

DA 152/2019 DRAFT CONDITIONS

ANNEXURES

A: Conditions of Consent

The following conditions must be satisfied for all stages of the development

GENERAL CONDITIONS

1. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Provisional Staging Plan	C	Tattersall Lander Pty Ltd	19/02/19
Overall Detail Plan	C	Tattersall Lander Pty Ltd	19/02/19
Detail Sheet 1	C	Tattersall Lander Pty Ltd	19/02/19
Detail Sheet 2	C	Tattersall Lander Pty Ltd	19/02/19
Detail Sheet 3	C	Tattersall Lander Pty Ltd	19/02/19
Detail Sheet 4	C	Tattersall Lander Pty Ltd	19/02/19
Typical Sections and General Details and Road Longitudinal Sections Sheets 9-13	C	Tattersall Lander Pty Ltd	19/02/19
Basin 1 Detail Plan	C	Tattersall Lander Pty Ltd	19/02/19
Basin 2 Detail Plan	C	Tattersall Lander Pty Ltd	19/02/19
Cut Fill Plan	C	Tattersall Lander Pty Ltd	19/02/19
Erosion and Sediment Control Plans	C	Tattersall Lander Pty Ltd	19/02/19
Soil and Water Management Plan Notes	C	Tattersall Lander Pty Ltd	19/02/19
Community/Precinct/Neighbourhood Plan-easement for drainage 5 wide	217154	Scott Ware	-

Community/Precinct/ Neighbourhood Plan Sheets 1-3	217154	Scott Ware	-
Site Masterplan	11843 a102 [c]	EJE Architecture	Feb. '19
Central facilities – site plan	11843 a103 [e]	EJE Architecture	Feb.'19
Clubhouse /mens shed – site plan	11843 a104 [c]	EJE Architecture	Feb '19
Rec centre - floor and roof plan	11843 a200- [c]	EJE Architecture	Sept' 18
Rec centre - elevations	11843 a201- [c]	EJE Architecture	Sept '18
Retail tenancies- plans and elevations	11843 a300 [c]	EJE Architecture	Sept '18
Motel- plans and elevations	11843 a400 [c]	EJE Architecture	Sept 18
Clubhouse and mens shed – floor and roof plan	11843 a500 [c]	EJE Architecture	Feb.'19
Clubhouse and mens shed - elevations	11843 a501 [c]	EJE Architecture	Feb. '19
Landscape Masterplan	11843.5 Rev. D L01-L07	Terras landscape architects	30/08/2018
Biodiversity Development Assessment Report	Rev 3	JBEnviro	8/3/2019
Stormwater Management Report for Harrington Waters Lifestyle Seniors Living Development, Manor Road, Harrington		Tattersall Lander Pty. Ltd	January 2019
Overall Detail Plan	Sheet 4, Revision A	Tattersall Lander Pty. Ltd	5/9/18
Detail Plans Sheet 1	Sheet 5, Revision A	Tattersall Lander Pty. Ltd	5/9/18
Detail Plans Sheet 2	Sheet 6, Revision A	Tattersall Lander Pty. Ltd	5/9/18
Detail Plans Sheet 3	Sheet 7, Revision A	Tattersall Lander Pty. Ltd	5/9/18
Detail Plans Sheet 4	Sheet 8, Revision A	Tattersall Lander Pty. Ltd	5/9/18
Typical sections & general details	Sheet 9, Revision A	Tattersall Lander Pty. Ltd	5/9/18
Drainage Concept Plan Harrington Waters Lifestyle Village	Sheet 1, Revision B	Tattersall Lander Pty. Ltd	18/1/19

Susannah Mk2 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Susannah Mk 1 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Providence Mk 4 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Providence Mk 5 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Oceana Mk 4 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Oceana Mk 3 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Mary Ann Mk 3 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Lydia Mk 4 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Lydia Mk 3 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Laura Mk 2 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Eliza Davis Mk 1 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Eclipse Mk 1 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Atlanta Mk 5 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Atlanta Mk 4 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Amy Mk 1 Construction Documents	1	Bayline Homes and Developments	04/09/2018
Amity Mk 1 Construction Documents	1	Bayline Homes and Developments	04/09/2018

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. The development is to be carried out in the following stages:

Stage 1A - Subdivision to create community lot 1, development lots 2 and 3 and drainage easement

Stage 1B - Subdivision of proposed Lot 2 to create 29 lots

Stage 1C - Community facility on Lot 37

Stage 1D - 29 seniors living dwellings

Stage 2 - Subdivision to create 25 Lots

Stage 2A - 29 seniors living dwellings, retail premises to provide services and support facilities, Managers Residence/Accommodation and village green area.

Stage 3 - Subdivision to create 22 Lots

Stage 3A - 22 seniors living dwellings

Stage 4 - Subdivision to create 21 Lots

Stage 4A - 21 seniors living dwellings and conversion of Community Facility on Lot 37 to seniors living dwelling, Community Facility, Tennis Courts, Sports Club House (Relocated Stage 1 services building) and Main Recreation Centre.

Stage 5 - Subdivision to create 22 Lots

Stage 5A- 22 seniors living dwellings, Bowling Green, Men's Shed and Maintenance Shed.

Stage 6 - Subdivision to create 22 Lots

Stage 6A- 29 seniors living dwellings, caravan and boat parking

Stage 7 - Subdivision to create 40 Lots

Stage 7A- 40 seniors living dwellings

Stage 8 - Subdivision to create 22 Lots

Stage 8A - 22 seniors living dwellings

Stage 9 - Subdivision to create 20 Lots

Stage 9A - 20 seniors living dwellings

Stage 10 - Subdivision to create 45 Lots

Stage 10A - 45 seniors living dwellings

Stage 11 - Subdivision to create 24 Lots

Stage 11A - 24 seniors living dwellings

The development staging must proceed in numerical order.

3. Adjustment to utility services

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

Reason: To ensure utility services remain in a serviceable condition.

4. Compliance with National Construction Code Series - Building Code of Australia

All building work must be carried out in accordance with the requirements of the *National Construction Code Series - Building Code of Australia* as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

5. Separate application required for fit out of individual retail service store

Separate development consent is required from Council prior to the provision of any proposed partitions, fittings, fixtures and other tenancy work (including food premises, hairdresser, beautician and skin penetration fit-out) unless such work is exempt development.

Reason: To ensure compliance with the terms of this consent.

6. Notification of *Home Building Act 1989* requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

a) in the case of work for which a principal contractor is required to be appointed:

- i) the name and licence number of the principal contractor, and
- ii) the name of the insurer by which the work is insured under Part 6 of that Act,

b) in the case of work to be done by an owner-builder:

- i) the name of the owner-builder, and
- ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

7. Creation of Community property and Development Lots

Prior to issue of any construction certificate the subdivision of Lot 2 DP 1219123; Lot 4 DP 1219124; and Lot 6 DP 1217806 to create Community Lot 1 and lots 2 and 3 must be registered with the Land & Property Management Authority. Such subdivision must include the creation of a stormwater easement across Lot 1 DP 34303 to benefit each of the created lots.

Reason: To comply with environmental planning instrument. (EPA Act Sec 4.15)

8. Occupation of units

The Retirement Village must only be occupied for residential accommodation by the following persons;

- a. Seniors, or people with a disability,
- b. People who live within the same household with seniors or people who have a disability,
- c. Staff employed to assist in the administration of and provision of services to housing provided under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

Notwithstanding the above, visiting health professionals and members of the immediate family of residents may occupy the Temporary Accommodation units on a short term basis. Details of the terms of occupation are to be detailed in the Community Management Plan. Short term occupation will be no longer than 60 days.

Reason: To comply with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

9. Provision of services

Prior to occupation of any residential accommodation within the Retirement Village, a minimum 22 seat bus (and driver) must be provided at the site for use by residents on an as needs basis. Additional vehicles must be provided as occupants demand for transport increases.

Reason: To comply with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

10. Compliance with SEPP

The development shall be carried out to comply with the provisions of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

Reason: Statutory requirement

11. Biodiversity

All measures identified in the approved Biodiversity Management Plan for each stage of the development must be implemented prior to the release of the Subdivision Certificate for the relevant stage.

Reason: Statutory requirement.

12. S68 Stormwater outlets

Prior to the issue of a subdivision works certificate, plans and specifications detailing the method of discharging stormwater to the Manning River or any public reserve must be submitted to and approved by Midcoast Council under a section 68 application.

Where stormwater is discharging to the Manning River or any public reserve it must be via a suitably manufactured energy dissipater system.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

13. Bioretention Design

Bioretention design are to meet the requirements of the approved stormwater management plans and the following criteria:

- Designed in accordance with Water by Design (2006), 'Water Sensitive Urban Design – Technical Design Guidelines for South East Queensland', South East Queensland Healthy Waterways Partnership,
- Contain at least four species of plants selected from MidCoast Councils Fact Sheet 'Local plant selection for raingardens, planted at densities indicated in the fact sheet. Select species that will suit the conditions of the site (eg available shade / sun at the proposed location)
- Contain 0.4m filter media of uniform sandy loam texture and be consistent with the specifications contained in Adoption Guidelines for Stormwater Biofiltration Systems, Facility for Advancing Water Biofiltration, (Monash University, June 2009). Filter media must be tested by a NATA registered laboratory to confirm orthophosphate is a maximum 35 mg/kg
- Have a minimum surface storage depth of 0.3m, with a maximum batter/side slope of 1:3 (v:h), unless otherwise retained by a structural wall
- Have suitable access arrangements for operation and maintenance
- Landscape to provide separation from surrounding areas
- Configure stormwater drainage to avoid damage to the bioretention systems (particularly the filter media) during construction.

Reason: To ensure water quality requirements are met.

14. Water Sensitive Urban Design

Wetland design and swale designs are to meet the requirements of the approved stormwater management plans and the following criteria:

Designed in accordance with Water by Design (2006), 'Water Sensitive Urban Design – Technical Design Guidelines for South East Queensland', South East Queensland Healthy Waterways Partnership

Reason: To ensure water quality requirements are met.

PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION WORK

The following conditions must be satisfied prior to the demolition of any building:

15. Waste management plan

Prior to the commencement of any demolition work, a waste management plan prepared in accordance with the requirements of Council's Waste Management Policy must be submitted to and approved by the certifying authority.

Reason: To ensure adequate and appropriate management of waste and recycling.

PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

The following conditions must be complied with prior to the issue of any subdivision construction certificate:

16. Engineering report – engineering works (all stages)

Prior to the issue of a subdivision works certificate for each stage, a certificate from a professional engineer must be submitted to the certifying authority, certifying that:

- a) the design of the civil engineering works, including retaining walls and/or cut & fill batters, has been assessed as structurally adequate in accordance with the relevant Australian Standards;
- b) the civil engineering works will not be affected by landslip or subsidence either above or below the works;
- c) Adequate drainage has been provided with appropriate considerations given to groundwater constraints.

Reason: To ensure site stability and public safety.

17. Plans of retaining walls and drainage

Prior to the issue of a subdivision works certificate plans and specifications of retaining walls or other approved methods of preventing the movement of soil, where excavation or fill exceeds 600mm above or below the existing ground level, must be submitted to and approved by the certifying authority. Adequate provision must be made for drainage in the design of the structures.

Reason: To ensure site stability and safety.

18. Acid sulphate soil assessment (all stages)

Prior to the issue of a subdivision works certificate for each stage, an acid sulphate soil assessment must be submitted to and approved by the certifying authority for works involving excavations beyond 0.5 metre below natural ground surface. The acid sulphate soil assessment must be undertaken in accordance with the *Acid Sulphate Soil Manual* (NSW ASSMAC 1998).

Reason: Management of acid sulphate soils.

19. Erosion and sediment control plan (all stages)

Prior to the issue of a subdivision works certificate for each stage, an erosion and sediment control plan prepared by a suitably qualified person in accordance with “*The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction*” (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins. (Also see SD0107 Erosion and Sediment Control Field Guide, Midcoast Council.)

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

20. Engineering construction plans

Prior to the issue of a subdivision works certificate, engineering construction plans and specifications must be submitted to and approved by the certifying authority. The plans must include details of the works listed in the table below in accordance with Council's current design and construction manuals and specifications.

Required work	Specification of work
Full width road construction	Full width road and drainage construction for all proposed roads on the approved staging plan. 8.5 m radius sealed turning head to be provided at any dead end road. All internal roads are to remain community title.
Construction and maintenance of temporary access roads	Construct and maintain access roads through the construction phases of the development for lots 1, 3 & 5. Access roads must comply with section 4.1.3(2) of 'Planning for bush Fire Protection 2006'.
Service conduits	Service conduits to each of the proposed new allotments laid in strict accordance with the service authorities' requirements.
All stages Stripping and stockpiling	Stripping and stockpiling of existing topsoil on site, prior to commencement of earthworks, and the subsequent re-spreading of this material together with a sufficient quantity of imported topsoil so as to provide a minimum thickness of 80mm over the allotments and footpaths and public reserves, upon completion of the development works.
Stormwater outlets	An energy dissipating pit with a suitably installed locked grated outlet to all pipes or any other drainage structures. Grates must be of galvanised weldlock construction as per council standard.
Filling to above flood Level	Filling of Lots with clean suitable material to minimum height of 3.1m AHD being a level equivalent to the 1% AEP flood level. The allotments to be filled must have a minimum longitudinal fall of 1%, to either the proposed internal road(s) and or proposed inter-allotment piped drains. Details must be provided of the haulage routes for the importation of fill agreed by Council's Authorised Officer.

Reason: To ensure works are constructed to a suitable standard for public safety.

21. Previous development consent to be surrendered

Prior to the issue of a subdivision works certificate, Development Consent No. 413/2014/DA granted on 21 March 2016 must be surrendered. This must be in the form of a written notice to Council signed by the owners of the land, in accordance with Clause 97 of the *Environmental Planning and Assessment Regulation, 2000*.

Reason: To prevent inconsistencies between consents applying to the site.

22. Biodiversity Credit Retirement

Prior to the issue of the subdivision works certificate for each stage of the development the class and number of ecosystem credits identified in the following table must be retired to offset the residual biodiversity impacts associated with each stage of the development as identified on Provisional Staging Plan Rev.C Dated 19/02/19 and in line with the Credit Retirement Staging Table included in the Biodiversity Development Assessment Report (JB Enviro, March 2019) and shown below.

Impacted plant community type	Number of ecosystem credits	IBRA sub-region	Plant Community Type(s) that can be used to offset the impacts from development
1184 - Smooth-barked Apple heathy open forest on sands of the NSW North Coast	223	Macleay Hastings, Carrai Plateau, Coffs Coast and Escarpment, Comboyne Plateau, Karuah Manning, Macleay Gorges, Mummel Escarpment and Upper Manning or Any IBRA subregion that is within 100km of the impact site	Coastal Dune Dry Sclerophyll Forests (including PCTs 685, 776, 1074, 1135, 1184, 1618, 1637, 1646, 1647, 1648, 1775)
1235 - Swamp Oak swamp forest of the coastal lowlands of the NSW North Coast Bioregion	9	Macleay Hastings, Carrai Plateau, Coffs Coast and Escarpment, Comboyne Plateau, Karuah Manning, Macleay Gorges, Mummel Escarpment and Upper Manning or Any IBRA subregion that is within 100km of the impact site	Coastal Floodplain Wetlands (including PCTs 780, 828, 835, 1234, 1235, 1386, 1651, 1720, 1728)
Impacted species credit species	Number of species credits	IBRA sub-region	Like-for-like options
Squirrel Glider (Petaurus norfolcensis)	51	Any in NSW	Squirrel Glider (Petaurus norfolcensis)

Development Area	Area(ha)	% of development	Credits required	
			Ecosystem	Credit
Stage 1 + Manor Road	30.08	26.01	33	7
Stage 2	2.11985	8.79	20	5
Stage 3	1.44861	6.01	14	3
Stage 4	2.32372	9.64	23	5
Stage 5	1.69689	7.04	16	4
Stage 6	2.44534	10.14	24	5
Stage 7	2.36433	9.81	23	5
Stage 8	1.3841	5.74	13	3
Stage 9	1.14554	4.75	11	2
Stage 10	2.06887	8.58	20	4
Stage 11	3.58526	14.87	35	8
TOTAL	24.11ha	approx. 100%	232	51

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to Council prior to the issue of the subdivision works Certificate for each stage of the development.

Reason: Statutory requirement

23. Biodiversity Management Plan

Prior to the issue of the subdivision works certificate, a Biodiversity Management Plan for the development site must be prepared and submitted to Council for approval. The Biodiversity Management Plan must identify all measures proposed in the Biodiversity Development Assessment Report (JB Enviro, March 2019) to mitigate and manage impacts on biodiversity, including performance measures, timing and responsibilities for each commitment

Reason: To manage biodiversity on the site.

24. Stormwater Management

Prior to the issue of any subdivision works certificate submit final engineering plans and specifications for the stormwater management system, to MidCoast Council for approval. Engineering plans are to be designed in accordance with the approved plans and include:

- 1592m² of bioretention swales (5) in the western catchment and 3315m² of bioretention swales (16) in the eastern catchment collecting roof water, driveway and road stormwater
- 2850m² constructed wetland in the northern catchment treating stormwater flows from the adjacent caravan park and Manor Road
- 10KL rainwater tank on each dwelling house collecting 100% of the roof water to be used in the toilets, laundry's and for outdoor irrigation
- Rainwater tanks collecting 100% of the roof water from the hotel and club house for use in the toilets
- Buffer strips and grassed swale to treat the southern section of road 2

For each stage of the development a separate plan is to be submitted detailing the stormwater measures proposed for that stage.

25. Water Sensitive Design Maintenance Plan

Submit an operation and maintenance plan for the final approved Stormwater Management Plans. The maintenance plan must include but not be limited to:

- a) the location and nature of stormwater management structures such as pits, pipes, filters, rainwater tank, bioretention basins, swales and wetland
- b) requirements for inspection, monitoring and maintenance including the frequency of these activities during the establishment and operational phases
- c) identification of responsibilities for maintenance including a reporting protocol and checklists.

Reason: To ensure water quality measures installed on the site can be adequately maintained.

26. Controlled activity approval

Prior to the issue of a construction certificate, a controlled activity approval pursuant to section 92 of the Water Management Act 2000, must be obtained for works on waterfront land.

Reason: Statutory requirement.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the issue of any construction certificate:

27. BASIX Certificate

Prior to the issue of a construction certificate, plans and specifications detailing all of the BASIX Certificate commitments must be submitted to and approved by the certifying authority. The proposed development must be constructed in accordance with the requirements of the relevant BASIX Certificate. Where changes to the development are proposed that may affect the water, thermal comfort or energy commitments, a new BASIX Certificate will be required.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

28. Access and facilities for people with disabilities

Prior to the issue of a construction certificate, plans and specifications detailing access to and within the development and facilities for persons with disabilities must be submitted to and approved by the certifying authority. The development must be in accordance with *Australian Standard AS 1428.1 - Design for access and mobility* and Part D3 of the *Building Code of Australia*.

Reason: To ensure the development provides equitable and dignified access and facilities for people with disabilities.

29. Registration of lots

A construction certificate will not be issued until a subdivision certificate has been issued for the stage in which that dwelling is proposed.

Prior to the issue of the construction certificate each lot must be created in accordance with the approved staging plan. Evidence of registration of the lot with NSW Land Registry Services must be submitted to the principal certifying authority.

PRIOR TO THE COMMENCEMENT OF ANY WORK ASSOCIATED WITH THIS CONSENT

The following conditions must be satisfied prior to the commencement of any building construction or subdivision work:

30. Subdivision works certificate required

Prior to the commencement of any subdivision work (including excavation), a subdivision works certificate must be issued by a certifying authority.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

31. Construction certificate required

Prior to the commencement of any building work (including excavation), a construction certificate must be issued by a certifying authority.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

32. Notification of commencement and appointment of principal certifying authority

Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

33. Traffic control plan

Prior to the commencement of work, a traffic control plan including measures to be employed to control traffic (inclusive of construction vehicles) during construction of the development must be submitted to and approved by the certifying authority. The traffic control plan must be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, *Traffic Control at Work Sites Version 2*, and Australian Standard Australian Standard AS 1742.3: *Manual of uniform traffic control devices - Traffic control for works on roads*.

The plan must incorporate measures to ensure that motorists using the road adjacent to the development, residents and pedestrians in the vicinity of the development are subjected to minimal time delays due to construction on the site or adjacent to the site.

The traffic control plan must be prepared by an accredited person trained in the use of the current version of *RMS Traffic Control at Work Sites*.

The approved Construction Traffic Management Plan must be implemented prior to the commencement of work.

Reason: To ensure public health and safety during the construction of the development.

34. Approval required for works within the road reserve

Prior to the commencement of work, approval from Council must be obtained for all works within the road reserve in accordance with Section 138 of the *Roads Act 1993*. Three (3) copies of engineering construction plans must accompany the application for works within the road reserve. These plans must be in accordance with Council's adopted engineering standards.

Reason: To ensure compliance with Council's specifications for engineering works.

35. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

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

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

CONDITIONS TO BE SATISFIED DURING DEVELOPMENT WORK

The following conditions must be complied with during any development work:

36. Construction and inspection of stormwater treatment measures

Engage a suitably qualified stormwater engineer or designer to inspect the bioretention and swales during construction. Using the sign off forms in the 'Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands' (Healthy Waterways, 2010) verify compliance with the approved plans using the following sheets:

- a) Earthworks and functional (hydraulic) structures prior to covering in.
- b) Filter media including NATA test results confirming compliance with specifications on the plans (bioretention only)
- c) Bunds and impervious liner (wetland only)
- d) Landscape installation and establishment
- e) Provide Finished levels (works as executed)

Submit signed forms, works as executed plans, photographs and NATA test results confirming that the asset has been constructed to comply with development consent conditions to the Certifying Authority.

Reason: To ensure that the bioretention is constructed in accordance with approved plans, standards and conditions of consent.

37. Removal of asbestos

All asbestos containing material associated with demolition/renovation works must be removed, handled and disposed of in accordance with the requirements of the NSW WorkCover Authority and the following requirements:

- a) If asbestos is present in an amount greater than 10m², then the demolition and removal must be undertaken by a WorkCover licensed demolition contractor who holds the

- appropriate WorkCover licence (e.g. Asbestos Demolition Licence) for the material to be demolished.
- b) All asbestos must be removed from the site and be disposed of at an approved licensed waste facility. All asbestos waste must be delivered to an approved licensed waste facility in heavy duty sealed polyethylene bags.
 - c) The bags are to be marked "Caution Asbestos" with 40mm high lettering. Twenty four (24) hours' notice must be given to the waste facility prior to disposal.
 - d) Receipts of the disposal of all asbestos to a licensed waste facility must be provided to Council within fourteen (14) days of the material being disposed.

Reason: To protect public health and safety and to ensure the correct disposal of asbestos waste.

38. Construction times

Construction and/or demolition works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

Monday to Friday, from 7 am to 6 pm.
Saturday, from 8 am to 1 pm.

No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development.

39. Site access

Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied. The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

Reason: To ensure public health and safety during the construction of the development.

40. Construction dust suppression

All necessary works must be undertaken to control dust pollution from the site. These works must include, but are not limited to:

- a) restricting topsoil removal;
- b) regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
- c) alter or cease construction work during periods of high wind;
- d) erect green or black shade cloth mesh or similar products, 1.8m high around the perimeter of the site and around every level of the building under construction.

Reason: To maintain amenity during construction of the development.

41. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

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

42. Burning of felled trees prohibited

The burning of trees and vegetation felled during clearing of the site is not permitted. Where possible, vegetation is to be mulched and reused on the site.

Reason: To maintain amenity and environmental protection.

43. Limitations on the Type of Fill Material Permitted

Filling activities must be limited to the following material:

- a. Virgin excavated natural material (VENM) as defined by the Protection of the Environment Operations Act 1997.
- b. Excavated natural material (ENM) certified as such in accordance with the Protection of the Environment Operations (Waste) Regulation 2014.
- c. Material subject to a Waste exemption certified as such under Clause 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW Environment Protection Authority as being "fit for purpose" with respect to the development subject of this application.

Any waste-derived material that is subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and the documentation must be held by the landowner and be made available to Council upon request.

Reason: to ensure public health and environmental protection.

44. Implementation of the Landscape Plan

Landscaping shall be established in accordance with all of the required actions outlined in the landscape plan set-out in the Masterplan Concept plan prepared by Terras Landscape Architects, 30/08/2018 Revision D, with plan reference 11843.5. The final occupation certificate shall not be issued until such time as the required landscaping set-out in the relevant plan has been appropriately established.

Reason: To appropriately conduct landscaping on the subject land.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

The following conditions must be satisfied prior to the issue of a subdivision certificate:

45. Completion of works

Prior to the issue of a subdivision certificate for each stage, all works approved under the Subdivision Works Certificate must be completed. Evidence of practical completion must be provided to Council.

Reason: To ensure the provision of required civil infrastructure.

46. Management Statements

Prior to the issue of a subdivision certificate, the community management and neighbourhood statements must be submitted to and approved by Council

Reason: To ensure that the management of the subdivisions is consistent with the development consent.

47. Utility supply certificate

The provision of written confirmation from the relevant service authorities that satisfactory arrangements have been made for the provision of the following services to each lot

- a. telecommunications
- b. electricity supply
- c. national broadband network
- d. water supply
- e. sewerage

Reason: To ensure that utility services have been provided to the newly created lots.

48. Haulage Levy

Section 7.11 contributions

Prior to the issue of a subdivision certificate, a monetary contribution must be paid to Council in accordance with Section 7.11 of the *Environmental Planning and Assessment Act 1979*.

Prior to the issue of a subdivision certificate, details of the amount of fill that has been imported to the site or the material that has been excavated and removed from the site must be submitted to Council for the purpose of calculating the haulage levy.

The haulage levy is required to be paid in accordance with the Greater Taree Development Contributions Plan 2016 as may be updated from time to time. The haulage levy must be paid to Council prior to the issue of a subdivision certificate.

Haulage: To be determined at the rate of 5.16 cents per tonne x Kilometre.

The Contributions Plan and the Standard Schedule for Section 7.11 Plans may be viewed on Council's web site or at Council's offices.

Reason: Statutory requirement.

49. Section 88B Instrument

Prior to the issue of a Subdivision certificate, an instrument created under Section 88B of the *Conveyancing Act 1919* must be registered on the Certificate of Title and confirmation of registration must be submitted to the certifying authority. The Section 88B Instrument must provide for the items listed in the following table:

Items for inclusion in the Section 88B Instrument	Details of Item
Restriction on the Use of Land	For any lots containing an overland stormwater drainage flow path, prohibiting the erection of any structure or alteration to the flow path without the express written consent of Council.
Drainage easements	The creation of easements for drainage of water over all drainage pipelines and structures located within the proposed allotments in accordance with Council's policy.
Drainage reserve	The dedication of a drainage reserve over the drainage treatment devices and constructed access.
During and Post construction phase suitable Rights of carriageway	The creation of suitable rights of carriageways over the access to Lot(s) Lot 1 DP 1219123, Lot 3 DP 1219124, Lot 5 DP 1217806.

Reason: To ensure the proper management of land

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions must be satisfied prior to any occupation or use of the building:

50. Restriction on Use

Prior to occupation of the development, a restriction as to user must be registered against the title of the property in accordance with section 88E of the Conveyancing Act 1919 limiting the use of any accommodation on the property to the categories of persons referred to in Condition 8 of this consent. A copy of the draft instrument shall be provided to the Council for review and approval prior to its registration.

Reason: To ensure that the development provides housing for seniors or people with a disability.

51. Rainwater Tanks

Prior to the issue of an occupation certificate for each dwelling house a 10KL rainwater tank collecting 100% of the roof water to be used in toilets, laundry and outdoor irrigation is to be provided for the dwelling.

Reason: To ensure that the development complies with water quality objectives.

52. Rainwater Tanks

Prior to the issue of an occupation certificate for the temporary accommodation units and clubhouse rainwater tank sized in accordance with the approved design collecting 100% of the roof water to be used in toilets shall be provided.

Reason: To ensure that the development complies with water quality objectives.

53. Works to be completed

Any building, structure or part thereof must not be occupied or used until an interim occupation/final occupation certificate has been issued in respect of the building or part.

Reason: To ensure compliance with the development consent and statutory requirements.

54. Swimming Pool Requirements

Prior to the issue of an Occupation Certificate certification from an appropriately qualified person stating that the circulation rate and turnover period of the swimming pool water complies with the *Health Protection NSW. Public swimming pool and spa pool advisory document. Sydney: 2013* must be submitted to Council

Reason: to maintain public health.

ONGOING USE

The following conditions must be satisfied during the ongoing use of the development:

55. Ongoing maintenance of food premises

The food premises must at all times comply with the requirements of the *Food Act 2003*, the Food Standards Code and *Australian Standard 4674 - 2004 Design, construction and fit-out of food premises*.

Reason: To maintain public health and safety

56. Maintenance of stormwater treatment measures

Maintain the stormwater treatment system including the rainwater tanks, wetland, bioretention swales and swales in accordance with the approved Water Sensitive Design Maintenance Plan for the life of the development.

Submit an annual report to Council detailing condition of the treatment systems and the maintenance activities undertaken in accordance with the approved Water Sensitive Design Maintenance Plan.

Reason: To ensure ongoing functioning of the stormwater treatment system so that the development complies with water quality objectives in perpetuity.

OTHER AGENCY CONDITIONS

57. NSW Rural Fire Service requirements

The development must be carried out in compliance with the following conditions detailed in the Bush Fire Safety Authority, reference No. D18/7519, dated 21 February 2019.

1. At the commencement of building works 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'.

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
3. The upgrading of Manor Road shall comply with section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.
4. Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
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 RFS 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, the local Bush Fire Management Committee and the residents of individual dwellings, prior to occupation of the development.
6. The emergency / evacuation plan shall include a requirement for prompt evacuation of the Club House, Men's Shed and Maintenance Shed buildings during a bush fire event and not rely on these buildings for emergency assembly or refuge.
7. New construction shall comply with Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
8. The Stage 1 dwellings numbered 23, 24, 25, 26 and 269 shall be setback not less than 12 metres from the northern property boundary.
9. The Clubhouse, Men's Shed and Maintenance shed buildings shall be setback not less than 21 metres from the western property boundary.
10. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Details from an appropriately qualified bushfire consultant (BPAD) accredited with the Fire Protection Association of Australia or a building certifier accredited with the Building Professionals Board demonstrating compliance with these conditions, must be submitted to the certifying authority prior to the issue of the relevant occupation certificate or subdivision certificate.

Reason: To ensure work is carried out in accordance with the determination and other statutory requirements.

The following conditions are to be satisfied for each specific stage of the development:

Stage 1 -29 Seniors dwellings/lots, including central access road and associated drainage and building providing services and support facilities.

Stage 1B- Subdivision to create 29 lots

58. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$62986.55
Greater Taree facilities	\$66175.10
Total	\$129161.65

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

59. Works within the public road reserve

Prior to the issue of a subdivision construction certificate, an application for a Public Engineering Works Permit (PEWP) must be submitted to and approved by Council for the road reserve works listed in the table below. Each work must be carried out in accordance with the standard specified in the column opposite the work. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Work	Standard to be provided
Bike path for the full frontage of the site from Harrington road to 10m past INT. of proposed road 3.	2.0m wide bike path in accordance with Council Standard Drawing No. 103.
Harrington Road / Manor road intersection upgrade	Line marking of right turn from Harrington Rd with right turn/ through arrows. Installation of advanced warning signs either side of the intersection to council standards. 'Intersection ahead' right/Left turn arrow.
Street lighting	Street lighting must be provided along Manor Road to the requirements of the energy supply authority and Australian Standard AS/NZS 1158: Lighting for roads and public spaces.
Temporary road pavement and associated drainage construction, across the full frontage of the site and as per council standards.	Upgrade of Manor Road. Provision of concrete kerb and gutter and temporary spray seal the full frontage to Council's adopted Engineering Standard.

Reason: To ensure works within Council's road reserve are constructed to a suitable standard for public safety.

60. Engineering construction plans

Prior to the issue of a subdivision construction certificate, engineering construction plans and specifications must be submitted to and approved by the certifying authority. The plans must include details of the works listed in the table below in accordance with Council's current design and construction manuals and specifications. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Culverts required across drainage channels or streams	The culvert must be designed to ensure that peak flow rates for the 1% AEP storm event are not affected.
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Reason: To ensure works are constructed to a suitable standard.

61. Defects liability bond for civil works

Prior to the issue of a subdivision certificate, a defects liability bond, being 5% of the value of all public engineering works associated with the development must be paid to Council. This bond will be lodged in a Council trust fund to cover any defects in the works subsequent to their acceptance by Council. Two (2) years after the acceptance of these works by Council or release of the subdivision plan, whichever is later, the bond will be refunded if, at an inspection arranged by the applicant, no defects are apparent.

Please note that the defects liability bond is reviewed periodically and may change prior to the release of the subdivision. The applicable bond and maintenance period must be determined from Council's current requirements at the time of the subdivision release.

Reason: To ensure civil works are constructed in accordance with the approved plans and Council specifications and repaired when damaged.

Stage 1C- Community Facility

62. Community Facility

The Community Facility must be erected on proposed Lot 37 prior to the issue of the Occupation Certificate for the first dwelling in stage 1D.

Reason: To ensure the orderly development of the site.

Stage 2 - 25 Seniors dwellings/lots, including access road and associated drainage and retail premises to provide services and support facilities, Managers Residence/Accommodation and village green area.

63. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$56470.70
Greater Taree facilities	\$59329.40
Total	\$115800.10

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- For development involving subdivision – the contribution must be paid **prior to the release of the subdivision certificate (linen plan)**.
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 3 - 22 Seniors dwellings/lots, including access road and associated drainage.

64. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$47782.90
Greater Taree facilities	\$50201.8
Total	\$97984.70

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

65. Works within the road reserve

Prior to the issue of a subdivision construction certificate, an application for a Public Engineering Works Permit (PEWP) must be submitted to and approved by Council for the road reserve works listed in the table below. Each work must be carried out in accordance with the standard specified in the column opposite the work. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Bikepath for the full Manor Road frontage of the site - from exiting footpath to Proposed road 2 intersection.	2.0m wide bikepath in accordance with Council Standard Drawing No. 103.
Street lighting	Street lighting must be provided along Manor Road to the requirements of the energy supply authority and Australian Standard AS/NZS 1158: Lighting for roads and public spaces.
Kerb and gutter, road pavement and associated drainage construction, footpath formation across the full frontage of the site and as per council standards.	Upgrade of Manor road Provision of concrete kerb and gutter and upgrade of the existing spray seal to asphalt seal and new kerb and gutter for the full frontage to Council's adopted Engineering Standard. Construct 8.5m radius asphalt sealed turning head to the end of Manor Road including kerb and drainage and delineation.
A bus bay and shelter at the frontage of the development	The bus shelter must be in accordance with Council's standard

Reason: To ensure works within Council's road reserve are constructed to a suitable standard for public safety.

66. Defects liability bond for civil works.

Prior to the issue of a subdivision certificate, a defects liability bond, being 5% of the value of all public engineering works associated with the development must be paid to Council. This bond will be lodged in a Council trust fund to cover any defects in the works subsequent to their acceptance by Council. Two (2) years after the acceptance of these works by Council or release of the subdivision plan, whichever is later, the bond will be refunded if, at an inspection arranged by the applicant, no defects are apparent.

Please note that the defects liability bond is reviewed periodically and may change prior to the release of the subdivision. The applicable bond and maintenance period must be determined from Council's current requirements at the time of the subdivision release.

Reason: To ensure civil works are constructed in accordance with the approved plans and Council specifications and repaired when damaged.

Stage 4 - 21 Seniors dwellings/lots, including central access road and associated drainage. Includes Tennis Courts, Sports Club House (Relocated Stage 1 services building) and Main Recreation Centre.

67. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$45610.95
Greater Taree facilities	\$50201.80
Total	\$97984.70

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 5 - 22 Seniors dwellings/lots, including access road and associated drainage and Bowling Green, Men’s Shed and Maintenance Shed.

68. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$47782.90
Greater Taree facilities	\$50201.8
Total	\$97984.70

Contribution Plans may be inspected on Council’s website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 6 - 22 Seniors dwellings/lots, including access road and associated drainage and caravan/boat parking area.

69. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$47782.90
Greater Taree facilities	\$50201.8
Total	\$97984.70

Contribution Plans may be inspected on Council’s website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 7 - 40 Seniors dwellings/lots, including access road and associated drainage.

70. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$86878.00
Greater Taree facilities	\$91276.00
Total	\$178154.00

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 8 - 22 Seniors dwellings/lots, including access road and associated drainage.

71. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$47782.90
Greater Taree facilities	\$50201.8
Total	\$97984.70

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 9 - 20 Seniors dwellings/lots, including access road and associated drainage.

72. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$4343.90
Greater Taree facilities	\$45638.00
Total	\$89077.00

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.
- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 10 - 45 Seniors dwellings/lots, including access road and associated drainage.

73. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$97 737.75
Greater Taree facilities	\$102 685.50
Total	\$200 423.25

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- a. For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- b. For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- c. For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- d. For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

- a. The contribution rate in “*Greater Taree Section 94 Contributions Plan 2016*” will be adjusted annually in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

- b. If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

Stage 11- 24 Seniors dwellings/lots, including access road and associated drainage.

74. Section 94 contributions

The applicant is to make a contribution to Council in accordance with section 94 of the *Environmental Planning and Assessment Act 1979* in accordance with the *Greater Taree Section 94 Contributions Plan 2016*.

Harrington

Local facilities	\$52126.80
Greater Taree facilities	\$54765.60
Total	\$106892.40

Contribution Plans may be inspected on Council's website www.midcoast.nsw.gov.au.

Timing of Payment

- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate.
- For works authorised under a complying development certificate, the contributions are to be paid prior to any work authorised by the certificate commences, as required clause 136L of the *Environmental Planning and Assessment Regulation 2000*.
- For Heavy Haulage the contribution must be paid within 28 days after the end of March, June, September and December each year over the life of the development. The applicant must submit to Council independently verified tonnage returns of the material hauled over the preceding quarter when each payment to Council is made.

Indexing

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- If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the total figure payable in this condition will be indexed and calculated according to the then current contribution rate.

Reason: Statutory requirement to be paid towards the provision or improvement of amenities and services.

75. Stormwater Design

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

The devices selected are to be submitted to Council for approval with the engineering drawings in accordance with Section 68 of the Local Government Act, 1993 and are to be capable of retaining pollutants in accordance with the requirements of Council's Storm water Management Plan and Australian Runoff Quality (ARQ). Design details for the system are to be submitted to Council for approval. A site specific Operation &

Maintenance Manual for the whole of the life of the system designed must be prepared and submitted to Council for approval.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties

DRAFT FOR REVIEW ONLY