

**NOTICE TO APPLICANT OF DETERMINATION OF A  
DEVELOPMENT APPLICATION**

**Environmental Planning and Assessment Act, 1979 (As Amended)**

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To: Oasis Evans Head Unit Trust  
PO Box 93  
LORN NSW 2320

Being the applicant in respect of: **Development Application No. 2017/0054**

**Manufactured Home Estate comprising 199 Dwelling Sites, Community Building,  
Swimming Pool and Associated Works**

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, notice is hereby given of the determination by the Council, as Consent Authority, of the Development Application lodged **23 September 2016** relating to the land described as follows:

**Lot 1 DP 1193927 – 17 Memorial Airport Drive, Evans Head**

The Development Application has been determined by:

**GRANTING OF CONSENT** subject to the conditions specified in the notice.

This consent operates from **18 May 2017**

Lapses on **Expiry Date**

**ACTIVITIES ACKNOWLEDGED UNDER THE LOCAL GOVERNMENT ACT 1993, IN  
CONJUNCTION WITH THIS APPLICATION:**

1. *Carry out water supply work*
2. *Draw water from a Council water supply or a standpipe or sell water so drawn.*
3. *Install a meter connected to a service pipe.*
4. *Carry out sewerage work.*
5. *Carry out stormwater drainage work.*
6. *Connect a private drain with a public drain under the control of Council.*
7. *Connect a private sewer with a public sewer under the control of Council.*

**IMPORTANT NOTICE**

THIS IS A LEGAL DOCUMENT. ENSURE THAT YOU READ THE DOCUMENT CAREFULLY,  
AND PARTICULARLY NOTE ALL ATTENDANT INSTRUCTIONS AND CONDITIONS

## **DETAILS OF CONDITIONS**

The conditions of consent are set out as follows:

1. In granting this development consent, Council requires:
  - All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
  - All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
  - Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions

and be substantially in accordance with the stamped approved plans listed in the schedule below, Statement of Environmental Effects and supporting documents submitted with the application. Copies of the approved plans are attached to this consent.

**Reason:** To correctly describe what has been approved. (EPA Act Sec 79C)

### **ARCHITECTURAL DRAWINGS**

<b>PROJECT NUMBER</b>	<b>NUMBER</b>	<b>REV</b>	<b>TITLE</b>	<b>DATE</b>
M1601	DA100	D1	Masterplan	27/03/2017
M1601	DA101	D1	Site Data Plan	27/03/2017
M1601	DA102	D1	Staging Plan	27/03/2017
M1601	DA103	D1	Open Space Plan - Landscape and Community	27/03/2017
M1601	DA104	D1	Road Network Plan – Roads, Access and Driveways	27/03/2017
M1601	DA200	D1	Clubhouse Imagery - Cover Sheet	27/03/2017
M1601	DA201	D1	Floor Plan - Clubhouse	27/03/2017
M1601	DA202	D1	Roof Plan - Clubhouse	27/03/2017
M1601	DA203	D1	Staging Plan - Clubhouse	27/03/2017
M1601	DA301	D1	Elevations - Clubhouse	27/03/2017
M1601	DA401	D1	Sections - Clubhouse	27/03/2017

### **PRELIMINARY ENGINEERING DRAWINGS**

<b>DRAWING NUMBER</b>	<b>SHEET NUMBER</b>	<b>REV</b>	<b>TITLE</b>	<b>DATE</b>
MDE-DA-023-D02	2 OF 16	2	Site Plan	27/03/2017
MDE-DA-023-D03	3 OF 16	2	Typical Sections - Sheet 1 of 2	27/03/2017
MDE-DA-023-D04	4 OF 16	2	Typical Sections - Sheet 2 of 2	27/03/2017
MDE-DA-023-D05	5 OF 16	2	Roadworks & Drainage Plan - Sheet 1 of 3	27/03/2017
MDE-DA-023-D06	6 OF 16	2	Roadworks & Drainage Plan - Sheet 2 of 3	27/03/2017

MDE-DA-023-D07	7 OF 16	2	Roadworks & Drainage Plan - Sheet 3 of 3	27/03/2017
MDE-DA-023-D08	8 OF 16	2	Site Earthworks Plan	27/03/2017
MDE-DA-023-D09	9 OF 16	2	Road Longitudinal Sections - Road 1 East & West, Road 2	27/03/2017
MDE-DA-023-D10	10 OF 16	2	Road Longitudinal Sections - Roads 3, 4, 5 & 6	27/03/2017
MDE-DA-023-D11	11 OF 16	2	Road Longitudinal Sections - Roads 7 & 8	27/03/2017
MDE-DA-023-D12	12 OF 16	2	Road Longitudinal Sections - Roads 9 & 10	27/03/2017
MDE-DA-023-D13	13 OF 16	2	Road Longitudinal Sections - Roads 11, 12 & 13	27/03/2017
MDE-DA-023-D14	14 OF 16	2	Sewer & Water Layout Plan	27/03/2017
MDE-DA-023-D15	15 OF 16	2	Erosion & Sedimentation Control Plan	27/03/2017
MDE-DA-023-D16	16 OF 16	2	Erosion & Sedimentation Control Details	27/03/2017

## LANDSCAPE MASTER PLAN

PAGE NUMBER	TITLE	DATE
3	Landscape Master Plan	March 2017
4	Development Heritage	March 2017
5	Typical Sections	March 2017
6	Planting Palette - Trees	March 2017
7	Planting Palette - Shrubs and Groundcovers	March 2017
8	Bio-Retention Basin Planting	March 2017

## PLANNING

2. All components of Development Consent No. 2011/0223 dated 15 March 2012, other than the subdivision to create 20 Torrens title lots fronting Currajong Street, shall be surrendered in accordance with the provisions of Clause 97 of the Environmental Planning and Assessment Regulation 2000 **prior to release of the Construction Certificate.**

**Reason:** To ensure only relevant Consents are valid for the subject land.

3. The manufactured home estate shall be designed, constructed, maintained and operated in accordance with the requirements of Division 3 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, or any approved objection pursuant to Section 82 of the *Local Government Act 1993*.

**Reason:** To comply with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* and to accommodate any approved variations.

4. **Prior to works commencing**, an approval to operate a manufactured home estate must be obtained under Part 1 of Chapter 7 of the Local Government Act 1993.

**Reason:** *To comply with the provisions of State Environmental Planning Policy No. 36 – Manufactured Home Estates.*

5. Each dwelling site shall be numbered or identified and its site boundaries clearly delineated.

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

6. Speed limits on the internal access roads of the estate shall be limited to 30 kilometres per hour for major access roads (Roads 1 and 2) and 15 kilometres per hour for minor access roads (Roads 3 to 13). Appropriate signage and/or road markings that are clearly identifiable shall be installed **prior to occupation of the manufactured homes**.

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

7. Provision shall be made for 29 carparking spaces (including parking for people with disabilities) with a bitumen sealed/paved or equivalent surface constructed in accordance with the requirements of the Australian Standard AS2890.1 Parking Facilities - Off Street Parking. In accordance with Item 3 of the General Terms of Approval issued by the Office of Environment and Heritage (Heritage Division) dated 28 July 2017, the 9 parking spaces located in the former runway area shall be relocated elsewhere within the estate. Amended plans showing the location and design of the carparks are to be submitted to and approved by Richmond Valley Council **prior to the release of the Construction Certificate**. A sign shall be erected to clearly indicate off-street parking is available.

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 and provide adequate off street parking for the estate.*

8. Visitor parking space dimensions shall comply with Division 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Visitor parking spaces must be clearly identified on site.

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

9. All access roads and parking areas must have an all-weather sealed surface.

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

10. All access roads must be adequately lit between sunset and sunrise. Any outdoor lighting shall be appropriately located or shielded so no additional light is cast on adjoining land or distracts traffic.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

11. The water supply service must comply with the *Plumbing and Drainage Act 2011* and any regulations under that Act.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

12. Each dwelling site must be connected to the sewage disposal system for the manufactured home estate. The sewage disposal system must comply with the *Plumbing and Drainage Act 2011* and any regulations under that Act.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

13. Each dwelling site must be supplied with electricity from a reticulated electricity service by means of an electrical circuit connected to a separate electricity meter. Any such electrical circuit must be installed in accordance with the requirements of AS/NZS 3000:2000, *Electrical Installations* (known as the Australian/New Zealand Wiring Rules) as in force on 1 September 2005.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

14. Documentary evidence is to be provided to Richmond Valley Council indicating underground electrical power to the development, including adequate street lighting for the estate, has been installed **prior to issue of Certificate of Completion of the manufactured homes**.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

15. A Notice of Arrangement shall be submitted to Council demonstrating that telephone services, including connection to, or internal infrastructure installed ready for connection, to the NBN network, will be provided in such a manner that a connection is available to each dwelling site within the manufactured home estate. Documentary evidence is to be provided to Richmond Valley Council **prior to issue of Certificate of Completion of the manufactured homes**.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

16. No part of a dwelling site or community building within the manufactured home estate shall be situated more than 90 metres from a fire hydrant. Any fire hydrant located within the manufactured home estate must be a double-headed pillar-type fire hydrant, and be maintained in accordance with industry standards.

**Reason:** To comply with the Local Government (Manufactured Home Estates, Caravan

*Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

17. The use of the consulting room in the community building shall be for occasional use only by practitioners or service providers and is not to be used as a permanent place of business. Visiting practitioners must only serve residents of the manufactured home estate and not be available to the general public.

**Reason:** *To ensure the community building is not used for commercial purposes.*

18. The use and activities within or associated with the operation of the Community Building shall not unreasonably interfere with the amenity of the neighbourhood by reason of emission of noise and shall not give rise to an 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997. No noisy activities audible at any adjacent residential premises shall occur between the hours 10.00pm to 7.00am.

**Reason:** *To limit the hours of operation of the community building and protect the amenity of the neighbourhood.*

19. The proponent who holds the approval to operate the manufactured home estate must provide Council with a copy of the current community map of the estate.

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

20. The holder of the approval to operate the manufactured home estate must ensure that copies of the following documents must be readily available for inspection (without cost) by any person:

- (a) the approval for the manufactured home estate,
- (b) the current community map,
- (c) *the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

**Reason:** *To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

21. Landscaping of each stage of the estate shall be completed in accordance with the Landscape Master Plan approved by Richmond Valley Council **prior to occupation of the manufactured homes in the relevant stage.**

**Reason:** *To ensure the amenity of each stage of the development is maintained.*

22. The 6 metre wide landscaped mound along the eastern boundary of the site shall be completed prior to commencement of Stage 5 of the development as shown in the approved Staging Plan dated 27/3/2017.

**Reason:** *To minimise acoustic impacts from the existing industrial estate on residents.*

23. Prior to installation of manufactured homes on the estate, documentary evidence from suitably qualified professionals shall be submitted to Richmond Valley Council demonstrating compliance with the General Terms of Approval provided by the Office of Environment and Heritage (Heritage Division) and the NSW Rural Fire Service.

**Reason:** *To ensure compliance with the integrated general terms of approval.*

24. The divided road marked as Road 1 (East) and Road 1 (West) shall allow one-direction traffic only. Clearly visible signage and/or road markings shall be installed to indicate traffic flow direction.

**Reason:** *To ensure traffic safety within the manufactured home estate.*

25. Details of the proposed entry statement art piece as shown on Page 4 of the Landscape Master Plan shall be submitted to and approved by Richmond Valley Council prior to its installation.

**Reason:** *To ensure the art piece is appropriately located and designed to enhance the amenity of the park and to reflect the historical use of the site.*

26. The development shall install appropriate fencing, particularly along the northern boundary of the site, to ensure access to the adjoining aerodrome is restricted. Details of any fencing, including dimensions, materials and design, shall be submitted to and approved by Richmond Valley Council **prior to construction**.

**Reason:** *To ensure access between the manufactured home estate and the Evans Head Memorial Aerodrome is restricted.*

27. All future dwellings to be located within the manufactured home estate shall comply with the provisions of Division 4 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*.

**Reason:** *To ensure the future dwellings on the site comply with the applicable legislation.*

28. If during ground disturbance any item, object or place of potential aboriginal significance is located, all work within the vicinity must cease immediately and the Richmond Valley Council and Office of Environment & Heritage shall be contacted immediately. Works in the vicinity of the find must not recommence until clearance has been received from Richmond Valley Council and the Office of Environment & Heritage

**Reason:** *To protect items of aboriginal heritage and to comply with the requirements of the National Parks & Wildlife Act 1974. (EPA Act Sec 79C)*

## **BUILDING**

29. A Construction Certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing other than buildings defined as manufactured homes. Where the Construction Certificate is obtained from an accredited certifier the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.

**Reason:** Required by Section 81A of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.

30. Notification of appointment of the Principal Certifying Authority must be submitted to the Council two (2) days prior to the commencement of work.

**Reason:** Required by Section 81A(2) of the Environmental Planning and Assessment Act, 1979 and Clause 135 of the Environmental Planning and Assessment Regulation, 2000.

31. **Prior to any work commencing** toilet facilities must be provided at or in the vicinity of the work site.

**Reason:** To provide sanitary facilities for workers.

32. A fence must be erected between the work site and a public place.

**Reason:** To protect the health and safety of the public.

33. Plant equipment or materials of any kind shall not be placed or stored upon the public footpath or roadway, which is open for use by pedestrians.

**Reason:** So as not to cause a public hindrance or nuisance.

34. Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:

- a) Monday to Friday - 7.00 am to 6.00 pm.
- b) Saturday - 8.00 am to 1.00 pm.
- c) No construction work which will adversely impact on the amenity of the area is to take place outside the above hours, including Public Holidays.

**Reason:** To preserve the amenity of the area.

35. A Management Plan shall be submitted to Richmond Valley Council for approval prior to importing any fill material. The management plan should include details regarding the source and quality of all proposed fill material, dust suppression and management of stormwater flowpaths during the various stages of earthworks.

**Reason:** To ensure the proposed fill is acceptable and adequate environmental controls are in place.

36. The buildings must be protected against attack by subterranean termites. This can be achieved by:



- a) Soil treatment in accordance with AS 3660.1 - 2000 of the subsoil area beneath all concrete slabs and including additional treatment of a 300mm wide horizontal barrier around the perimeter, edge protection and treatment of all slab penetrations.
- b) Maintenance of a 75 mm wide strip around the entire slab to allow visual inspection. The area immediately adjoining the external wall is to be kept clear of landscaping or gardens.
- c) Other chemical or physical measures which meet the objective of protecting primary building elements against subterranean termite attack. If this option is chosen, full details are required to be submitted for Council's consideration.

NOTE 1: The approved chemical for underslab spraying does not provide protection against termites over the economic life of the building.

NOTE 2: Depending on the slab construction a vertical 150 mm wide chemical barrier may be required to the external perimeter of the slab.

NOTE 3: Landscaping and Gardens - Most termite barriers require the area immediately adjoining an external wall to be kept clear of any landscaping or gardens. This is necessary either to prevent the bridging of the termite barrier or to ensure the area is visible for inspection.

NOTE 4: It is recommended that the slab penetrations be protected by a physical barrier where a non reticulated chemical protection is used.

A durable notice must be permanently fixed to the building in a prominent location such as a meter box, indicating;

- a) the method of protection; and
- b) the date of installation of the system; and
- c) where a chemical barrier is used, its life expectancy as listed on the National Regulation Authority label; and
- d) the installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

**Reason:** *To ensure adequate termite risk management measures are provided.*

37. All plumbing, drainage and stormwater work must be in accordance with AS3500, All Plumbing and Drainage work must be carried out by a licensed person.

**Reason:** *Required by the Plumbing and Drainage Act 2011 and it's Regulation.*

38. Provide vacuum breaker devices to all external taps.

**Reason:** *To prevent the contamination of the water supply by cross connection.*

39. The metal roof and wall cladding is to be installed in accordance with AS 1562.1 - 1992, Design and Installation of Sheet Roof and Wall Cladding.

NOTE: All roof capping and flashing to be scribed on a Dwelling.

**Reason:** To ensure compliance with the Australian Standard.

40. The wet areas are to be treated and impervious to moisture at all floor wall junctions with an approved material in accordance with the Building Code of Australia, and Australian Standard 3740 - 2010. The shower area is to be provided with a completely impervious tray using either a preformed tray of approved material or an in-situ treatment complying with AS 3740 - 2010. Floor surfaces shall be water resistant and graded to a floor waste where required.

**Reason:** To prevent water damage to the building structure and comply with the Building Code of Australia.

41. The application for a building Construction Certificate must be accompanied by;
- a) a list of any fire safety measures that are proposed to be implemented in the building or on the land.

**Reason:** Required by the Regulation 2000.

42. Access for people with disabilities must be provided to and within the building as set out in Table D3.2 of the Building Code of Australia by means of a continuous path of travel in accordance with AS1428.1:-
- i) from the allotment boundary at the main point of entry from a road to the doorway at the entrance floor; and
  - ii) from any accessible car-parking space on the allotment (whether within or outside the building) provided in accordance with D3.5; and
  - iii) from any other building on the allotment to which access for people with disabilities is required; and
  - iv) through the principal public entrance.

**Reason:** Required by Part D3.2 of the Building Code of Australia.

43. Sanitary facilities for Disabled Persons must be provided in accordance with Table F2.4 of the Building Code of Australia for:-
- i) every Class 3, 5, 6, 7, 8 and 9 building that is required by the deemed to satisfy provisions of Part D3 to be accessible to people with disabilities and may be calculated as part of the number of facilities required by Table F2.3; and
  - ii) a Class 10a building to which the public will have access and which contains sanitary facilities, showers or hand basins etc.
  - iii) The construction and layout of all facilities provided in accordance with Table F2.4 must comply with AS1428.1.
  - iv) A unisex facility must be located so that it can be entered without crossing an area reserved for one sex only.

**Reason:** Required by Part F2.4 of the Building Code of Australia.

44. Car parking space/s for use by persons with a disability shall be provided in accordance with AS 2890.4 and the Building Code of Australia. These spaces shall be clearly identified by sign posting complying with AS1428.1. Details of share zones must be provided **prior to issue of the Construction Certificate for the relevant stage**.

**Reason:** *Required by Part D3.5 of the Building Code of Australia.*

45. Prior to issue of Construction Certificate for the proposed swimming pool, detailed drawings and specifications shall be submitted to and approved by Richmond Valley Council.

**Reason:** *To comply with the Environmental Planning and Assessment Act 1979 and the Swimming Pools Act 1992.*

46. The swimming pool must be surrounded at all times by a child resistant barrier in accordance with the requirements of the Swimming Pools Act, 1992.

**Reason:** *Required by Section 7 of the Swimming Pools Act, 1992.*

47. The swimming pool fencing and gate installation must strictly comply with AS1926 - 2012.

**Reason:** *Required by Section 7 of the Swimming Pools Act, 1992.*

48. A temporary child resistant barrier a minimum of 1.2 metres high must be erected during the construction of the pool if it requires water being added during construction.

**Reason:** *Required by Section 7 of the Swimming Pools Act, 1992.*

49. A resuscitation poster meeting the requirements of the Swimming Pools Act 1992, must at all times be maintained in a prominent position in the immediate vicinity of the swimming pool.

**Reason:** *Required by Section 17 of the Swimming Pools Act, 1992.*

50. Pool water disposal and backwash is to be directed to the sewer and be in accordance with AS/NZS 3500.5.2000, Section 4.50 & Figure 4.17.

**Reason:** *To ensure that the proper disposal of backwash waters and protection of the environment.*

51. Skimmer boxes and suction points shall be designed in accordance with AS1926.3 - 2010 Water recirculation and Filtration Systems. Certification from the installer of the filtration system must be provided **prior to issue of Occupation Certificate**.

**Reason:** *To minimize the risk of entrapment or injury.*

52. The occupation or use of the community building must not commence until an Occupation Certificate has been issued by the Principal Certifying Authority. Where Council is not the Principal Certifying Authority then all documentation must be forwarded to Council within seven (7) days of issue.

(N.B. All Critical Stage Inspections must have been completed prior to the issue of the Occupation Certificate).

**Reason:** *To monitor compliance with the Development Consent and Construction Certificate.*

53. If Council is to be engaged as the Principal Certifying Authority the following progress and mandatory critical stage inspections will be required with 48 hours notice;
- a) at the commencement of the building work, erosion control, safety signs and site toilet facilities to be erected.
  - b) after excavation for, and prior to the placement of, any footings.
  - c) prior to pouring any in-situ reinforced concrete building element.
  - d) prior to covering of the framework for any floor, wall, roof or other building element.
  - e) prior to covering waterproofing in any wet areas. (Class 2, 3 & 4 only 10% of rooms)
  - f) the external drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the house drains certified by the plumber must be submitted to Council.
  - g) prior to any swimming pool being filled with water (to ensure a safety fence is erected).
  - h) the swimming pool excavation and reinforcement prior to concrete being placed.
  - i) after the building work has been completed and prior to any occupation certificate being issued in relation to the building. Prior to final inspection being requested, all certificates required by this consent are to be submitted to Council.

**Reason:** *To monitor compliance with the Development Consent and Construction Certificate.*

54. Where Council is not the Principal Certifying Authority the following inspections will be required with 48 hours notice
- a) the external sewer drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the house drains certified by the plumber must be submitted to Council.

**Reason:** *To ensure compliance with Local Government Act 1993.*

55. At completion/occupation, the following certification must be submitted to Council, if Council is to be engaged as the Principal Certifying Authority:
- a) Sewer Service diagram of external and internal drainage. A licensed plumber's certificate of completion that all plumbing and drainage complies with AS 3500 must accompany the diagram.
  - b) Glazing manufacturer's certification that glazing components including windows, doors, balustrade and shower screens comply with the relevant Australian Standards.
  - c) A suitably qualified person's certification that the waterproofing of the wet areas is in accordance with Part 1.7 of the Building Code of Australia.
  - d) That the swimming pool:
  - e) has been provided with signs and fencing in accordance with the requirements of the Swimming Pools Act 1992 prior to use of the pool.

- f) filter pump is located or is provided with an acoustic enclosure such that noise from its operations does not cause a nuisance to adjoining property owners.
- g) Installation certificates in relation to essential fire safety measures.
- h) The development has been completed in accordance with the development consent and construction certificate.

**Reason:** *To monitor compliance with the Development Consent and Construction Certificate.*

56. At completion/occupation, the following certification must be submitted to Council, if Council is not the Principal Certifying Authority:

- a) 'Works as executed' diagram of external and internal drainage. A licensed plumber's certification that 'works as executed' complies with AS 3500 must accompany the diagram.
- b) The development has been completed in accordance with the development consent.
- c) Documentary evidence from all relevant trades/suppliers that the **Section J** of the Building Code of Australia requirements have been satisfied for the clubhouse building.

**Reason:** *To monitor compliance with the Development Consent and Construction Certificate.*

57. An assessment by a person suitably qualified is to be submitted to Council to confirm compliance with Section J of the Building Code of Australia for the club house building, **prior to issue of the relevant clubhouse Construction Certificate**

**Reason:** *To ensure the building is capable of efficiently using energy.*

## **INFRASTRUCTURE**

58. All building and construction work by private contractors in NSW, costing \$25,000 or more, is liable for the payment of the **Long Service Levy** to the Long Service Levy Payments Corporation. Construction work includes civil construction such as roads and bridges, pipelines, fuel gas and water storage and distribution infrastructure, sewerage drainage and treatment systems, retaining walls, electrical distribution infrastructure, etc. Confirmation of the payment to the Corporation (Council is an agent) is to be submitted to Council **prior to the issue of the relevant Construction Certificate**. (Payments through Council are to be made payable to Richmond Valley Council. Cheques payable to the Corporation cannot be accepted by Richmond Valley Council.)

**Reason:** *To ensure the long service levy on private contractor constructed works is paid in accordance with State Government legislation.*

59. All civil works which will become Council assets are to be carried out in accordance with the Northern Rivers Local Government Development and Design Manual, Northern Rivers Local Government Construction Manual and other Council standards/policies as appropriate.

**Reason:** *To ensure that works are carried out to Council Standards.*

60. Works within any part of the road reserve which will impact on pedestrians or traffic flow (including temporary site fencing which restricts pedestrian access, temporary disruption to traffic, etc) requires the preparation of a **Traffic Control Plan**. The Plan shall comply with the provisions of the Roads and Maritime Services (formerly RTA) document “**Traffic Control at Work Sites**” manual and shall be prepared by a person who is qualified, authorised and has passed an Roads and Maritime Services (formerly RTA) approved training course. The TCP designer’s certification number is to appear on the Traffic Control Plans.

The Plan shall be submitted to and verified by Richmond Valley Council **prior to the commencement of works in the road reserve.**

The developer shall maintain all warning signs, lights, barriers and fences etc in accordance with the Traffic Control Plan, Australian Standards and Work Cover guidelines.

Safe public access around any works shall be provided at all times unless detailed in the Traffic Control Plan.

Any advertising required to be undertaken by Council shall be at the developer’s cost.

All contractors working on such road reserve areas are to have Public Liability Cover to a minimum value of \$10,000,000. A certificate of currency is to be forwarded to Council **prior to the commencement of works.**

**Reason:** *To ensure works carried out in the road reserve are carried out in a safe environment.*

61. Any damage caused to public infrastructure (roads, footpaths, kerb and gutter, stormwater, water and sewer mains, electricity and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director Infrastructure and Environment (and delegated staff), or the infrastructure owner.

Council shall be notified in writing, **prior to commencement of works**, of any existing damage to roads, stormwater drainage, kerb and gutter or footpaths.

Absence of notification signifies that no damage exists, and the applicant is therefore liable for the cost of reinstatement of any damage found at the completion of the works.

**Reason:** *To protect the existing and future amenity of the locality and to formally record any pre-existing damage to existing assets.*

62. Application (under Section 138 of the Roads Act) for approval to carry out any work within the road reserve shall be made to Council by any contractor proposing to carry out any such works prior to any such works commencing. This includes driveway crossings and aprons, water, sewerage, stormwater, road works, kerb and gutter, footpaths, etc.

Any advertising required to be undertaken by Council shall be at the developer’s cost.

The owner or contractor shall not undertake any work within the public road reserve giving Council’s Infrastructure and Environment Department **five (5) working days notice of**

**proposed commencement.** Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.

Note: Road Closure advertisement fees will be required for road closures and are required (10) working days notice of proposed commencement.

All contractors working on such areas are to have Public Liability Cover to a minimum value of \$10,000,000. A certificate of currency is to be forwarded to Council prior to the commencement of works.

**Reason:** *To comply with Section 138 of the Roads Act 1993.*

63. **Prior to the commencement of work**, a sign detailing the project and containing the names and contact numbers of the Developer, Main Contractor, and Designer shall be erected and maintained in a prominent position at the site to the satisfaction of the Richmond Valley Council's Infrastructure and Environment Department. The sign is to remain in place during the construction work.

**Reason:** *To allow prompt contact with appropriate people associated with the project.*

64. A defects liability bond (in cash or Bank Guarantee) shall be lodged with Council for works that will become Council's infrastructure. The date of Practical Completion shall be the date upon which all engineering works are completed and the defects liability bond has been paid. The bond shall be based on 10% of the value of the works which will become Council's assets (Council's adopted Revenue Policy (Fees and Charges)), and will be held by Council for a period of 12 months from the date of bond payment. The defects liability bond will be refunded at the satisfactory completion of the maintenance period (12 months). The bond shall only be released by advice from Richmond Valley Council that the works have been completed and are satisfactory at the end of the defects liability period.

The bond shall be paid to Council **prior to the use of the infrastructure that will become a Council asset.**

**Reason:** *To provide adequate funds for the rectification of non-compliances, or failure to carry out maintenance during the maintenance period.*

65. A Civil Engineering assessment fee is to be paid to Council **prior to the issue of a Construction Certificate** for the assessment of plans, issue of a Construction Certificate, and inspection of civil works which will become Council's assets. Rates are as detailed in Council's Revenue Policy (Fees and Charges), with quantities assessed from approved plans detailing such civil works.

**Reason:** *To ensure engineering works are designed and constructed to Council standards.*

66. Payment to Richmond Valley Council of contributions levied under Section 64 of the Local Government Act, Richmond Valley Council's Revenue Policy and Development Servicing Plans, and Rous Water's Development Servicing Plan is required generally in accordance

with the attached current schedule **which shall be subject to CPI**. Payments may be made to Richmond Valley Council as an agent for Rous Water.

Contributions for each manufactured home shall be paid **prior to the issue of each Local Government Act 1993 Section 68 approval for the installation of each Manufactured Home**.

Calculation of overall ETs are based on the Water Directorate Guidelines for Mobile Home Park and shall be calculated based on the number of bedrooms within each manufactured home.

	<b>Water Supply</b>	<b>Sewerage</b>
<b>Additional</b>	ET rate*	ET rate*
<b>1 Bedroom</b>	0.40	0.50
<b>2 Bedroom</b>	0.60	0.75
<b>3 Bedroom</b>	0.80	1.00
	The large community residual lot retains the 1ET credit that existed before the development.	The large community residual lot retains the 1ET credit that existed before the development.

Contribution rates based on number of bedrooms

<b>Section 64</b>	<b>\$/ET</b>	<b>1 Bedroom</b>		<b>2 Bedroom</b>		<b>3 Bedroom</b>	
		ET rate*	Contribution	ET rate*	Contribution	ET rate*	Contribution
<b>RVC Water</b>	\$2,046.00	0.40	\$818.40	0.6	\$1,227.60	0.80	\$1,636.80
<b>RVC Sewer</b>	\$8,000.00	0.50	\$4,000.00	0.75	\$6,000.00	1.00	\$8,000.00
<b>ROUS Water</b>	\$8,404.00	0.40	\$3,361.60	0.6	\$5,042.40	0.80	\$6,723.20
			Total for each 1 Bedroom Home <b>\$8,180.00</b>		Total for each 2 Bedroom Home <b>\$12,270.00</b>		Total for each 3 Bedroom Home <b>\$16,360.00</b>

NOTE: \$ are for 1/07/2017 to 30/6/2018 ONLY

- # The general community facilities such as club house, pool, etc have not been included in the water/sewer loadings as they will be used by the community within the site.
- \* ET rates obtained from the NSW Water Directorate "Section 64 Determinations of Equivalent Tenements Guidelines" - Category of Mobile Home Park .
- The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of original consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

**Reason:** To provide funds for the provision of services and facilities identified in Richmond Valley Council's Water and Sewer Development Servicing Plans, and Rous Water's Development Servicing Plan.



67. Payment to Richmond Valley Council of contributions levied under Section 94A of the Environmental Planning and Assessment Act 1979 and Richmond Valley Council's Revenue Policy and Contributions Plan is required in accordance with the attached schedule. The levy is applied to all development over \$100,000.00 (with legislated exemptions). The total cost of the development exceeds \$200,000. Each Construction Certificate or Section 68 approval is therefore subject to 1% of the cost of work being approved by that Construction Certificate or Section 68 approval.

The cost of the works covered by each Construction Certificate or Section 68 application shall be in accordance with Section 5 of the Richmond Valley Council Section 94A Development Contributions Plan and clause 25J of the Environmental Planning and Assessment Regulation 2000. The cost of works shall be included with each application for Construction Certificate or application for a Section 68 approval. Costs shall include GST (Environmental Planning and Assessment Regulation 25J (3) (i)). **The total cost shall include** all private and proposed Council infrastructure, and include such items as consultant fees, demolition works, excavation, site preparation, the erection of a building, or the carrying out of engineering or construction work, power supply, telecommunications supply, water supply, sewerage pipelines/manholes, stormwater pipelines/pits, inter allotment drainage lines, stormwater treatment devices, driveways/roads, lighting, earthworks, retaining walls, preparing executing and registering plans of subdivision and covenants and easement, etc..

Payments required by this condition will be adjusted at the time of payment of the contribution in accordance with the formula detailed in Section 1.2 of Richmond Valley Council's Development Contributions Plan i.e. by CPI from the date of consent, or recalculated in accordance with changes in the total cost supported by documentation, or as shown on the Construction Certificate(s) or submitted with a Section 68 application.

The Section 94A levy, based on the total cost of work for each application for a Construction Certificate, or each application for a Section 68 approval to "*Install a manufactured home, moveable dwelling or associated structure on land*", shall be paid to Richmond Valley Council **prior to the issue of that Construction Certificate or issue of that Section 68 approval.**"

<b>Richmond Valley Section 94A Development Contributions Plan 2014</b>			
<b>Environmental Planning and Assessment Act 1979 Levy area - full Richmond Valley Council</b>		<b>(Job No/ Receipt Code - PLD 103)</b>	
Total Cost of Development: \$12,744,000.00 Civil Works + 70 small lot houses + 129 large lot houses (as per DA application, but may be adjusted in accordance with Construction Certificate(s) where increased cost is greater than CPI)		@ % of total cost	Contribution
\$ 0 - \$ 100,000	No levy	NIL - No levy	No levy
or 100,001 - \$ 200,000	\$ N/A	0.5 %	\$ N/A
or > \$ 200,000	\$ Civil Works \$ Sec 68	1.0 %	\$ based on cost of CC, S68

**Reason:** To provide funds for the provision of services and facilities identified in Richmond Valley Council's Section 94A Development Contributions Plan (EPA Act Sec 94A).

68. The creation of easements for services, rights of carriageway and restrictions as to user may be applicable under Section 88B of the Conveyancing Act. Easements will be required for sewer, water supply, stormwater drainage, inter-allotment drainage, electricity, etc. and shall be shown on any submitted linen plan relating to the site.

**Reason:** *To provide adequate access and protection for services.*

69. In accordance with Richmond Valley Council's Street Numbering System, the developer shall place road number identification at the vehicular entry point at the Currajong Street front boundary of the development. The main entrance has been allocated 74 Currajong Street.

The street numbering shall be installed **prior to the use of the property as a manufactured home estate.**

**Reason:** *To provide visual identification of the address of the development for postal and emergency services.*

70. Plans showing all civil engineering works which will become Council's assets, eg roads, kerb and gutter, stormwater drainage, water, sewer, footpaths, etc, shall be submitted to Richmond Valley Council. Council approval of the plans is required **prior to the issue of the Construction Certificate for such civil works**. Such works shall be designed and documented in accordance with relevant standards including the Northern Rivers Development and Design and Construction Manuals, Roads and Maritime Services, and Austroads.

Internal private roads and infrastructure shall be designed in accordance with the Development Standards in Division 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, and AS/NZS 2890.1:2004, Parking facilities-Off street parking.

Internal plumbing (water supply, sewerage, stormwater) shall be designed in accordance with the Plumbing Code of Australia for NSW.

**Reason:** *To provide adequate services to appropriate standards for the development.*

71. Existing services/infrastructure which requires reconstruction or adjusting to suit a development (electricity, telecommunications, water, sewerage, stormwater, road works, kerb and gutter, footpaths, crossings and driveways, etc.) are to be carried out at the developer's expense. Construction is to be in accordance with Council's standards, or the affected asset owners standards.

**Reason:** *To protect existing services.*

72. Measures shall be put in place to control stormwater runoff during the construction stages. These control measures shall be in place **prior to the commencement of construction works** and shall prevent soil erosion and transport of sediments from the development site into either:

adjoining land

natural drainage courses  
constructed drainage systems, and  
waterways

The methods to be used shall be in accordance with the book “*Managing Urban Stormwater: Soils & Construction*’ also known as ‘*the Blue Book*” published by NSW Landcom.

All control measures are to be maintained in an operational condition at all times during construction and until vegetation or permanent structures can satisfactorily control stormwater runoff. Control measures shall be regularly cleared of sediment and debris build-up, to ensure continued operation.

During construction works all motor fuels, oils and other chemicals are to be stored and used on site in a manner which ensures no contamination of stormwater. No incidents of visible pollution leaving the construction site. No litter placed in a position where it may be blown or washed off site.

**Reason:** *To minimise erosion and sediment and associated impacts in accordance with the Protection of the Environment Operations Act, and to protect the capacity of downstream drainage networks (both constructed and natural).*

73. Fill material or excavations or temporary access or materials storage, shall not impact onto any adjoining land without the written consent of the owner of that land. A copy of any written consent obtained is to be submitted to Council **prior to the issue of the Construction Certificate**.

**Reason:** *To protect the environment.*

74. All retaining walls in excess of 600mm (0.6 metres) in height shall be of a design certified by a Qualified Structural Engineer, with details verifying the structural integrity of the retaining wall being submitted to and approved by Richmond Valley Council **prior to the issue of the Construction Certificate that incorporates the retaining wall**. Construction of site boundary retaining walls should be carried out prior to the start of works upon the building proper in order to stabilise neighbouring properties.

**Note:** **Timber retaining walls are not supported for boundary retaining walls, and are not approved for road or park reserve boundaries.**

**Retaining walls are not permitted in easements** (unless it can be shown that there is no impact on underground pipes, no restriction on the free flow of overland stormwater, no constraint on the access by maintenance vehicles, etc.).

**Reason:** *To ensure the structural integrity of the retaining wall, to protect existing neighbouring properties and public road reserves, and that the easement is not encumbered by works which affect the purpose of the easement.*

75. The developer shall provide the following road related works. The works shall include associated stormwater drainage structures and be designed and constructed in accordance with relevant standards including the Northern Rivers Development and

Design and Construction Manuals, Roads and Maritime Services, and Austroads. The developer shall be responsible for costs, including maintenance/repairs, for a period of twelve months from the date of Practical Completion for the works that will become Council's infrastructure.

Required road related works shall include:

1. Kerb and gutter and entrance driveway and roadworks to the Currajong Street frontage of the Manufactured Home Estate development site in accordance with the Currajong Street design plans for the 20 lot subdivision. **Construction shall be completed prior to the installation of any manufactured home.**
2. Pathways suitable for shared use and mobility scooters (typically 2.5m wide) shall be constructed in the following locations:
  - a) Currajong Street - Memorial Airport Drive to Woodburn Street as part of Stage 1 development including a crossing of the western end of Currajong Street with a crossing/refuge and link to the existing pathway in Woodburn Street in accordance with the Currajong Street design plans for the 20 lot subdivision. **Construction shall be completed prior to the installation of the 46<sup>th</sup> manufactured home.**
  - b) Booyong Street from Yarran Street to Park Street (preferred on the Stan Payne Oval side of Booyong Street in accordance with Richmond Valley Council's overall design plans). **Construction shall be completed prior to the installation of the 93<sup>rd</sup> manufactured home.**
  - c) Currajong Street - Memorial Airport Drive to Beech Street (including road crossings to connect to the existing Beech Street / Currajong Street east pathway). **Construction shall be completed prior to the installation of the 143<sup>rd</sup> manufactured home.**

**Reason:** *To ensure an adequate road/pedestrian/scooter connections to the existing network in accordance with adopted standards.*

76. The estate shall be connected to a mains water supply. The proponent shall provide water supply works to service the development. The works shall include a water supply service to cater for commercial, domestic and fire fighting requirements as applicable. A primary and secondary water service may be installed to provide increased reliability to the property (eg one from Currajong Street, and another from Memorial Airport Drive).

Details of the required size of service(s) to accommodate commercial, domestic and fire fighting requirements are to be submitted to Council for the determination of an estimated cost (actual cost must be charged). The service, up to and including the water meter and backflow prevention, will be constructed by Council at the applicant's cost.

Installation of the water supply service(s) will be a private works order and actual cost must be charged in accordance with Council's private works policy. The applicant is required to obtain an estimate(s) of cost from Council's Operations Officer for the purpose of initial prepayment. Payment to Richmond Valley Council is required **prior to the installation of the water supply service(s).**

Construction and acceptance by Richmond Valley Council of the Currajong Street master water supply infrastructure is to be completed **prior to the use of the property as a**

**manufactured home estate.** The Memorial Airport Drive water supply service may be installed at Stage 4 or 5 to allow suitable internal connections.

**Reason:** *To provide adequate water supply for the development in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

77. The development will require individual isolation taps and water meters to service each dwelling site within development. The internal water supply system and water meters will be the private property of the development. Council responsibility will terminate at the master meter(s) where the supply enters the property.

**Reason:** *To provide a metered water supply to each dwelling site in accordance with Division 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 - Subdivision 4 Utility Services.*

78. The development will require the extension of the Currajong Street water main from the corner of Currajong Street and Memorial Airport Drive to the western cul de sac head at the entrance to 56 Bottlebrush Crescent. (Manage-Design-Engineer Pty Ltd Plan MDE-DA-023-D14 Sewer and Water Layout Plan) The Currajong Street master water supply service at the entrance to the Manufactured Home Estate site will connect to this main.

Construction and acceptance by Richmond Valley Council of the water supply infrastructure that will become Council's assets is to be completed **prior to the installation of any manufactured home.**

**Reason:** *To provide adequate water supply to the development.*

79. No structure/footing is to be constructed within 1.5 metres of the centreline of any Council sewer main with all footings to be below the zone of influence.

A new sewer main that will become Council infrastructure is being constructed along the rear of the Currajong Street 20 lot subdivision as part of the first stage of DA 2011.0223. The design line is 1.5m inside the proposed Currajong Street lots 1 to 15.

The sewer is up to 4.9 metres deep at the Memorial Airport Drive end through to 3.2 metres deep at the MHE entrance area.

A 30 degree zone of influence exists for sand soils. The sewer zone of influence ranges from 7.6 metres inside the MHE site at the Memorial Airport Drive end to 4.6 metres inside the MHE site at the Currajong Street entrance area.

Footing depths will increase as the distance from the outer edge of the sewer zone of influence increases towards the sewer main - from nil at the outer edge of the sewer zone of influence to the boundary with the 20 lot Currajong Street subdivision - 4.4 metres deep at the Memorial Airport Drive end to 2.65 metres deep at the Currajong street entrance area.

The footings of any part of the structure within the area of influence of the sewer main are to be designed by a practising Structural Engineer to ensure the footings are below the zone of influence of the sewer main. The engineer is to submit footing designs along with accurate survey measurements of the sewer main to Richmond Valley Council, **prior to the**

**installation of any footings for manufactured homes within the sewer zone of influence**, in accordance with Council's sewer zone requirements to ensure that all loads will be transferred to the foundation material and will not affect or be affected by the sewer main.

**Reason:** *To protect both Council's assets and the property owner's assets.*

80. If not already provided, the developer shall provide internal sewerage reticulation to service the development. The connection to Council's sewerage infrastructure has been approved at three (3) locations. (MDE Plan MDE-DA-023-D14 Sewer and Water Layout Plan) The following manhole numbers relate to the sewer design for the 20 lot Currajong Street subdivision.
1. Manhole S1/2 at the Memorial Airport Drive end (south eastern corner of the MHE site (MHE site 60)).
  2. Manhole S1/7 at the rear of proposed Currajong Street subdivision Lot 14 (west of MHE site 74).
  3. Manhole S1/8 on the eastern side of the MHE Currajong Street entrance area.

**Reason:** *To provide adequate services for the development.*

81. If not already provided, the developer shall provide sewerage infrastructure external to the Manufactured Home Estate footprint to service the development in accordance with the layout shown on Manage-Design-Engineer Pty Ltd Plan MDE-DA-023-D14 Sewer and Water Layout Plan with three (3) connection manhole locations. Works shall include a stub connection from the connection manholes and a sewer junction to each of the proposed Currajong Street subdivision lots at a location and depth to enable connection of the future Currajong Street dwellings. All mains and junctions are to be a minimum of 150 mm diameter.

Sewerage works that will become Council's assets shall be designed and constructed in accordance with Council's standard. Any costs shall be the responsibility of the developer. The developer shall be responsible for the full cost of any associated sewerage maintenance considered necessary by Council's Water and Sewerage Section for a period of twelve months from the date of practical completion.

Construction and acceptance by Richmond Valley Council of the relevant sewerage infrastructure that will become Council's assets is to be completed **prior to the installation of any manufactured home for that stage**:

**Reason:** *To provide adequate sewerage services for the development.*

82. All stormwater is to be directed to Council's existing stormwater drainage system and/or a natural watercourse. "Preliminary Engineering Drawings for Development Approval" stormwater design plans have been submitted to Richmond Valley Council. (Manage-Design-Engineer Pty Ltd - MDE-DA-023-D05, D06 and D07 - Roadworks and Drainage Plans). Council approval of the final plans for the management of stormwater is required **prior to the issue of the Construction Certificate**.

All designs shall have provision to ensure that all gross pollutants remain above ground and cannot enter Council's stormwater system or the natural environment waterways.

Inter-allotment drainage shall be provided for all lots where roof/paved area water does not drain directly to a public road or defined drainage area. This includes surrounding properties that flow onto the development, or receive flow from the development.

Construction of operational stormwater infrastructure to service each stage is to be completed **prior to the installation of any manufactured home for that stage.**

**Reason:** *To ensure an adequate stormwater drainage system in accordance with adopted standards.*

83. All habitable floor levels shall be greater than or equal to the local 100 year design flood level plus 0.5 m freeboard. The 100 year design flood level is to be based on local runoff inundation on the site, not flooding from the Evans River. The design flood shall incorporate Richmond Valley Council's adopted Climate Change criteria of a +900mm sea level rise and a +10% increase in rainfall intensity. Overland flow paths shall be incorporated into the stormwater design/management plans.

**Reason:** *To comply with the requirements of the NSW Floodplain Development Manual.*

84. Upon completion of works to be vested in Council, **Work as Executed** drawings and plans in digital format shall be submitted to and approved by Richmond Valley Council **prior to the use of the relevant infrastructure** (AutoCAD or similar - changes as a separate layer in red). All work as executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plan is accurate. The plans shall clearly identify any amendments (in red) to the original design. The applicant shall be deemed to have indemnified all persons using such drawings against any claim or action with respect to breach of copyright.

Sewer plans are to include full junction details - distance from downstream manhole, project off the sewer main, and depth to the point of connection.

**Reason:** *To provide adequate records of services for the development.*

85. Inspection and testing of the civil engineering works which will become Council's assets is required (e.g. roads, kerb and gutter, stormwater drainage, water, sewer, footpaths, etc.)

**Reason:** *To ensure engineering works are constructed to council standards.*

## **ENVIRONMENTAL HEALTH**

86. Waste from each allotment must be managed in accordance with recognised good environmental practice. In this respect waste management on the site must provide adequate recycling services, minimise generation of odours, and ensure any waste storage areas do not contaminate the environment. Details of the proposed waste management system for domestic waste on the site must be submitted to and approved by Richmond Valley Council **prior to issue of stage 1 Construction Certificate.**

**Reason:** *To protect the environment and public health*

87. Final design details of the detention basins shall be submitted to and approved by Richmond Valley Council **prior to issue of Construction Certificate**. Design details must include but may not necessarily be limited to inlet and outlet structures and associated scour protection and any discharge control structure, sediment storage zone / capacity and settling zone, any method to prevent short circuiting of flows such as baffles, and overflow structure design.

**Reason:** *To ensure suitable design objectives are met and protect the environment.*

88. A maintenance plan for the sedimentation basin must be submitted and approved by Richmond Valley Council **prior to issue of relevant Construction Certificate**. The plan must include but may not necessarily be limited to the following;
- Inspections of basin to identify depth of sediment accumulation, scouring, litter / debris build up.
  - Inspections of inlet and outlet points for blockages, any areas of scour
  - Removal and management of any weeds
  - Draining and de-silting including any dewatering of removed sediment and disposal.

**Reason:** *To ensure satisfactory ongoing functioning of the basin and to protect the environment*

89. An application to discharge liquid trade waste, including plans and specifications of any pre-treatment devices and proposed trade waste installations shall be submitted to Council and approved **prior to release of Construction Certificate**. The application must be in accordance with Councils' Liquid Trade Waste Policy and must address the discharge from the club house kitchen and all other possible liquid trade waste sources that may include the maintenance shed, cleaners rooms, and garbage store rooms.

**Reason:** *To ensure adequate protection of utility services and to ensure compliance with Councils Liquid Trade Waste Policy*

90. The installation and fit-out of the club house kitchen must be strictly in accordance with the requirements of Australian Standard 4674-2004 *Design, construction and fit-out of food premises*, NSW Food Act and Food Standards Code and Council's Environmental Health Section.

**Reason:** *To comply with applicable standards and protect food safety.*

91. The mechanical ventilation system in the club house kitchen must comply with the requirements of Australian Standard 1668.2. In this respect a compliance certificate including air flow testing for the exhaust ventilation system must be submitted to Council from a suitably qualified mechanical ventilation engineer **prior to release of Occupation Certificate**.

**Reason:** *To ensure compliance with the Australian Standard and provision of suitable ventilation for cooking equipment.*



92. Future works must be in accordance with the asbestos management plan (E3 2012g, see Site Audit Report) that has been prepared for the site.

**Reason:** *To protect public health and the environment.*

93. An Acid Sulphate Soil Management Plan must be submitted to and approved by Richmond Valley Council for any works deeper than 3 metres below ground level. The Management Plan must be submitted and approved prior to any work commencing on the site.

**Reason:** *To protect the environment.*

## **INTEGRATED DEVELOPMENT GENERAL TERMS OF APPROVAL**

### **General terms of approval for NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997**

1. The development proposal is to comply with the drawing titled 'Site Data Plan' prepared by Mavid Group as submitted in the 'Bushfire Threat Assessment Report' prepared by Anderson Environment & Planning dated March, 2017, except where modified by this bush fire safety authority.

#### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. At the issue of development consent and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for Asset Protection Zones'. This includes bio-detention (basin 4) located to the south of Lots 1-17.

#### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

3. For each stage of the development, water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

#### **Access**

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

4. Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006', except a perimeter road is not required.

### **Evacuation and Emergency Management**

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

5. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006', including the preparation of an emergency/evacuation plan consistent with the NSW Rural Fire Service document titled 'A guide to developing a bush fire emergency management and evacuation plan'. A copy of the plan shall be provided to the consent authority and the local Bush Fire Management Committee prior to commencement of the development.

### **Design and Construction**

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

6. Construction of proposed dwellings located 42-<100 metres of the forested wetland vegetation to the south shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

### **Landscaping**

7. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

## **INTEGRATED DEVELOPMENT GENERAL TERMS OF APPROVAL**

### **General terms of approval for Office of Environment and Heritage under Section 58 of the Heritage Act 1977**

#### **1. Development must be in accordance with:**

- a) **Architectural drawings (plans) prepared by Zoran Architecture as listed below:**

<b>Dwg No</b>	<b>Dwg Title</b>	<b>Date</b>	<b>Rev</b>
<b>Project Name: Evans Head Estate</b>			
DA001	Site Analysis Plan	27/03/2017	D1
DA100	Master Plan	27/03/2017	D1
DA101	Site Data Plan	27/03/2017	D1
DA102	Staging Plan	27/03/2017	D1
DA103	Open Space Plan	27/03/2017	D1
DA104	Road Network Plan	27/03/2017	D1
DA200	Club House Imagery Cover Sheet	27/03/2017	D1
DA201	Floor Plan Clubhouse	27/03/2017	D1

DA202	Roof Plan Clubhouse	27/03/2017	D1
DA203	Staging Plan Clubhouse	27/03/2017	D1
DA301	Elevations Clubhouse	27/03/2017	D1
DA401	Sections Clubhouse	27/03/2017	D1
DA001	Site Analysis Plan	27/03/2017	D1

b) **Preliminary civil drawings (plans), prepared by** Manage-Design-Engineer as listed below:

Dwg No	Dwg Title	Date	Rev
<b>Project Name: Airport Memorial Drive &amp; Currajong Street, Evans Head NSW. Proposed Modular Housing Estate</b>			
MDE-DA-023-D02 sheet 2 of 16	Site Plan	27/03/2017	2
MDE-DA-023-D05 sheet 5 of 16	Roadworks & Drainage Plan Sheet 1 of 3	27/03/2017	2
MDE-DA-023-D05 sheet 6 of 16	Roadworks & Drainage Plan Sheet 2 of 3	27/03/2017	2
MDE-DA-023-D05 sheet 7 of 16	Roadworks & Drainage Plan Sheet 3 of 3	27/03/2017	2
MDE-DA-023-D05 sheet 8 of 16	Site Earthworks Plan	27/03/2017	2
MDE-DA-023-D05 sheet 14 of 16	Sewer & Water Layout Plan	27/03/2017	2
MDE-DA-023-D05 sheet 15 of 16	Erosion & Sediment Control Plan	27/03/2017	2
MDE-DA-023-D05 sheet 16 of 16	Erosion & Sediment Control Details	27/03/2017	2

c) Supplementary document entitled Memorial Airport Drive Evans Head. Landscape Master Plan, March 2017, prepared by Planit Consulting (DOC17/213263-4- 3).

a) Supplementary document entitled Bushfire Threat Assessment for proposed Manufactured Home Estate at 17 Memorial Airport Drive, Evans Head, NSW, March 2017 prepared by Anderson Environment & Planning (DOC17/213263-2).

b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

**EXCEPT AS AMENDED by the conditions of this approval:**

## WORKS

- No trees shall be planted within the area of the former landing strip or taxiways other than along the long edges of the former runway and taxiways. Landscaping in the area of the stormwater detention basin must be low in height, reinforcing the visually open character of the former runways.

*Reason: To retain important historic and aesthetic elements of Evans head memorial Aerodrome.*

- Delete the proposed carparking bays or relocate within the area of the former

landing strip and taxiways.

*Reason: To retain important historic and aesthetic elements of Evans head memorial Aerodrome.*

## **DESIGN DETAILS**

4. Submit with the Section 60 application for assessment and approval, full construction and design details for the public domain works on the former runway and taxiways. Including but not limited to, all surface finishes, kerbs and gutters, grill and grates, furniture and landscaped areas.

*Reason: To enable a full and proper assessment of heritage impacts. It is recommended that the public domain works be detailed to retain the interpretation of the former runway and taxiways as long rectilinear spaces.*

## **NOISE MANAGEMENT**

5. The owner of the land shall provide prospective lessees and residents with the 2025 ANEF (Evans Head Aerodrome Australian Noise Exposure Forecast 2025) chart with the 15 ANEF contour displayed and the ANEC contours for a busy day if the Great Eastern Fly-In. A copy of these documents shall be provided to the Conservation Manager, Heritage Division, Office of Environment and Heritage prior to any works commencing on site.

*Reason: To help ensure compliance with the “Heritage Agreement – Evans Head Memorial Aerodrome”.*

6. A letter from a suitably qualified and experienced acoustic engineer must be submitted with a s60 application made under the Heritage Act for any new dwelling, the letter certifying that the dwelling has suitable internal noise levels as set out in Australian Standard 2021:2015 Acoustics—Aircraft noise intrusion— Building siting and construction.

*Reason: To help ensure that noise complaints are minimised.*

7. The owner of the land on which the proposed Manufactured Home Estate is located shall provide all prospective residents, staff, volunteers, contractors and other service providers with information advising them of the site's exposure to noise and safety issues associated with the aviation use of the Evans Head Memorial Aerodrome. Further, the owner shall ensure that all prospective residents, staff, volunteers, contractors and other service providers have acknowledged in writing that they have been advised of the site's exposure prior to entering into any formal arrangements. A copy of the noise information document and template acknowledgement form shall be provided to the Conservation Manager, Heritage Division, Office of Environment and Heritage prior to any works commencing on site.

*Reason: To help ensure that all prospective residents, staff, volunteers, contractors and other service providers are provided with the opportunity to have careful regard to the impact noise and safety exposure will have on them personally prior to entering into any arrangements that involve them being on the site. (Note: Exposure to aviation noise can*

*be expected on a daily basis with a considerably increased level of exposure during key aviation events.)*

8. Prior to works commencing on site, a complaint handling management plan, shall be prepared in accordance with Annexure C, Noise Complaints Procedures, of the Heritage Agreement – Evans Head Memorial Aerodrome to the satisfaction of the Manager, Conservation, Heritage Division, Office of Environment and Heritage.

*Reason: To help ensure compliance with the “Heritage Agreement – Evans Head Memorial Aerodrome”.*

9. A restriction/condition shall be registered on any lease and/or land title containing provisions preventing complaints regarding noise from the Evans Head Memorial Aerodrome to the satisfaction of the NSW Heritage Council or its delegate. The restriction/condition must include a requirement for approval from the Heritage Council or its delegate for any amendment in future. A copy of the registered condition shall be submitted to the satisfaction of the Manager, Heritage Division, Office of Environment and Heritage, prior to a construction certification being issued for any works on site.

*Reason: To help protect the on-going use and viability of Evans Head Memorial Aerodrome.*

## **INTERPRETATION**

10. Prior to the commencement of works an interpretation plan which details how the history and heritage significance of the Evans Head Memorial Aerodrome will be communicated, is to be prepared to the satisfaction of the Manager, Conservation, Heritage Division, Office of Environment and Heritage. The interpretation plan is to be implemented within 12 months of the release of the scheme.

*Reason: To help conserve and present the Evans Head Memorial Aerodrome through a good understanding of its history and heritage significance.*

## **COMPLIANCE**

11. Officers of the Office of Environment and Heritage, Heritage Division are to be permitted entry to the site at any time as a condition of this approval and may photograph, take samples or request records in relation to any aspects of the approved activity.
12. The Applicant and the nominated Heritage Consultant may be required to participate in random audits of Heritage Council approvals to confirm compliance with conditions of consent at any time.

*Reason: To ensure compliance with conditions.*

## **SECTION 60 APPLICATION**

13. An application under section 60 of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW prior to work commencing. (Note: Approval under the Heritage Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.)

*Reason: To comply with legislation.*

## **INFORMATION TO APPLICANTS**

### **ADVISORY NOTES**

**NOTE 1:** Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act, 1979 are to be complied with:

- (i) A Construction Certificate is to be obtained from the Consent Authority or an Accredited Certifier in accordance with Section 81A(2)(a) of the Act.
- (ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance With Section 81A(2)(b) of the Act.
- (iii) Council is to be given at least two (2) days notice of the persons intention to commence building works, in accordance with Section 81A(2)(c) of the Act.

**NOTE 2:** The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue of any relevant documentary evidence or certificates.

**NOTE 3:** In accordance with Clause 98(1) of the Environmental Planning and Assessment Regulation, it is a condition of Development Consent for development that involves any building work, that the work must be carried out in accordance with the requirements of the Building Code of Australia.

**NOTE 4:** If the provision of services or the construction of any infrastructure or any other thing required by this consent occurs, and a GST is payable by Council, the applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of this consent.

**NB:** GST means any tax levy charge or impost under the authority of any GST law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means a New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

**NOTE 5:** This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of the Australian Standard 1428 – Design for Access and Mobility (Part 1 is mandatory in the BCA).

**NOTE 6:** The granting of the development consent does not negate the owner/applicant's obligations under Part 6 of the *National Parks and Wildlife Act 1974*, where it is declared an offence to harm, or desecrate, an Aboriginal object or declared Aboriginal Place. The Office of Environment and Heritage's *Due Diligence Code of Practice* should be used to determine whether harm is likely, and whether consent in the form of an Aboriginal Heritage Impact Permit (AHIP) is required.

**NOTE 7:** Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to

the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**NOTE 8:** Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact : Telstra's Network Integrity Team on Phone Number 1800 810 443.

### **PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT**

Under the provisions of Clause 98 of the Environmental Planning and Assessment Regulation for the purposes of Section 80A(11) of the Environmental Planning and Assessment Act the following conditions are Prescribed Conditions:

1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

**Reason:** *Required by Clause 98 of the Regulation.*

2. In the case of residential building work for which the Home Building Act 1989 requires there be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force.

**Reason:** *Required by Clause 98 of the Regulation.*

3. Any Development that requires building work, subdivision work or demolition work a sign must be erected on the development site in a prominent position before the commencement of any work showing:
  - a) Name, address and telephone number of the Principal certifying Authority for the work.
  - b) Name of the Principal Contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours.
  - c) Stating that unauthorised entry to the work site is prohibited.

**NOTE:** The sign must be of rigid and durable material and maintained on the site until work has been completed. The sign must be easily read by anyone in any public road or public place adjacent to the site.

**Reason:** *To ensure compliance with Section 80A(11) of the Environmental Planning and Assessment Act, 1979 and Clauses 98A and 227A of the Accompanying Regulation.*

4. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) protect and support the building, structure or work from possible damage from the excavation, and

- (b) where necessary, underpin the building, structure or work to prevent any such damage.

The above requirements do not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**Reason:** *To ensure compliance with Section 80A(11) of the Environmental Planning and Assessment Act, 1979 and Clauses 98E of the Accompanying Regulation.*

### **DATE FROM WHICH CONSENT OPERATES**

Section 83 of the Environmental Planning and Assessment Act provides that the consent shall become effective and operate from the date endorsed upon the notice, **except** in the case of designated development to which objections have been lodged, when the consent shall become effective 28 days after the consent is issued.

Where an appeal is lodged, either by the applicant or an objector in respect of designated development, the consent shall remain in deferment and not become effective until the appeal has been determined. The consent shall be void if, on appeal, the development is refused.

### **COMPLIANCE**

The development shall be carried out in accordance with the application, and “approved plans” as may be attached to this consent, and as amended by the foregoing conditions. **All conditions** shall be complied with prior to occupation of the development and, where appropriate, during the operating life of the development.

### **REVIEW OF DETERMINATION**

Under the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, an applicant may request the Council to review a determination of the application. The request for a review must be made within six (6) months after the date of the determination.

### **RIGHT OF APPEAL**

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Where an appeal is made in the case of a designated development, each person who objected is required to be given notice of the appeal, and will have the right to be heard at that hearing.

Except in the case of designated development, there is no provision within the Act for a third party (objector) to appeal against the consent issued by the Council.

### **LAPSING OF CONSENT**

Section 95 of the Environmental Planning and Assessment Act provides that a development consent lapses five years after the date from which it operates. Therefore, this consent lapses five years from the date of operation of this consent **UNLESS**:

- building, engineering, or construction work relating to this development is commenced on the land within the period of operation of the consent, or



- if no such works are required, the use of the premises commences within the period of operation of the consent.

#### **MODIFICATION OF CONSENTS**

Under the provisions of Section 96 of the Environmental Planning and Assessment Act an applicant may apply to Council for modification of the consent.

#### **NOTICE TO COMPLETE**

Where development has been commenced, but the work not completed, Section 121B provides that the Council may issue an order requiring completion of the work within a specified time, being not less than twelve months.

For and on behalf of Richmond Valley Council.

Angela Jones  
**Director Infrastructure and Environment**

per: Sonja Kennedy

**Encl.**

**Cc:** Richmond Valley Council  
Locked Bag 10  
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