shire Council

APOLOGY: Garry West

The meeting commenced at 4.05pm. The Chair welcomed everyone to the meeting of the Panel.

1. Declarations of Interest

Bruce Clarke: Independent member of the LPMA Audit and Risk Committee, but has had no dealings with this application

2. Business Items

ITEM 1 - 2009NTH010 – Tweed – DA 09/0661 - Casuarina North West Precinct, Residential subdivision, North West Precinct, Casuarina Way, Casuarina

Moved Ned Wales, seconded by Robert Quirk

"That the application be opened for questions from the panel."

MOTION CARRIED

3. Business Item Recommendation

2009NTH010 – Tweed – DA 09/0661 - Casuarina North West Precinct, Residential subdivision, North West Precinct, Casuarina Way, Casuarina

Moved Ned Wales, seconded by Robert Quirk

That the Panel adopt the Council officer's recommendation to approve the proposal subject to the recommended amended conditions of consent as presented at the meeting and reproduced below.

MOTION CARRIED

Moved Bruce Clarke, seconded by Pamela Westing

"That the motion above be rescinded to allow speakers to make representations."

MOTION CARRIED

4. Public Submission

Andrew Robinson	Addressed the panel to raise concerns regarding the provision of landscape amenity and embellishments within the public open space of the proposal.
Robert Chambers, BBC Consulting Planners	Responded to various concerns raised by Mr Robinson and Panel Members, Mr Quirk and Ms Westing.
Aiden Cunningham, Cardno Consulting Engineers	
David Robertson, Cumberland Ecology	
Stephen Pink, Consolidated Properties	

5. Business Item Recommendation

2009NTH010 – Tweed – DA 09/0661 - Casuarina North West Precinct, Residential subdivision, North West Precinct, Casuarina Way, Casuarina

Moved Robert Quirk, seconded by Ned Wales

That the Panel adopt the Council officer's recommendation to approve the proposal subject to the recommended amended conditions of consent as presented at the meeting and reproduced below.

MOTION CARRIED

The meeting concluded at 4.56pm

Endorsed by

Dr John Griffin
Acting Chair, Northern Region Planning Panel
28 July 2010

DRAFT CONSENT CONDITIONS

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects prepared by BBC Consulting Planners dated 15 October 2009, "Response to Information Request" prepared by Cardno dated 25 March 2010 and plans prepared by Cardno, listed in the table below, except where varied by the conditions of this consent.

Plan title	Figure Number	Date / Revision
Concept Master Plan	DA 3	Feb 2010 E
Lot Layout and Number	DA 4	Feb 2010 E
Conceptual Pedestrian Movements	DA 5	Feb 2010 F
Existing Land Description, Zoning and Features	DA6	Feb 2010 D
Residue of Existing Lot 224 Real Property Lot Details Sheet 1 of 2	DA7	Feb 2010 E
Residue of Existing Lot 224 Real Property Lot Details sheet 2 of 2	DA 8	Feb 2010 D
Natural Surface Plan	DA 9	Feb 2010 F
Finished Surface Contours	DA 10	Feb 2010 G
Cut / Fill Depths Layout Plan	DA 11	Feb 2010 E
Erosion and Sedimentation Control Plan	DA 12	Feb 2010 E
Roadworks – Road Hierarchy	DA 13	Feb 2010 E
Roadworks Layout plan Sheet 1 of 2	DA 14	Feb 2010 E
Roadworks – Layout Plan Sheet 2 of 2	DA 15	Feb 2010 D
Roadworks Longitudinal Sections Road 1 and 2	DA 16	Oct 2009 D
Roadworks Longitudinal Sections Roads 3 and 4	DA 17	Oct 2009 D
Roadworks Longitudinal Sections Road 5	DA 18	Oct 2009 C
Roadworks Longitudinal Sections Road 6 Sheet 1 of 2	DA 19	Feb 2010 E
Roadworks Longitudinal Sections Road 6 Sheet 2 of 2	DA 20	Feb 2010 D
Stormwater Drainage Layout – Stormwater Drainage Strategy	DA 21	Feb 2010 E
Stormwater Drainage Infiltration Details	DA 22	Feb 2010 F
Water Reticulation Layout Plan	DA 23	Feb 2010 E
Sewer Reticulation Layout Plan Sheet 1 of 2	DA 24	Feb 2010 E
Sewer Reticulation Layout Plan Sheet 2 of 2	DA 25	Feb 2010 E
Asset Protection Zone	DA 26	Feb 2010 E
Public Roads and Dedications	DA 27	Feb 2010 C
Lot 8 Flood Mitigation	DA 28	Feb 2010 A
Typical Road Cross Sections Sheet 1 of 2	DA 29	Feb 2010 A
Typical Road Cross Sections – Sheet 2 of 2	DA 30	Feb 2010 A

[GEN0005]

2. The use of crushing plant machinery, mechanical screening or mechanical blending of materials is subject to separate development application.

[GEN0045]

3. The subdivision is to be carried out in accordance with Tweed Shire Council Development Control Plan Part A5 - Subdivision Manual and Councils Development Design and Construction Specifications.

[GEN0125]

4. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.

[GEN0135]

5. A Sewer manhole is present on this site. This manhole is not to be covered with soil or other material.

Should adjustments be required to the sewer manhole, then application shall be made to Council's Community and Natural Resources Division for approval of such works.

[GEN0155]

6. A Subdivision Works Accredited Certifier (SWAC) shall be appointed to assume the responsibility for certifying the compliance of the completed public infrastructure (refer to Development Construction Specification C101.01 for variations).

The SWAC shall be accredited by the Building Professionals Board Accreditation Scheme, in the following categories,

B1: Accredited Certifier – Subdivision certificate

C3: Accredited Certifier – Stormwater Management and facilities design compliance

C4: Accredited Certifier – Stormwater management facilities construction compliance

C5: Subdivision works and building works (location of works as constructed) compliance

C6: Accredited Certifier – Subdivision road and drainage construction compliance

The SWAC shall provide documentary evidence to Council demonstrating current accreditation with the Building Professionals Board prior to approval and issue of any Construction Certificate.

[GEN0275]

7. Water quality monitoring shall be undertaken pre-construction, during construction and post-construction in accordance with the Water Quality Monitoring Program prepared by Cardno dated 12 February 2010 to the satisfaction of Council's General manager or delegate.

[GENNS01]

8. Proposed lot 165 shall be reconfigured to exclude any land zoned 7 (I) Environmental Protection (Habitat) prior to issue of subdivision certificate.

9. Proposed lot 174 is not approved as park but shall be dedicated to Council as Operational Land prior to issue of subdivision certificate.

10. The developer must undertake maintenance operations on all public open space, including parks, for a minimum of 12 months after the Subdivision is registered with the Land Titles Office. This includes establishment time, all soft as well as hard landscaping, including mowing and weed control. Provision and costs associated with water consumption for irrigation or electricity during this period must also be met by the developer.

[GENNS02]

11. No entry statement structures are to be located on public land.

12. The clearing of vegetation in Lot 8 DP1014470 is not permitted unless in accordance with works indicated in the approved plans.

[GENNS03]

13. A Dilapidation Report detailing current structural condition of adjoining and adjacent buildings, infrastructure and roads is to be prepared and endorsed by a qualified structural engineer. The report is to be submitted to Council prior to commencement of works.

A second Dilapidation Report is to be prepared by a suitably qualified expert at completion of works as to ascertain if any structural damage has occurred to the adjoining and adjacent buildings, infrastructure and roads. The report is to be compared with the first report and recommend a course of action to carry out repairs if required. A copy of the report is to be submitted to Council.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

14. Proposed Lot 172 shall be suitably embellished at no cost to Council including grassing, landscaping, seating, playground equipment and shade cover in accordance with detailed

plans to accompany the Construction Certificate application. Embellishment shall include public toilet facilities, in accordance with a design approved by the General Manager or his delegate. Where play equipment is installed a minimum area of 10m around the equipment is to be turfed and the remaining area seeded.

Where a developer pays Council to acquire and install play equipment, Council will NOT install the equipment until a minimum of 20% of the lots in that stage of the development are occupied. The embellishment shall be completed prior to the issue of a Subdivision Certificate.

[PCC0235]

15. Prior to the issue of a Construction Certificate, a cash bond or bank guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the works as set out in Council's fees and charges at the time of payment. The bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate.

The bond will be refunded, if not expended, when the final Subdivision/Occupation Certificate is issued.

[PCC0275]

16. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

[PCC0285]

17. A traffic control plan in accordance with AS1742 and RTA publication "Traffic Control at Work Sites" Version 2 shall be prepared by an RTA accredited person and shall be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate. Safe public access shall be provided at all times.

[PCC0865]

18. The proponent shall submit plans and specifications with an application for construction certificate for the following civil works and any associated subsurface overland flow and piped stormwater drainage structures designed in accordance with Councils Development Design and Construction specifications. These works include the following;

URBAN ROAD

- (a) Construction of vertical face kerb and gutter on an approved alignment along with associated sub-surface drainage and overland stormwater drainage systems is to be provided for all roads within the subdivision. All kerb and gutter is to comply with the requirements of Development Design Specification D1.
- (b) Footpaths and cycleways for the development are to be constructed in accordance with Council's Development Design Specifications. The cycleway is to be constructed to a thickness of 150mm with SL 72 reinforcement.
- (c) Upright vertical kerb and gutter is to be provided on both sides of Dianella Drive in accordance with Council's Development Design Specifications.
- (d) A 0.5m carriageway widening is to be provided on corners between a radius of 20m and 30m and a 1.0m carriageway widening is required on corners with a radius less than 20m.

DRAINAGE

- (a) Construction of a stormwater drainage system that will convey all waters through the site to a legal point of discharge. The sub-surface and over-land drainage systems shall convey the respective flows from minor and major storm events to a legal point of discharge. Clearly defined upstream catchment areas and supporting stormwater calculations shall accompany the engineering design plans.

OTHER WORKS

- (b) The construction certificate application must include the continuation of Road 6 and the associated 2.5m wide reinforced concrete cycleway through to its connection to Casuarina Way. Engineering plans must demonstrate compatibility of the subdivision works with the adjoining Seaside development.
- (b) Construction works to prevent ponding of stormwater in Lot 8 DP 1014470 shall be designed and constructed in accordance with Cardno Figure No. DA 28 (Rev. A, February 2010) except where otherwise modified by this consent.

[PCC0875]

19. Details from a Structural Engineer are to be submitted to the Principal Certifying Authority for approval for all retaining walls/footings/structures etc taking into consideration the zone of influence on the sewer main or other underground infrastructure and include a certificate of sufficiency of design prior to the determination of a construction certificate.

[PCC0935]

20. Prior to the issue of a Construction Certificate for civil works the following detail in accordance with Councils Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

- (a) copies of compliance certificates relied upon
- (b) four (4) copies of detailed engineering plans and specifications. The detailed plans shall include but are not limited to the following:
- earthworks
 - roadworks/furnishings
 - stormwater drainage
 - water supply works
 - sewerage works
 - landscaping works
 - sedimentation and erosion management plans
 - location of all service conduits (water, sewer, electricity supply and telecommunication infrastructure)

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the Roads Act to be certified by an Accredited Certifier.

[PCC0985]

21. Permanent stormwater quality treatment shall be provided in accordance with the following:

- (a) The Construction Certificate Application shall include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development prepared in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.

- (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils Development Design Specification D7 - Stormwater Quality.
- (c) The stormwater and site works shall incorporate water sensitive design principles and where practical, integrated water cycle management.
- (d) Specific Requirements to be detailed within the Construction certificate application include:
 - (i) Shake down area along the haul route immediately before the intersection with the road reserve.

[PCC1105]

22. Disposal of stormwater by means of infiltration devices shall be carried out in accordance with Section D7.9 of Tweed Shire Councils Development Design and Construction Specification - Stormwater Quality.

[PCC1125]

23. A construction certificate application for works that involve any of the following:-
- connection of a private stormwater drain to a public stormwater drain
 - installation of stormwater quality control devices
 - erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under S68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard s68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.
- b) Where Council is requested to issue a construction certificate for civil works associated with a subdivision consent, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under section 68 of the LG Act will then NOT be required.

[PCC1145]

24. Erosion and Sediment Control shall be provided in accordance with the following:

- (a) The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*.
- (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".

[PCC1155]

25. Where water is to be drawn from Councils reticulated system, the proponent shall: -
- Make application for the hire of a Tweed Shire Council metered standpipe including Councils nomination of point of extraction.
 - Where a current standpipe approval has been issued application must be made for Councils nomination of a point of extraction specific to the development.
 - Payment of relevant fees in accordance with Councils adopted fees and charges.

[PCC1205]

26. Cut and fill levels for the development are to be in accordance with Cardno Drawing No. 7079/2/1 Figure No. DA10 titled "Finished Surface Contours" dated February 2010 and Drawing No. 7079/2/1 Figure No. DA11 titled "Cut/Fill depths layout plan dated February 2010.

[PCCNS01]

27. Prior to the issue of a Construction Certificate for each stage of the project, a Construction Management Plan shall be submitted to and approved by the Certifying Authority. A copy of the approved plan shall be submitted to Council. The Plan shall address, but not be limited to, the following matters where relevant:
- a) hours of work;
 - b) contact details of site manager;
 - c) traffic and pedestrian management;
 - d) noise and vibration management;
 - e) construction waste management;
 - f) erosion and sediment control; and,
 - g) flora and fauna management.

[PCCNS02]

28. A maintenance plan for the Asset Protection Zones (APZ) on public land is to be prepared and approved by the General Manager or his delegate. The plan should be consistent with Planning for Bushfire requirements and guide Council on the maintenance actions required for the APZ.
29. Detailed landscape plans must be submitted for all areas to be dedicated as casual open space, cycleways/pedestrian links, streetscapes and asset protection zones. All landscape plans will require approval from the Manager, Recreation Services, Tweed Shire Council prior to issue of construction certificate. Landscape plans must be consistent with Tweed Shire Councils DCP – Section A5 Subdivision Manual (Table A5-8.2.1) and Development Design Specification D14. Tweed Shire Council standard drawings S.D.701, 702, 703, 704, 705 and 706 will apply. The landscape plans must provide slope information and all underground services, and indicate any implications or constraints at or beyond the boundary that will affect ongoing management of the public land.

The Landscaping Plan must identify proposed plantings, and a planting schedule (the species proposed to be planted, the densities, the species size and associated requirements and whether or not they are characteristic of, or locally recorded in Swamp Oak Floodplain Forest, Swamp Sclerophyll Forest on Coastal Floodplains, Subtropical Coastal Floodplain Forest and Littoral Rainforest), the associated collection, propagation, maintenance requirements, timing and staging, specific and measurable performance criteria, and monitoring, evaluation, corrective action, and reporting requirements. As compensation for the Glossy-black Cockatoo and Red-tailed Black Cockatoo, *Allocasuarina littoralis* is to be included in the Landscaping Plan and would need to be planted at sufficient densities to allow for appropriate levels of male:female ratios of mature plants to be achieved.

[PCCNS04]

30. The applicant must demonstrate that the trees proposed to be retained on site and on adjoining land can be protected in accordance with AS 4970-2009 Protection of trees on development sites.
31. The applicant must submit a plan of management in the form of an Operational Environmental Management Plan and in accordance with Clause 28 of Tweed LEP 2000 detailing consideration of each of the following potential impacts on Lot 8 DP1014470 (and adjacent conservation lands) and the management of these impacts during construction and operation of the development (with consideration of the lands' role as compensation for other parts of the Casuarina development, rather than for recreation). All relevant requirements

specified in the plan should be structured in a useable form for construction use and must be approved by the General Manager or his delegate prior to issue of construction certificate:

- recreation and public access - public access through Lot 8 is not considered appropriate and the management plan should include details of proposed fencing and management of unauthorised entry;
- continued access across the site to Lot 8 DP 1014470 by bush regeneration personnel for ongoing restoration works in accordance with the *Blossom Bat Habitat Restoration Plan – Cudgen Nature Reserve and Tweed Shire Council Land adjacent to Casuarina* (Bushland Restoration Services 2008) will be required;
- measures to protect the midden some 80 metres or so from the central development area from resident and development impacts;
- drainage and hydrological impacts caused by cut and fill on site and removal of vegetation which require consideration in relation to persistence of important vegetation communities and habitat within Lot 8 DP 1014470;
- loss of vegetation associated with drainage works;
- provision of post and rail fencing along cycleways;
- Consideration of the Cudgen Creek Recreation and Public Access Plan (October 2008).

[PCCNS05]

32. All recommendations contained in the 'Aboriginal and European Cultural Heritage Assessment Report', prepared by Mary Dallas Consulting Archaeologists, dated March 2009 shall be implemented prior to commencement of work.

[PCWNS02]

PRIOR TO COMMENCEMENT OF WORK

33. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifying Authority advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.

[PCW0005]

34. Prior to the commencement of works, the applicant shall ensure that a Site-Specific Safety Management Plan and Safe Work Methods for the subject site have been prepared and put in place in accordance with either:-

- (a) Occupation Health and Safety and Rehabilitation Management Systems Guidelines, 3rd Edition, NSW Government, or
- (b) AS4804 Occupation Health and Safety Management Systems - General Guidelines on Principles Systems and Supporting Techniques.
- (c) WorkCover Regulations 2000

[PCW0025]

35. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing.

[PCW0225]

36. All imported fill material shall be from an approved source. Prior to commencement of filling operations details of the source of the fill, nature of material, proposed use of material and confirmation that further blending, crushing or processing is not to be undertaken shall be submitted to the satisfaction of the General Manager or his delegate. Once the approved haul route has been identified, payment of the Heavy Haulage Contribution calculated in accordance with Section 94 Plan No 4 will be required prior to commencement of works.

[PCW0375]

37. Prior to start of works the PCA is to be provided with a certificate of adequacy of design, signed by a practising Structural Engineer on all proposed retaining walls in excess of 1.2m in height. The certificate must also address any loads or possible loads on the wall from structures adjacent to the wall and be supported by Geotechnical assessment of the founding material.

[PCW0745]

38. Civil work in accordance with a development consent must not be commenced until:-

- (a) a construction certificate for the civil work has been issued in accordance with Councils Development Construction Specification C101 by:
 - (i) the consent authority, or
 - (ii) an accredited certifier, and
- (b) the person having the benefit of the development consent:
 - (i) has appointed a principal certifying authority,
 - (ii) has appointed a Subdivision Works Accredited Certifier (SWAC) accredited in accordance with Tweed Shire Council DCP Part A5 – Subdivision Manual, Appendix C with accreditation in accordance with the Building Professionals Board Accreditation Scheme. As a minimum the SWAC shall possess accreditation in the following categories:
 - C4: Accredited Certifier – Stormwater management facilities construction compliance
 - C6: Accredited Certifier – Subdivision road and drainage construction complianceThe SWAC shall provide documentary evidence to Council demonstrating current accreditation with the Building Professionals Board prior to approval and issue of any Construction Certificate, and
 - (iii) has notified the consent authority and the council (if the council is not the consent authority) of the appointment,
 - (iv) a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Subdivision Works Accredited Certifier is erected and maintained in a prominent position at the entry to the site in accordance with Councils Development Design and Construction Specifications. The sign is to remain in place until the Subdivision Certificate is issued, and
- (c) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the civil work.

[PCW0815]

39. The proponent shall provide to the PCA copies of Public Risk Liability Insurance to a minimum value of \$10 Million for the period of commencement of works until the completion of the defects liability period.

[PCW0835]

40. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area where required to the satisfaction of the Principal Certifying Authority. In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

This sign is to remain in position for the duration of the project.

[PCW0985]

41. Prior to the commencement of earthworks an Acid Sulfate Soil Management Plan including appropriate soil investigations shall be submitted and approved by the General Manager.

42. Prior to the commencement of earthworks all pre-earthwork surface radiation monitoring results as required by Part 3.1 and 3.2 of the approved Remediation Action Plan shall be provided to Council to the satisfaction of the General Manager.

[PCWNS02]

43. Prior to the commencement of earthworks a Dust Management Plan shall be submitted and approved by the General Manager.

[PCWNS01]

DURING CONSTRUCTION

44. All proposed works are to be carried out in accordance with the conditions of development consent, approved construction certificate, approved management plans, drawings and specifications.

[DUR0005]

45. Construction and/or demolition site work including the entering and leaving of vehicles is 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 Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

46. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

A. Short Term Period - 4 weeks.

$L_{Aeq, 15 \text{ min}}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

B. Long term period - the duration.

$L_{Aeq, 15 \text{ min}}$ noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]

47. All lots must be graded to prevent the ponding of surface water and be adequately vegetated to prevent erosion from wind and/or water to the satisfaction of the General Manager or his delegate.

[DUR0745]

48. Proposed earthworks shall be carried out in accordance with AS 3798, "Guidelines on Earthworks for Commercial and Residential Developments".
The earthworks shall be monitored by a Registered Geotechnical Testing Consultant to a level 1 standard in accordance with AS 3798. A certificate from a registered Geotechnical Engineer certifying that the filling operations comply with AS3798 shall be submitted to the Principal Certifying Authority upon completion.

[DUR0795]

49. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.

[DUR0815]

50. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.

[DUR0985]

51. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate/Occupation Certificate.

[DUR0995]

52. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from: -
- Noise, water or air pollution
 - dust during filling operations and also from construction vehicles
 - material removed from the site by wind
- [DUR1005]
53. A concrete footpath 1.2 metres wide and a 2.5 metre wide cycleway is to be provided in accordance with Cardno Plan DA 5 dated February 2010. The footpath shall be 100 millimetres thick and constructed on a compacted base. The footpath and cycleways must be in accordance with Councils Development Design and Construction Specifications and Standard Drawing SD013.
Twenty four (24) hours notice is to be given to Council's Engineering & Operations Division before placement of concrete to enable formwork and subgrade to be inspected.
- [DUR1735]
54. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.
- [DUR1795]
55. Before the commencement of the relevant stages of road construction, pavement design detail including reports from a Registered NATA Consultant shall be submitted to Council for approval and demonstrating.
- (a) That the pavement has been designed in accordance with Tweed Shire Councils Development Design Specification, D2.
 - (b) That the pavement materials to be used comply with the specifications tabled in Tweed Shire Councils Construction Specifications, C242-C245, C247, C248 and C255.
 - (c) That site fill areas have been compacted to the specified standard.
 - (d) That supervision of Bulk Earthworks has been to Level 1 and frequency of field density testing has been completed in accordance with Table 8.1 of AS 3798-1996.
- [DUR1805]
56. During the relevant stages of road construction, tests shall be undertaken by a Registered NATA Geotechnical firm. A report including copies of test results shall be submitted to the PCA prior to the placement of the wearing surface demonstrating:
- (a) That the pavement layers have been compacted in accordance with Councils Development Design and Construction Specifications.
 - (b) That pavement testing has been completed in accordance with Table 8.1 of AS 3798 including the provision of a core profile for the full depth of the pavement.
- [DUR1825]
57. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils Development Design and Construction Specifications prior to the issue of a Subdivision Certificate.
- [DUR1875]
58. Tweed Shire Council shall be given a minimum 24 hours notice to carry out the following compulsory inspections in accordance with Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, Appendix D. Inspection fees are based on the rates contained in Council's current Fees and Charges:-

Roadworks

- (a) Pre-construction commencement erosion and sedimentation control measures
- (b) Completion of earthworks
- (c) Excavation of subgrade
- (d) Pavement - sub-base
- (e) Pavement - pre kerb
- (f) Pavement - pre seal
- (g) Pathways, footways, bikeways - formwork/reinforcement
- (h) Final inspections - on maintenance
- (i) Off Maintenance inspection

Water Reticulation, Sewer Reticulation, Drainage

- (a) Excavation
- (b) Bedding
- (c) Laying/jointing
- (d) Manholes/pits
- (e) Backfilling
- (f) Permanent erosion and sedimentation control measures
- (g) Drainage channels
- (h) Final inspection - on maintenance
- (i) Off maintenance

Sewer Pump Station

- (a) Excavation
- (b) Formwork/reinforcement
- (c) Hydraulics
- (d) Mechanical/electrical
- (e) Commissioning - on maintenance
- (f) Off maintenance

Council's role is limited to the above mandatory inspections and does NOT include supervision of the works, which is the responsibility of the Developers Supervising Consulting Engineer.

The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[DUR1895]

59. All retaining walls in excess of 1.2 metres in height must be certified by a Qualified Structural Engineer verifying the structural integrity of the retaining wall after construction. Certification from a suitably qualified engineer experienced in structures is to be provided to the PCA prior to the issue of an Subdivision Certificate.

[DUR1955]

60. The developer/contractor is to maintain a copy of the development consent and Construction Certificate approval including plans and specifications on the site at all times.

[DUR2015]

61. The applicant shall obtain the written approval of Council to the proposed road/street names and be shown on the Plan of Subdivision accompanying the application for a Subdivision Certificate.

Application for road naming shall be made on Councils Property Service Form and be accompanied by the prescribed fees as tabled in Councils current Revenue Policy - "Fees and Charges".

The application shall also be supported by sufficient detail to demonstrate compliance with Councils Road Naming Policy.

[DUR2035]

62. Inter allotment drainage shall be provided to all lots where roof water for dwellings cannot be conveyed to the street gutter by gravitational means.

[DUR2285]

63. All stormwater gully lintels shall have the following notice cast into the top of the lintel: 'DUMP NO RUBBISH, FLOWS INTO CREEK' or similar wording in accordance with Councils Development Design and Construction Specifications.

[DUR2355]

64. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

[DUR2375]

65. The site shall not be dewatered, unless written approval to carry out dewatering operations is received from the Tweed Shire Council General Manager or his delegate.

[DUR2425]

66. During construction, a "satisfactory inspection report" is required to be issued by Council for all s68h2 permanent stormwater quality control devices, prior to backfilling. The proponent shall liaise with Councils Engineering and Operations Division to arrange a suitable inspection.

[DUR2445]

67. An accurate plan of the sewage pumping station site shall be submitted to Council 60 days prior to lodgement of the Application for Subdivision Certificate to allow the land to be classified.

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[DUR2635]

68. All topsoil stockpiles are to be sprayed with dust suppression material such as "hydromulch" , "dustex" or equivalent. All haul roads shall be regularly watered or treated with dust suppression material or as directed on site.

[DURNS01]

69. All construction activities that generate dust shall cease when average wind speeds exceed 15m/s(54 km/h). The applicant shall be responsible for providing a calibrated wind meter on site to monitor wind speeds. This data must be able to be produced to Council on request.

[DURNS02]

70. All works shall comply with the North West Precinct, Casuarina Beach Radiation Investigation and Remediation Action Plan prepared by Cardno dated 21 March 2010 (Revision 21 May 2010) to the satisfaction of Council's General Manager or delegate. Modifications to the approved Remediation Action Plan are not permissible without the separate written approval from Council's General Manager or Delegate.

[DURNS03]

71. All works shall comply with the approved Acid Sulfate Soil Management Plan to the satisfaction of Council's General Manager or delegate.

[DURNS04]

72. All works shall comply with the Construction Noise Management Plan prepared by Cardno dated 20 May 2010 to the satisfaction of Council's General Manager or delegate.

[DURNS05]

73. A community liaison officer and community liaison contact phone number shall be available on a 24-hour basis during construction works. Details of the contact person and telephone number shall be clearly displayed at the site entry. Details of the contact person and telephone number shall be locally advertised a minimum of fourteen (14) days prior to the commencement of works and local, directly affected residents notified by means of an individual letter drop to each household.

[DURNS06]

74. All works shall comply with the approved Dust Management Plan to the satisfaction of Council's General Manager or delegate.

[DURNS04]

75. All works are to be undertaken in accordance with the approved Operational Environmental Management Plan.

[DURNS04]

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

76. Prior to issue of a subdivision certificate, all works/actions/inspections etc required by other conditions or approved management plans or the like shall be completed in accordance with those conditions or plans.

[PSC0005]

77. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

Pursuant to Section 109J of the Environmental Planning and Assessment Act, 1979 a Subdivision Certificate shall NOT be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP6:	196 ET @ \$11020 per ET	\$2159920
South Kingscliff Water Levy:	169 ET @ 256 per ET	\$43264
Sewer Kingscliff:	169 ET @ \$5295 per ET	\$894855

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[PCC0265/PSC0165]

78. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Section 109J of the Environmental Planning and Assessment Act, 1979 a Subdivision Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.

These charges include indexation provided for in the S94 Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

- (a) Tweed Road Contribution Plan:
1098.5 Trips @ \$955 per Trips \$1049068

(\$868 base rate + \$87 indexation)

S94 Plan No. 4

Sector7_4

Heavy Haulage Component

Payment of a contribution pursuant to Section 94 of the Act and the Heavy Haulage (Extractive materials) provisions of Tweed Road Contribution Plan No. 4 - Version 5.1.1 prior to the issue of a construction certificate or subdivision certificate, whichever occurs first. The contribution shall be based on the following formula:-

$$\text{\$Con}_{\text{TRCP - Heavy}} = \text{Prod.} \times \text{Dist} \times \text{\$Unit} \times (1 + \text{Admin.})$$

where:

\$Con_{TRCP - Heavy} heavy haulage contribution

and:

Prod. Projected demand for extractive material to be hauled to the site over life of project in tonnes

Dist. Average haulage distance of product on Shire roads
(trip one way)

\$Unit the unit cost attributed to maintaining a road as set out in Section 6.4 (currently 2.5c per tonne per kilometre)

Admin. Administration component - 5% - see Section 6.5

- | | | |
|-----|--|-------------|
| (b) | Shirewide Library Facilities:
169 ET @ \$792 per ET
(\$792 base rate + \$0 indexation)
S94 Plan No. 11 | \$133848 |
| (c) | Bus Shelters:
169 ET @ \$60 per ET
(\$60 base rate + \$0 indexation)
S94 Plan No. 12 | \$10140 |
| (d) | Eviron Cemetery:
169 ET @ \$120 per ET
(\$101 base rate + \$19 indexation)
S94 Plan No. 13 | \$20280 |
| (e) | Community Facilities (Tweed Coast - North)
169 ET @ \$581 per ET
(\$581 base rate + \$0 indexation)
S94 Plan No. 15 | \$98189 |
| (f) | Extensions to Council Administration Offices
& Technical Support Facilities
169 ET @ \$1759.9 per ET
(\$1759.9 base rate + \$0 indexation)
S94 Plan No. 18 | \$297423.10 |
| (g) | Cycleways:
169 ET @ \$447 per ET
(\$447 base rate + \$0 indexation)
S94 Plan No. 22 | \$75543 |
| (h) | Regional Open Space (Casual)
169 ET @ \$1031 per ET
(\$1031 base rate + \$0 indexation)
S94 Plan No. 26 | \$174239 |
| (i) | Regional Open Space (Structured):
169 ET @ \$3619 per ET
(\$3619 base rate + \$0 indexation)
S94 Plan No. 26 | \$611611 |

79. Prior to the issue of a Subdivision Certificate a defect liability bond (in cash or unlimited time Bank Guarantee) shall be lodged with Council.

The bond shall be based on 5% of the value of the works (minimum as tabled in Council's fees and charges current at the time of payment) which will be held by Council for a period of 6 months from the date on which the Subdivision Certificate is issued. It is the responsibility of the proponent to apply for refund following the remedying of any defects arising within the 6 month period.

[PSC0215]

80. Prior to the issue of a Subdivision Certificate, a maintenance bond equal to 25% of the contract value of the footpath construction works shall be lodged for a period of 3 years or until 80% of the lots fronting paved footpaths are built on.

Alternatively, the developer may elect to pay a cash contribution to the value of the footpath construction works plus 25% in lieu of construction and Council will construct the footpath when the subdivision is substantially built out. The cost of these works shall be validated by a schedule of rates.

[PSC0225]

81. Prior to the issue of a subdivision certificate, a certificate of compliance shall be submitted to Council by the Developers Subdivision Works Accredited Certifier (SWAC) or equivalent, verifying that the placed fill has been compacted in accordance with the requirements of AS 3798, "Guidelines on Earthworks for Commercial and Residential Developments" and is suitable for residential purposes.

The submission shall include copies of all undertaken test results.

[PSC0395]

82. All landscaping requirements shall be completed to the satisfaction of the General Manager or his delegate PRIOR to the issue of a Subdivision Certificate.

[PSC0485]

83. Any damage to property (including pavement damage) is to be rectified to the satisfaction of the General Manager or his delegate PRIOR to the issue of a Subdivision Certificate. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.

[PSC0725]

84. Prior to the issue of a Subdivision Certificate, Work as Executed Plans shall be submitted in accordance with the provisions of Tweed Shire Council's Development Control Plan Part A5 - Subdivision Manual and Council's Development Design Specification, D13 - Engineering Plans.

The plans are to be endorsed by a Registered Surveyor OR a Consulting Engineer Certifying that:

- (a) all drainage lines, sewer lines, services and structures are wholly contained within the relevant easement created by the subdivision;
- (b) the plans accurately reflect the Work as Executed.

Note: Where works are carried out by Council on behalf of the developer it is the responsibility of the DEVELOPER to prepare and submit works-as-executed (WAX) plans.

[PSC0735]

85. Upon completion of all works on the site and prior to the issue of a Subdivision Certificate, a further dilapidation report is to be prepared and certified by a suitably qualified and experienced structural engineer detailing the current general condition including the

structural condition of the adjoining buildings / sites, infrastructure and roads. The dilapidation reports shall take into consideration the findings of the original reports and provide to Council the written acceptance of the adjoining / adjacent owners confirming agreement that no damages have occurred / repairs carried out are acceptable.

[PSC0795]

86. A Subdivision Certificate will not be issued by the General Manager until such time as all conditions of this Development Consent have been complied with.

[PSC0825]

87. The creation of easements for services, rights of carriageway and restrictions as to user as may be applicable under Section 88B of the Conveyancing Act including (but not limited to) the following:

- (a) Easements for sewer, water supply and drainage over ALL public services/infrastructure on private property.
- (b) Identify all allotments to be created as dual occupancies.
- (c) A restriction to user requiring that all roofwater from dwellings shall be discharged to an approved infiltration pit located on the subject property. The infiltration pit shall be approved by the Principle Certifying Authority.

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

Privately owned infrastructure on community land may be subject to the creation of statutory restrictions, easements etc in accordance with the Community Land Development Act, Strata Titles Act, Conveyancing Act, or other applicable legislation.

[PSC0835]

88. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council with the application for Subdivision Certificate.

[PSC0855]

89. Prior to registration of the plan of subdivision, a Subdivision Certificate shall be obtained.

The following information must accompany an application:

- (a) original plan of subdivision prepared by a registered surveyor and 7 copies of the original plan together with any applicable 88B Instrument and application fees in accordance with the current Fees and Charges applicable at the time of lodgement.
- (b) all detail as tabled within Tweed Shire Council Development Control Plan, Part A5 - Subdivision Manual, CL 5.7.6 and Councils Application for Subdivision Certificate including the attached notes.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

[PSC0885]

90. The following restrictions apply to dog and cat ownership and control on all residential lots:-

- (a) Owners of dogs within the development shall have their yards fenced so as to securely contain a maximum of one (1) dog per allotment and the ownership of cats within the development shall be restricted to one de-sexed cat per allotment and such cats shall be restrained within the house or a secure night cage between the hours of 6.00pm and 6.00am.
- (b) No dog shall be registered without the construction of a dog-proof compound which must be approved by Council and the relevant fee paid by the applicant.
- (c) No owner can retrieve a dog that has been impounded unless they can demonstrate to Council they have a secure compound.

These ownership and control requirements shall be reinforced by a Restriction as to User under Section 88B of the Conveyancing Act, 1919-1964.

A Section 88B Instrument creating the restriction as to user shall contain a provision enabling the restriction to be revoked, varied or modified only with the consent of Council.

[PSC0905]

91. Prior to the application for a Subdivision Certificate a Compliance Certificate or Certificates shall be obtained from Council OR an accredited certifier for the following:-

- (a) Compliance Certificate - Roads
- (b) Compliance Certificate - Water Reticulation
- (c) Compliance Certificate - Sewerage Reticulation
- (d) Compliance Certificate - Sewerage Pump Station
- (e) Compliance Certificate - Drainage

Note:

- 1. All compliance certificate applications must be accompanied by documentary evidence from the developers Subdivision Works Accredited Certifier (SWAC) certifying that the specific work for which a certificate is sought has been completed in accordance with the terms of the development consent, the construction certificate, Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual and Councils Development Design and Construction Specifications.
- 2. The EP&A Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an "accredited certifier".

[PSC0915]

92. The six (6) months Defects Liability Period commences upon the registration of the Plan of Subdivision.

[PSC0925]

93. Prior to the issue of a Subdivision Certificate and also prior to the end of defects liability period, a CCTV inspection of any stormwater pipes and sewerage system installed and to be dedicated to Council including joints and junctions will be required to demonstrate that the standard of the infrastructure is acceptable to Council.

Any defects identified by the inspection are to be repaired in accordance with Councils Development Design and Construction Specification.

All costs associated with the CCTV inspection and repairs shall be borne by the applicants.

[PSC1065]

94. Prior to issuing a Subdivision Certificate, reticulated water supply and outfall sewerage reticulation shall be provided to all lots within the subdivision in accordance with Tweed Shire Council's Development Control Plan Part A5 - Subdivisions Manual, Councils Development Design and Construction Specifications and the Construction Certificate approval. The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act, 2000 to be certified by an Accredited Certifier.

95. The site of the sewage pumping station shall be transferred to Council in fee simple, at no cost to Council within 28 days of the date of registration of the plan of subdivision.

[PSC1125]

96. The production of written evidence from the local telecommunications supply authority certifying that the provision and commissioning of underground telephone supply at the front boundary of the allotment has been completed.

[PSC1165]

97. Electricity

- (a) The production of written evidence from the local electricity supply authority certifying that reticulation and energising of underground electricity (residential) has been provided adjacent to the front boundary of each allotment; and
- (b) The reticulation includes the provision of fully installed electric street lights to the relevant Australian standard. Such lights to be capable of being energised following a formal request by Council.
Should any electrical supply authority infrastructure (sub-stations, switching stations, cabling etc) be required to be located on Council land (existing or future), then Council is to be included in all negotiations. Appropriate easements are to be created over all such infrastructure, whether on Council lands or private lands.

Compensatory measures may be pursued by the General Manager or his delegate for any significant effect on Public Reserves or Drainage Reserves.

[PSC1185]

98. Proposed Lots 15 to 22 shall not be released until Road 6 and all associated services are constructed continuously along the northern boundary of the subdivision to its connection to Casuarina Way, to Council's satisfaction in accordance with approved construction certificate plans.

[PSCNS01]

99. Prior to issue of a subdivision certificate a validation statement regarding radiation monitoring, from a suitably qualified person, shall be provided to Council to the satisfaction of the General Manager or delegate. Monitoring and investigation shall include both surface and depth monitoring. The validation statement shall confirm compliance with the approved Remediation Action Plan, include details of monitoring undertaken, the nature and depth of materials on site, and the depth monitoring undertaken on the site relative to cut and filling works. The statement shall establish that the site is suitable for the proposed use.

[PSCNS02]

100. Prior to the release of a Subdivision Certificate, casual open space is to be embellished in accordance with the approved landscape plans. Installation of playground equipment and soft fall however will not occur until 30% of the relevant stage's allotments are occupied. The developer must contribute the appropriate financial contribution for these items as a bond prior to the release of the Subdivision Certificate for each stage. Council will undertake the installation at the appropriate time.

101. Any playgrounds provided must comply with the guidelines established in the 'Playground Audit for Tweed Shire Council' (July 2009). Appendix 3 of this establishes a procedure for assessing risks and mitigation measures. No playground facility may have a Facility Risk Rating that exceeds 13 as defined in Table 3A7 of this document.

102. Prior to issue of a Subdivision Certificate, Work as Executed Plans (WAX) must be submitted for all landscaped casual and active open space. These must show all underground services, irrigation systems and the location of concrete paths, structures, other park infrastructure and garden bed outlines.

The plans are to be certified by a registered surveyor or consulting engineer.

Two categories of WAX plans are to be provided:

- a) the original approved plan with any variation to this indicated.
- b) plan showing only the actual as constructed information,

The plans are to be submitted in the following formats:

- a) 2 paper copies of the same scale and format as the approved landscape plan.
- b) A PDF version on CD or an approved medium.
- c) Electronic copy in DWG or DXF format on CD or an approved medium.

[PSCNS03]

103. Prior to the issue of a subdivision certificate the Crown Road on the western boundary which is being transferred to Council is to be closed as a road, if necessary, to facilitate the approved works.

GENERAL TERMS OF APPROVAL UNDER SECTION 100B OF THE RURAL FIRES ACT 1997

- 1. At the issue of subdivision certificate and in perpetuity, proposed part Lot 173 adjoining the western boundary of proposed Lot 165, shall be managed as an inner protection area (IPA) as outlined within Appendices 2 & 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
- 2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bushfire Protection 2006'.
- 3. Public road access shall comply with section 4.1.3(1) of 'Planning for Bushfire Protection 2006'.

General Advice:

This approval is for the subdivision of land only. Any further development application for class 1, 2 and 3 buildings as identified by the 'Building code of Australia' must be subject to separate application under section 79BA of the EP&A Act and address the requirements of 'Planning for Bushfire Protection 2006'.