

**MINUTES OF THE NORTHERN REGION PLANNING PANEL
MEETING HELD AT BELLINGEN COUNCIL ON THURSDAY
9 DECEMBER 2010 AT 9.00 AM**

PRESENT:	Garry West	Chair
	Pamela Westing	Panel Member
	John Griffin	Panel Member
	Cr Ian Coe	Panel Member

IN ATTENDANCE

Melanie Green	Bellingen Shire Council
Anthony Brandie	Bellingen Shire Council
Zahurul Azim	Bellingen Shire Council

APOLOGIES: Denique Littler- Panel Member

The meeting commenced at 9.05 am. The Chair welcomed everyone to the meeting of the Northern Region Planning Panel.

- 1. Declarations of Interest - Nil.**
- 2. Business Item**

ITEM 1 ***2010NTH21 – Bellingen DA No 00138 – Ecotourism Development (Cabins & Conference Centre) 383 Waterfall Way Fernmount.***

Melanie Green (assessing officer) provided an overview of the application. There were no questions from the Panel.

- ### 3. Public Submissions

Alex Waugh	Addressed the Panel and sought clarification on concerns over the proposal
Denis Atkinson (on behalf of the applicant)	Address the Panel's concerns and questions

- #### 4. Business Item Recommendations

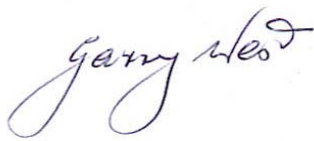
2010NTH21 – Belling DA No 00138 – Ecotourism Development (Cabins & Conference Centre) 383 Waterfall Way Fernmount.

Moved John Griffin, seconded by Cr Ian Coe

That the consent be granted pursuant to the provisions of Section 80(1) of the Environmental Planning and Assessment Act 1979 subject to receipt of BASIX Certificate for the proposed cabins together with the plans reflecting BASIX commitments, amended general terms of approval from the Rural Fire Service and also subject to the amended conditions as recommended by Council and contained in attachment A below.

MOTION CARRIED UNANIMOUSLY

The meeting concluded at 9.30 am

A handwritten signature in blue ink that reads "Garry West". The signature is written in a cursive, flowing style.

Garry West
Chair, Northern Region Planning Panel
14 December 2010

Attachment A –CONDITIONS OF CONSENT 2010/DA-138

- 1). The development shall be carried out in accordance with the approved plans attached to this consent and as amended by the following conditions. The approved plans and other documents are endorsed with a Council stamp and authorised signature. A copy of this consent and approved plans are to be kept on site at all times while work is being undertaken.

- 2010/AF-166/1-2010/AF-166/15

[To ensure the legality of the development]

- 2). **Prior to issue of any Construction Certificate**, a clear staging site plan nominating each stage of the development (and the cabins to be constructed as part of each stage) in accordance with the approved written description of the staging of the development is to be submitted to the Director of Environmental Health & Planning.

[To ensure clarity]

- 3). Specific commitments and details on how the development will meet the criteria for an Eco-tourism operation under the Australian Eco Certification Program is required to be provided to Council **prior to the issue of any Construction Certificate**. Further, proof of registration as an “Eco-tourism” operator within 12 months of the use commencing is required to be provided to Council.

[To ensure best practice and that the environmental impact of the development is minimised]

- 4). The proposed use must not be conducted in such a manner as would interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.

In particular:

- The noise level emanating from the use of the development must not exceed the background level by more than 5 d(B)A when measured at the boundary of the allotment.
- Truck movements and deliveries must be scheduled to minimise noise impacts.

[To preserve the amenity of the area]

- 5). The proposed construction works and excavation works on the site must be carried out in such a manner as to minimise the effects of dust on adjoining residents.

In particular:

- All necessary dust suppression measures must be installed and operational prior to work commencing on the site; and
- Excavation and construction works are to be suspended where environmental conditions inhibit effective dust control measures.

[To minimise dust problems]

- 6). Contributions described in the following schedule are to be paid to Council. These contributions are current at the date of this consent and are based on an increase (or potential increase) in occupancy beyond 3 bedrooms (or potential bedrooms) plus an additional project administration component.

Payment is to be made **prior to issue of a Construction Certificate**.

Schedule of contributions authorised under s.94 of the Environmental Planning and Assessment Act (1979) are listed below.

N o t e : T h e	Contribution Plan	Unit Type	Contribution Base Rate	Unit Rate	Contribution Levied	Contribution Base Rate Applicable until
	Community Facilities and Open Space 2008	Increase in Occupancy	\$670.00 (per person)	1.2 ET x 18	A \$14,472	30 June 2011
	Local Roads and Traffic Infrastructure 2009	Increase in Occupancy Catchment No: 17	\$163.53(per person)	1.2 ET x 18	B \$3,532	30 June 2011
	Project Administration	Administration	A + B + Bushfire Contribution	0.06 x \$23,458	\$1,407	30 June 2011

contribution Base Rate is adjusted at 1st July each year according to the previous Quarter Consumer Price Index (CPI) for Sydney All Groups.

The rates are determined under Council's Section 94 Plans which are available for inspection at Council's Administration Centre, Hyde Street, Bellingen during normal office hours.

[Contribution towards provision of services and facilities - Section 94 of the Environmental Planning & Assessment Act, 1979]

- 7). Due to the increased demands on bushfire services created by this development, a contribution must be lodged with Council towards the supply of equipment and or buildings for the purpose of **bushfire** fighting. Payment is to be made **prior to commencement of the development/ issue of a Construction Certificate/ issue of a Subdivision Certificate.**

The base rate per lot/dwelling (2.4 ET) is: \$606

{i. Shire Wide Contribution \$ 427

{ii. Fernmount Brigade \$ 179

The total contributions applicable to this development (total 21.6 ET) are \$5,454

The contribution payable is for 18 x 2 bedroom tourist cabins

NOTE: The Contribution Base Rate is adjusted at 1st July each year according to the previous Quarter Consumer Price Index (CPI) for Sydney All Groups. Prior to 1st July 2007 the Base Rate had been adjusted daily.

The rate is determined under Council's Section 94 Plans which are available for inspection at Council's Administration Centre, Hyde Street, Bellingen during normal office hours.

[Contribution towards provision of services and facilities - Section 94 of the Environmental Planning & Assessment Act, 1979]

- 8). All waste is to be collected, stored and disposed of to the satisfaction of the Director of Environmental Health and Planning. A waste management plan which addresses the collection, storage and disposal of waste and that complies with the requirements of Section 2.6.11 of the Bellingen Shire DCP 2010 is to be submitted to and approved by the Director of Environmental Health and Planning **prior to the issuing of a Construction Certificate**. The plan must incorporate measures to separate recyclable materials and describe the methods for collection of waste containers from the site.
[To provide for recycling and adequate disposal of waste]
- 9). All temporary structures must be securely fixed and held down to the satisfaction of the Director of Environmental Health and Planning.
[Public safety]
- 10). The floor level of the cabins must be erected at or above the General Flood Planning Level (GFPL) of 7 metres, ie; 500 mm above the 1% Annual Exceedance Probability (AEP) (1:100 year) flood level. A registered surveyor must determine the floor levels and a compliance certificate with regard to this level must be submitted to Council prior to issue of the Occupation Certificate for cabins 5,15,16 & 17. No further work is to proceed until the certificate has been submitted to Council.
[To reduce flood hazard]
- 11). Flooding proofing shall be provided to all parts of buildings below the GFPL in accordance with the requirements of Appendix 8.5 of the Bellingen Shire DCP 2010.
[To reduce flood damage]
- 12). The works required to enlarge the dam as proposed shall cause no net loss of flood storage at any level below the GFPL.
[To reduce impacts of the development]
- 13). A search for koala scats is to be made prior to tree clearing particularly around the base of the Tallowwood (*Eucalyptus microcorys*) species. Individual koalas are to be protected from tree felling operations wherever detected. A tree containing a koala shall not be felled while the koala is in the tree.
[To protect koalas]
- 14). When selectively clearing and under-scrubbing for Asset Protection Zones, preference should be given to retaining tree types and species in the following order:
1. Hollow-bearing trees,
 2. Cone-bearing She-oaks,
 3. Forest Oaks,
 4. Fleshy Fruited understorey shrubs – which mainly occur in vegetation Block A (Figure 4 in the Flora & Fauna Assessment undertaken by Flametree Ecological Consulting),
 5. Tallowwoods, and
 6. All other species

[To protect the habitat of threatened fauna species]

15). To ensure that the multiple objectives of vegetation conservation, bushfire protection and minimising visual impact are appropriately dealt with at the site preparation stage, the proponents must arrange for an on site meeting prior to the commencement of works with at least the following people in attendance;

- a) A representative from the RFS or Holiday Coast Bushfire Solutions to assist in identifying selective clearing to achieve a suitable outcome that ensures the objectives and specifications of the Asset Protection Zones are met together with the requirements of retaining habitat of threatened species and koala habitat trees.
- b) A qualified ecological consultant to assist in identifying the species requested to be retained in preference (as per condition 15) on the site.
- c) The Contractor who will undertake the site preparation works (eg: clearing, excavation etc.) and
- d) A Council representative.

The objective of the meeting will be to ensure that the site is appropriately marked out to prevent unnecessary clearing and vegetation removal and to ensure that the Contractor is fully aware of their obligations.

[To ensure that the conditions of consent are correctly implemented]

16). "Hollow-bearing tree 0" as shown on Figures 10 and 16 of the Flora & Fauna Assessment dated January 2009 undertaken by Flametree Ecological Consulting must be retained.

[To protect fauna species inhabiting the site]

17). If any hollow bearing trees are required to be removed, four microbat nest boxes are to be installed in nearby vegetation at least one week prior to tree removal.

[To protect fauna species present on the site]

18). If any threatened species is encountered in the area, Council's Division of Environmental Health and Planning and NSW National Parks and Wildlife Service is to be contacted immediately and logging operations are to cease in that locality until ameliorative prescriptions are determined for the site. The operation is to be carried out in accordance with those ameliorative prescriptions.

[To protect threatened species]

19). Planting/regeneration as described in Section 4.4 of the Flora & Fauna Assessment dated January 2009 undertaken by Flametree Ecological Consulting must be undertaken as part of the proposal, under the guidance of a qualified bush regenerator. Planting of Zone A must be done and properly established **prior to issue of any Occupation Certificate** for Stage 1 of the proposal. Planting, fencing and regeneration of Zones B, C & D are to be commenced prior to the Occupation Certificate for Stage 2 and completed to Council's satisfaction prior to issue of the Occupation Certificate for any further stage in the development.

[To offset the impact of the development on fauna habitat and to protect the visual amenity of the area]

20). To allow free movement by Koalas, any new fences at the site are to be Koala-permeable (ie. with a bottom rung at least 50cm above the ground).

[To minimise impact of the development on koala movement]

- 21). To prevent disturbance to waterbirds (particularly Black-necked Storks) foraging in the Connell's Creek Wetlands, signs are to be put up near the cabins asking guests to avoid disturbing waterbirds
[To minimise the impact of the development on waterbirds]

- 22). **Prior to the issuing of a Construction Certificate** a detailed car parking layout in compliance with Chapter 5 of the Bellingen Shire DCP 2010 must be submitted to and approved by the Director of Environmental Health and Planning.

A minimum of 20 car parking spaces in addition to 1 per 2 employees for the conference centre and 1 carparking space per cabin on the site in the locations shown on the site plan and as described in the Statement of Environmental Effects dated July 2010, with the exception of the proposed provision of carparking adjacent to cabins 6 & 7, are to be provided on site. The driveway and car parking spaces (including the space required to be accessible for persons with disabilities) are to be constructed to a suitable surface and clearly line-marked. Suitable signs are to be erected to direct vehicles to parking areas.

[To ensure adequate parking]

- 23). The internal road network and conference centre carparking areas are to be designed to accommodate the turning movements of a large bus.

[To provide adequate road design]

- 24). The use of the development is limited to tourist accommodation. No one person may occupy any of the guest rooms for:
more than 42 consecutive days with an interval of at least 14 days between occupancies; and/or
more than 100 days in any 12-month period.

[To ensure that the development is used as a tourist facility and not for permanent occupation]

- 25). A maximum of 4 persons are to be accommodated in each cabin at any one time.

[To limit the extent of the development, particularly in relation to the capacity of services such as on-site effluent disposal]

- 26). An accommodation register shall be maintained with details of guest names and addresses, dates of arrival and departure receipt no's for daily and/or weekly accommodation and shall be made available for inspection when required by Council.

[To ensure the capacity of the development is not exceeded]

- 27). The proprietor/operator of the tourist facility must be a permanent resident of the property.

[To ensure adequate supervision and management of the facility]

- 28). Operators involved in food preparation for the proposed conference centre must obtain appropriate training in food safety and hygiene, acceptable to Council and prior to commencing operations.

The facilities used for food preparation must comply with the requirements of Chapter 13 (Food Premises & Activities) of the Bellingen Shire DCP 2010.

[To protect public health]

- 29). A detailed landscaping proposal, including a site analysis plan, landscape documentation and a landscape maintenance schedule based on the concept plan submitted to Council on the 13th July 2010 and prepared in accordance with the requirements of Chapter 9 of the Bellingen Shire DCP 2010 is to be submitted to and approved by the Director of Environmental Health and Planning **prior to the issue of any Construction Certificate**.

In addition to the concepts described in the landscape concept plan, the proposal is to show shade and landscaping vegetation around and within the carparking areas and around the conference centre. The landscaping is to be carried out in accordance with the approved plan **prior to issue of the Occupation Certificate** for the conference centre.

[To enhance the amenity and appearance of the development / to maintain privacy for neighbours and to preserve the amenity of the area]

- 30). All buildings are to be finished in colours to blend with the surroundings. Details are to be submitted to and approved by the Director of Environmental Health and Planning **prior to the issuing of a Construction Certificate**.

[To minimise visual impact]

- 31). The proposed development must be provided with a potable water supply in accordance with the relevant public health standards.

[To ensure an acceptable level of water quality]

- 32). In the event of Acid Sulfate Soils being intersected on the site during construction works on the dam or internal access roads, excavation works are to cease and Council's Environmental Health Officer is to be notified immediately. Works shall not recommence until such time as:

- A detailed assessment, comprising boreholes and/or test pits is carried out to determine the area, extent and depth of ASS,
- The exposed Acid Soils are dealt with in accordance with an Acid Sulfate Soil Management Plan approved by Council, and
- Written authority from a Council representative to recommence works (with conditions if required) is received.

[To minimise impact of the development on water quality]

- 33). **Prior to the issue of any Construction Certificate**, a Stormwater Management Plan developed using water quality modelling demonstrating compliance with the Level 3 requirements for water quality and peak discharge contained within Chapter 12 of the Bellingen Shire DCP 2010 is to be submitted for the approval of the Director of Environmental Health & Planning.

[To ensure best practice and that the impact on water quality is minimised]

- 34). The Construction Certificate shall not be issued over any part of the site requiring a licence under Part 5 of the *Water Act 1912* until a copy of that licence has been provided to Council.

[To ensure the legality of the development]

Building conditions

- 35). The site and surrounding areas are to be kept in a clean and tidy condition at all times. Waste paper must be stored in a closed receptacle. Any construction works

involving the generation of noise which extends beyond the boundary of the premises shall be confined to 7.00 am to 5.00 pm Monday to Saturday.

[To minimise the impact of building works on the locality]

- 36). A sign detailing the name and address and contact number of the builder or prime contractor and the Principal Certifying Authority is required to be displayed on the site during construction, stating "NO UNAUTHORISED ENTRY TO SITE".

[To ensure ready identification by Council, suppliers and the general public].

- 37). Use / Occupation of the cabins and conference centre must not take place until the building has been inspected and approved for the purpose by the Principal Certifying Authority and an Occupation Certificate issued.

Prior to occupation the building must be:-

- provided with adequate sanitary facilities;
- weatherproofed;
- have adequate safety features (i.e. balustrades and smoke detectors); and
- be of adequate visual appearance.

[To ensure compliance]

- 38). Soil erosion control measures must be implemented for all earthworks on the site. These are to be in accordance with the "Planning for Erosion and Sediment control on Single Residential Allotments" guidelines in Appendix 12.1 of Council's DCP 2010/.

These erosion control measures must be implemented immediately on the completion or temporary cessation of the earthworks and prior to **commencement of building works** to the satisfaction of the Director of Environmental Health and Planning.

[To minimise soil erosion]

- 39). A durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating antcaps, edgebeams and termite barriers shall be inspected each 3-6 months.

[To alert the occupants of the need for inspection]

- 40). All plumbing work shall be carried out by a Licensed Plumber and drainer and in accordance with Australian Standard AS 3500 and NSW Variations.

In particular, pipework is to be bedded and secured in accordance with relevant provisions.

It is the applicant's responsibility to notify the plumber/drainer of all conditions of approval.

Note 1: Granular bedding required to all drains.

Note 2: Water must not be drawn from Council's water supply until a meter has been installed by Council's Water Operator

[To ensure compliance with relevant standards]

- 41). All roof and surface storm water is to be discharged on site in a nuisance free manner and so that it;

- does not affect adjoining properties,
- is clear of the effluent disposal area,
- is directed away from any buildings,
- Does not cause or contribute to erosion.

[To ensure adequate stormwater disposal]

- 42). All building works must be carried out in accordance with the provisions of the Building Code of Australia.

[To ensure the work is carried out to an acceptable standard and in accordance with the State's Building Code]

- 43). Access and facilities for persons with disabilities are to be provided in accordance with AS 1428 - Design for Access and Mobility and Council's Development Control Plan 2010, Chapter 14 – Equity of Access. Complete details of compliance with the DCP and Australian Standard, including how access for people with disabilities is to be provided in each stage of the development, are required **prior to the issue of a Construction Certificate for the development.**

[To ensure adequate parking, access and facilities for persons with disabilities]

- 44). The Fire Safety Measures listed in schedule below are to be installed in the conference centre in accordance with the Building Code of Australia.

Pursuant to Clause 168 of the Environmental Planning & Assessment Regulation 2002, it will be necessary for the owner of the building, on completion of work, to furnish Council with a Final Fire Safety Certificate from a competent person so as to certify the Fire Safety Measures listed in the attached schedule, that are appropriate to the building. In addition, it will be necessary for the building owner to cause Council to be given an annual fire safety statement. The statement must indicate that:

Each essential fire safety measure installed in the building was found, when it was assessed, to be capable of performing to a standard not less than that specified in the fire safety schedule for the building for which the certificate is issued.

That a properly qualified person has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division 4C.

[Public safety]

FIRE SAFETY SCHEDULE

Exit Signs	Part E4 of the Building Code of Australia and AS2293.1 "Emergency Evacuation Lighting in Buildings - Design and Installation" AS2293.2 - "Emergency Evacuation Lighting in Buildings - Inspection and Maintenance"
Portable Fire Extinguishers	Clause E1.6 of the Building Code of Australia AS2444 - "Portable Fire Extinguishers Selection and Location". AS1841 to AS1850 - "Portable Fire Extinguishers". AS1851 Part 1 - "Maintenance of Fire Protection Equipment - Portable Fire Extinguishers".

- 45). Smoke alarms must be installed in each cabin, on or near the ceiling;

(a) in every bedroom; and

(b) in the hallway between the bedrooms and the remainder of the building.

A system of lighting to assist evacuation of occupants in the event of a fire, and:

(a) be activated by the smoke alarms; and

(b) consist of—

(i) a light incorporated within the smoke alarm; or

(ii) the lighting located in the corridor, hallway or area served by the smoke alarm.

[Fire safety]

- 46). **Prior to Council issuing a Construction Certificate**, full details and specifications are required for the On-site sewage management system in accordance with the Wastewater Management Strategy produced by Engenuity Pty Ltd. This includes details of the Aerated Wastewater Treatment System, Holding tanks, drainage and irrigation lines and the irrigation field (effluent disposal area). A detailed site plan must also accompany this. Consideration on the installation of a suitably sized grease arrestor for the conference centre must also be considered for Stage 3 of the development.

[To ensure a final satisfactory level of detail is provided for approval]

- 47). The on-site sewage management system, subject of this approval may not be operated or used until the completed work has been inspected and Council has issued written approval to the owner to operate the on-site sewage management system. Upon commencement of the use of Stage 1 of the proposed development, the on site sewage management system shall be inspected (at a minimum) on a 3 monthly basis to ensure operational compliance. The same shall apply to successive stages.

[To comply with State Government legislative requirements]

Engineering conditions

- 48). **Prior to issue of a Construction Certificate**, the applicant is to submit detailed design plans for the development for approval by the Director of Engineering and Operations. The works are to conform to the standards and requirements set out in Councils "Standard Conditions for Engineering Works Associated with Developments-1993". No works are to be undertaken until Council has issued a Construction Certificate for the work. The following details, as a minimum, are required to be shown:

- a. Details of the proposed upgrade of the intersection with Waterfall Way including all dimensions, typical cross section, long section, proposed materials, special treatment for left and right turn and drainage features.
- b. Detail design of access way within private property.
- c. Details of all drainage lines.
- d. Details of the scour protection beds at all out-fall.
- e. Details of central car park design, including key dimensions such as aisle and car park width, drainage etc.
- f. Line marking and signage.
- g. Details of erosion and sediment control measures during construction.
- h. Details of stormwater treatment & detention devices.

- 49). An approved vehicular access that is continuous between the approved public road access and the property boundary must be provided as part of the development. The access must be provided at no cost to council and comply with the following;

- (i) The access must be completed **prior to issue of any occupation certificate**.
- (ii) Design and construction of the vehicular access for the development must satisfy:
 - The conditions of a consent, pursuant to the Roads Act 1993, specific to this File No: **2010/AF-166**
 - The Director of Engineering and Operations.

The design and construction of the access must be in accordance with the stamped and approved drawings as part of this development consent and the associated Roads Act consent.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 50). The vertical profile and pavement surface of vehicular access construction must ensure all weather accessibility by two wheel drive passenger vehicles (generally) conforming with the vehicular, "Ground Clearance Template", being Figure C1 of Appendix C of AS 2890.1:2004.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 51). Within the road reserve, an access driveway pavement must be provided, at least matching the standard of the public road pavement (as further detailed in the associated Road Act Consent, specific to this application 2010/AF-166). This standard of access pavement construction must be continuous, at least between the property boundary and the existing public road. The access must incorporate an approved culvert or dish drain as appropriate, including proprietary manufactured headwalls and guideposts and is to be completed **prior to issue of any Occupation Certificate**.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 52). The construction and use of any vehicular access driveway and any ancillary, other frontage or on-site works or activities must reasonably ensure the protection, safety, utility, amenity and durability of the adjacent public road and any utility, amenity or drainage assets.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 53). The intersection with the Waterfall Way must be constructed to a 'Type AU' standard, as described and illustrated in Figure 4 in the Traffic Impact Statement (TIS) prepared by Enginuity Design Pty Ltd dated November 2009. Further, ancillary works to provide left turn-in lane, a left turn-out lane, a right turn-in and right turn-out lane as described in the TIS are to be undertaken as part of the development. All work shall be done in accordance with Council's "Standard Conditions for Engineering Works associated with Development" at no cost to council and completed to the satisfaction of Council and the Roads and Traffic Authority **prior to the issue of any Occupation Certificate**.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 54). Within private property an access driveway must be provided with carriageway 6.5m wide and a 1m shoulder on both sides to serve the development. The section of the road between the property boundary to the north and the proposed conference centre must be suitably formed, drained, compacted and constructed with two coats (10 mm and 7 mm aggregate coats) sprayed bitumen on an approved gravel base course not less than 200 millimetres compacted thickness;

The loop road, surrounding the entire development must be provided suitably formed, drained, compacted and surfaced with not less than 150 mm of compacted gravel on an approved road base. Where gradients approach or exceed 15% the surface must

be bitumen sealed or concreted. This driveway must be constructed and completed to Council's satisfaction **prior to issue of any Occupation Certificate**.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 55). The cross-fall should be one-directional toward any swale drains and should not be more than 10%. The gradient shall not exceed 25%, even for short reach. The internal, driveway must not divert or concentrate stormwater runoff onto the public road reserve or cause other nuisance.

[The likely impacts of the development in respect of Construction, site attributes, public interest, traffic, access and safety]

- 56). The applicant is required to demonstrate that the vehicular access arrangements satisfy the performance requirements of "Planning for Bush Fire Protection 2006" and conditions posed by the NSW RFS in the Bush Fire Safety Authority prior to commencement of works.

[The likely impacts of the development in respect of public interest, traffic, access and safety]

- 57). A scour protection bed must be provided at all out-falls. All work shall be done in accordance with Council's "Standard Conditions for Engineering Works associated with Development".

[The likely impact of the development in respect of public interest]

- 58). All fill for the proposed dam enlargement to be placed and compacted as level 1 fill in accordance with AS3798-2007.

[To minimise future settlement and help protect against scour during flood events]

- 59). **Prior to release of any Construction Certificate**, the applicant shall submit "Erosion and Sediment Control Plan (ESCP)", as proposed and described in the Miscellaneous Issues Engineering Report prepared by Enginuty Design Pty Ltd dated June 2009.

[To minimise erosion and sediment transport]

- 60). Construction works including excavation associated with the development must be carried out in such a manner as to minimise the effects of dust on adjoining residents.

- A dust suppression plan must be designed and approved prior to work commencing on the site. Details of the plan including performance measures must be submitted to and approved by the Director of Environmental Health and Planning as part of the preparatory process.
- Excavation and construction works will be suspended where environmental conditions inhibit proper dust control measures.

[The likely impact of the development in respect of public interest]

- 61). The main car parking area for the proposed development shall be designed in accordance with AS2890.1: 2004. This shall include compliance with the maximum grades and rate of change of grade. The parking must be at or above the PMF level to enable helicopter landing, in the event of any emergency.

[The likely impacts of the development in respect of traffic, safety, drainage, public interest and security]

- 62). No work shall occur within the road reserve until Roads Act consent has been issued and the conditions contained therein complied with.

[The likely impacts of the development in respect of traffic, utilities, safety, drainage, the public interest and security]

- 63). Compliance certification by a Certified Practicing Engineer (CPEng) is required for the access driveway and other external works including drainage within the road reserve, and certifying that the access, drainage, ancillary and other civil construction conforms with the approved access design and the intent and the specification included in, this and the associated Roads Act consent.

[The likely impacts of the development in respect of traffic, utilities, safety, drainage, the public interest and security]

- 64). Any utility service installation to the property and which affects any road pavement must not be trenched. Such services, except drainage, must be laid using under road boring techniques and placed in durable traffic load supporting conduits with not less than 450 mm cover.

[The likely impacts of the development in respect of utilities, safety, traffic, public interest and security]

- 65). The surface levels and profiles of all infrastructure appurtenances, such as electrical and telecommunications pits/covers must be finished consistent with the designed and constructed levels and planes of the finished subdivision.

These installations must not represent trip hazards or discontinuities with the finished land profiles.

[The likely impacts of the development in respect of safety, construction, amenity, site attributes and public interest]

OTHER APPROVALS: This consent also will include:

1. General Terms of Approval provided by the Office of Water for “works” requiring approval under Part 5 of *the Water Act 1912*
2. General Terms of Approval for a Bush Fire Safety Authority issued under S100B of the *Rural Fires Act 1997*