

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

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| **Application number** | DA2024/0096 PAN-406775 |
| **Applicant** | Newton Denny Chapelle  PO Box 1138  LISMORE NSW 2480 |
| **Description of development** | Proposed construction of shop top housing comprising of a ground floor commercial space and four (4) units, group home development comprising of three (3) units, and multi-dwelling housing comprising of six (6) units utilised as infill affordable housing. The development is inclusive of parking, waste management, landscaping, associated civil works and removal of existing vegetation. |
| **Property** | 146-152 Johnston Street, Casino  Lot 157 DP 834821, Lot 158 DP 834821, Lot 156 DP 834821  Lot 155 DP 834821 |
| **Determination** | Approved Consent Authority – Northern Regional Planning Panel |
| **Date of determination** |  |
| **Date from which the consent operates** |  |
| **Date on which the consent lapses** |  |

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

**Reasons for approval**

1. The proposed development is consistent with the aims in clause 1.2 of the Richmond Valley Council LEP 2012 (RVLEP 2012);
2. The proposed development is consistent with the objectives of the zone in which the proposal is located under the RVLEP 2012;
3. The proposal has satisfactorily addressed the objectives of the Richmond Valley DCP 2021;
4. Any submissions made in response to the public notification of the proposal have been considered as part of the assessment process and are not considered to warrant further modification or refusal of the proposal;
5. The site is considered to be suitable for the proposed development;
6. Approval of the proposed development subject to conditions is considered to be in the public interest.

**Right of appeal / request a review of the determination**

If you are dissatisfied with this determination:

**Request a review**

You may request a review of the consent authority’s decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

**Rights to appeal**

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Kate Imeson  
**Development Assessment Planner**

Person on behalf of the consent authority

For further information, please contact Richmond Valley Council.

**Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

## GENERAL CONDITIONS

1. **Approved plans and supporting documentation**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

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|  | **Approved Plans** | | | | | |
| **Plan Title** | | **Sheet number** | **Sheet number** | **Date of plan** | **Drawn by** |
| Site Context Locality Plan | | TPL 1-01 | A | 20 Dec 2023 | PTMA Architecture |
| Site Plan A1 | | TPL 1-02 | A | 20 Dec 2023 |
| Site Plan - Levels | | TPL 1-03 | A | 20 Dec 2023 |
| Site Plan - Roof | | TPL-1-04 | B | 27 May 2024 |
| Site – Shadow Diagrams (Winter) | | TPL 1-05 | A | 20 Dec 2023 |
| Landscape Concept A1 | | TPL 1-10 | A | 20 Dec 2023 |
| Landscape (Colour) | | TPL 1-10A | A | 20 Dec 2023 |
| Lscp Part – Clark St Dwy Frontage | | TPL 1-11 | A | 20 Dec 2023 |
| Lscp Part – Cnr Clark + Johnston | | TPL 1-12 | A | 20 Dec 2023 |
| Lscp Part – Johnston Dwy | | TPL-1-13 | A | 20 Dec 2023 |
| Lscp Part – Rear NW | | TPL 1-14 | A | 20 Dec 2023 |
| Building Plans – CORE GROUND | | TPL 2-01 | A | 20 Dec 2023 |
| Building Plans – CORE UPPER | | TPL 2-02 | A | 20 Dec 2023 |
| Cluster 01 (Core+Cluster) | | TPL 2-03 | A | 20 Dec 2023 |
| Cluster 02 (CHIFF) | | TPL 2-04 | A | 20 Dec 2023 |
| Cluster 03 (CHIFF) Clark St | | TPL 2-05 | A | 20 Dec 2023 |
| Site Elv South – South – JOHNSTON ST | | TPL 4-01 | B | 27 May 2024 |
| Site Elevation East CLARK ST | | TPL 4-02 | B | 27 May 2024 |
| Site Elevation East SERVICE STN | | TPL 4-03 | B | 27 May 2024 |
| Site Elevation - North | | TPL 4-04 | B | 27 May 2024 |
| SITE AREA Plan - GROUND | | TPL 9-01 | A | 20 Dec 2023 |
| SITE AREA Plan - UPPER | | TPL 9-02 | A | 20 Dec 2023 |
| SITE AREA Plan – ROOF AREAS | | TPL 9-03 | A | 20 Dec 2023 |
| SITE AREA Plan - landscape | | TPL 9-04 | A | 20 Dec 2023 |

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| **Approved documents** | | |
| **Document title** | **Prepared by** | **Date of document** |
| Environmental Noise Impact Assessment | Tim Fitzroy & Associates | 29 September 2023 |
| Air Quality Report | Contaminated Site Investigation Australian | 26 September 2023 |
| BCA High Level Assessment Core Cluster | Axis Building Certification | 6 June 2024 |
| Detailed Site Investigation | Easterly Point Environmental | 29 October 2023 |
| Waste Management Plan | HMV Environmental Consulting | 8 January 2024 |
| BASIX Certificate no. 1731235M | Senica Consultancy Group | 20 December 2023 |
| NatHERS Certificate no. #HR-036hUW-01 | Senica Consultancy Group | 20 December 2023 |
| NatHERS Certificate no. #HR-RXFNC5-01 | Senica Consultancy Group | 20 December 2023 |

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

***Reason:*** *To ensure all parties are aware of the approved plans and supporting documentation that applies to the development*

1. **Fencing**

Fencing shall be design and constructed in accordance with the approved plans. The maximum height of any fencing, from natural ground level (NGL), inclusive of any fill and or retaining wall, shall be no higher than 2.2 metres.

***Reason:*** *To provide acceptable streetscape, maintain amenity and privacy*

1. **Landscaping**

Landscaping works on site shall be undertaken generally in accordance with the landscaping plans approved under this consent and is not to include artificial turf.

***Reason:*** *To ensure appropriate landscaping works are undertaken in accordance with the approved landscaping plan(s)*

1. **Hours of operation of the commercial premise**

Hours of operation of the commercial premises are restricted to the following hours:

* 7:00 am to 7:00 pm – Mondays to Fridays
* 8:00 am to 5:00 pm – Saturdays
* No operations are to be carried out on Sundays or public holidays

All ancillary residential administration (non-commercial) related activities are permissible 24/7.

All deliveries, including loading and unloading, and the collection of waste and recyclables shall be carried out between the hours of 7:00 am and 5:00 pm Monday to Friday.

***Reason****: To protect the amenity of the local area.*

1. **In-fill affordable housing**

The in-fill affordable housing development shall remain ‘affordable housing’ as defined in Part 2 Division 1 of the State Environmental Planning Policy (Housing) 2021 for a minimum of fifteen (15) years commencing on the day any relevant occupation certificate is issued for the development and is to be managed by a registered community housing provider.

***Reason****: To comply with the State Environmental Planning Policy (Housing) 2021*

1. **Limits of Consent**

No approval is implied or granted for Strata or Torrens Title subdivision of the approved development.

Land on which development has been carried out under Part 2 Division 1 of the State Environmental Planning Policy (Housing) 2021 may be subdivided with development consent.

***Reason****: To correctly describe what has been approved*

1. **NSW Police Force**

The development is to be design in accordance with the provision stipulated by NSW Police Force, which is available within the attachment of this of consent and includes the following requirements:

1. Landscaping is to be maintained to prevent it becoming overgrown to ensure and promote visibility and surveillance opportunities;
2. Landscaping plants in areas along pathways and other areas used by the residential guardians consist of low-lying plants to ensure open sightlines and reduce concealment areas;
3. Adequate lighting along common pathways and throughout the shared common courtyard/play area;
4. Staff are trained to review and download CCTV images should they be required by police;
5. The installation of adequate lighting around the proposed exterior of the buildings, entry/exit points and the carpark;
6. Lighting utilised is not to produce glare or dark shadows and be orientated to illuminate potential threats or suspects accessing the location rather than impede those that may be within the proposed development observing or looking out;
7. Damaged lighting both internally and externally is repaired or replaced in a timely manner;
8. Directional signage to be provided. The signage is to be clear, legible, and useful to aid way finding throughout the development;
9. Rapid removal of graffiti and/or repair of any damage to the premises which may be visible to members of the public; and
10. Areas under decks/windows are free of any structures that can be climbed on to gain access to residences.

The terms of this document are to be complied with in the implementation of the approved development.

***Reason:*** *To reduce risk to users of the site, community, and property, and ensure criminal activity will be reduced where possible.*

1. **Crime Prevention Through Environmental Design (CPTED)**

The development shall be designed having regard to CPTED principles. In this regard, the following is to be provided:

1. Fencing be provided to the entirety of the development;
2. Access to the development will be limited to authorised persons and visitors, those residing in the proposed residential units, and staff utilising the commercial component of the shop top housing development;
3. The registered community housing provider is to manage who is permitted to access the site; and
4. Security cameras are to be provided at the entrance and within the development

Any of the identified security or target hardening measures implemented are to be maintained at all times.

***Reason****: To minimise crime opportunities and comply with development control plan*

1. **Compliance with Agency Comments**

Essential Energy and Transport for NSW have provided comments which are available within the attachments of these consent. The terms of this document are to be complied with in the implementation of the approved development.

***Reason:*** *To ensure compliance with the requirements of relevant agencies providing infrastructure to the development*

1. **BCA compliance**

The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

***Reason:*** *To ensure that the applicant is aware that the development consent does not automatically comply with the provisions set by the Building Code of Australia.*

1. **Waste Management (fill and spoil)**

All waste material removed from or imported to the site is managed in accordance with the following requirements:

* All excavated material removed from the site has been classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility.
* All fill material imported to the site must be:
* Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, and/or
* A material identified as being subject to a resource recovery exemption by the NSW EPA.

All VENM or waste-derived fill material subject to a resource recovery exemption must be accompanied by documentation as to the material’s compliance and must be provided to the Principal Certifier or Council on request.

***Reason:*** *To ensure waste is not contaminated and is safe for future occupants.*

1. **Red Imported Fire Ants**

The importation of any of the following material from Queensland invasive ant biosecurity zones or any declared zone in NSW must be in accordance with the Biosecurity (Invasive Ant Carriers) Control Order 2023 (including any revised orders made under the Biosecurity Act 2015) and meet the requirements of NSW Department of Primary Industries:

* organic mulch (which includes manure, bark, wood chips, hay, straw, sileage, and sugar cane bagasse);
* baled materials;
* potted plants;
* agricultural or earth-moving machinery;
* fill or soil (which includes anything with soil on it such as turf); and
* mining or quarrying materials.

Prior to the importation of each material type, the supplier must provide the receiver and the Principal Certifier or Council with the relevant Certificate as identified within the Biosecurity (Invasive Ant Carriers) Control Order 2023 or revised biosecurity control orders. All material shall meet the requirements of the relevant Certificate.

It is an offence under the Biosecurity Act 2015 if this material comes from within 5 kilometres of a known invasive ant infested area (e.g. identified Fire Ant Biosecurity Zones in Queensland), or any other place at which the person knows, or ought reasonably to know, that an invasive ant has been detected, unless the carrier material has been managed and treated to reduce the risk and meets the certification requirements listed in the Control Order.

***Reason:*** *To protect the amenity of the local area.*

1. **Waste Management**

The disposal of waste material, associated with any construction/demolition shall be taken to an approved waste management facility lawfully able to accept the waste.

***Reason:*** *To protect the amenity of the local area.*

1. **Trade Waste – Floor drainage**

Any floor waste discharging to the sewerage system is to have a dry basket installed.

***Reason:*** *To ensure adequate pre-treatment prior to discharge to Council’s sewerage system and that the discharge is in accordance with adopted standards.*

1. **Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1:2009: Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

***Reason****: To satisfy the requirements of the legislation.*

1. **Erosion and sediment control**

Erosion and sediment control measures shall be put in place and be maintained to prevent soil erosion and the transportation of sediment from the site and eventually into natural or constructed drainage lines or watercourses.

Control measures are to remain in place until the site has been adequately revegetated or landscaped to prevent soil erosion.

Work may not proceed until the sedimentation controls are in place.

***Reason:*** *To ensure no substance other than rainwater enters the stormwater system and waterways*

1. **Acoustic Treatment**

All acoustic treatment recommendations presented in the Environmental Noise Impact Report prepared by Time Fitzroy & Associated dated 29 September 2023, must be incorporated into the design, construction and ongoing operation of the premises.

***Reason:*** *To preserve the environment and existing or likely future amenity of the neighbourhood.*

## BUILDING WORK

## BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

1. **Staging Plan**

Prior to release of the construction certificate, any proposed staging of the approved development shall be shown on a staging plan, and is to be submitted to and approved by Council

***Reason****: To correctly identify what has been approved.*

1. **Lot Consolidation**

Lots 155 and 156 DP 834821 are to be consolidated into one lot under one title, and Lots 157 and 158 DP 834821 are to be consolidated into one lot under one title. The plan of consolidation shall be registered with NSW Land Registry Services (formerly Land and Property Information (LPI)), prior to the issue of a Construction Certificate

***Reason:*** *To ensure associated allotments are consolidated prior to the commencement of building works.*

1. **Earthworks and Retaining Walls**

Where cut, fill, and or retaining walls are required, details of the extent are to be provided and approved by the principal certifier prior to release of the Construction Certificate. If fill is greater than 600mm in height, geotechnical certification is required, verifying the structure stability of any fill material.

Retaining wall in excess of 600mm in height and or if location within 900mm if a boundary shall be of masonry construction and have engineering certification, verifying and certifying the structural integrity of the wall.

***Reason:*** *To ensure works have been designed to an appropriate standard.*

1. **Electricity Easements and Close to Infrastructure**

Any activities undertaken where there is electricity infrastructure within the property or electricity infrastructure within close proximity to the property must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.

***Reason****: To comply with Essential Energy requirements for electrical infrastructure*.

1. **Soil management**

While site work is being carried out, Council must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

1. All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to Council.
2. All fill material imported to the site must be:

i) Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or

ii) a material identified as being subject to a resource recovery exemption by the NSW EPA, or

iii) a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA.

**Reason:** To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

1. **Erosion and sediment control plan**

Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to The Principal Certifier:

1. Council’s relevant development control plan,
2. the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time), and
3. the ‘Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).

**Reason:** To ensure no substance other than rainwater enters the stormwater system and waterways.

1. **Construction Site Management Plan**

Before the issue of a construction certificate a construction site management plan must be prepared, and provided to The Principal Certifier. The plan must include the following matters:

1. The location and materials for protective fencing and hoardings on the perimeter of the site;
2. Provisions for public safety;
3. Pedestrian and vehicular site access points and construction activity zones;
4. Details of construction traffic management including:
   1. Proposed truck movements to and from the site;
   2. Estimated frequency of truck movements; and
   3. Measures to ensure pedestrian safety near the site;
5. Details of bulk earthworks to be carried out;
6. The location of site storage areas and sheds;
7. The equipment used to carry out works;
8. The location of a garbage container with a tight-fitting lid;
9. Dust, noise and vibration control measures;
10. The location of temporary toilets;

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

***Reason:*** *To require details of measures that will protect the public, and the surrounding environment, during site works and construction.*

1. **Design Compliance Declaration**

The proposed works to be undertaken is a building with Class 2 and Class 3 building elements, compliance with the *Design and Building Practitioners Act 2020* is required as this is considered to be prescribed building work under the Act. A Design Compliance Declaration is therefore required to be supplied to Principal Certifier for the building work prior to issue of the Construction Certificate.

**Reason**: *To comply with the requirements of the Design and Building Practitioners Act 2020*

1. **Design amendments**

Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. Practicing structural engineer design plans for the development.
2. Section j report
3. Building Code of Australia Report

***Reason:*** *To require minor amendments to the plans endorsed by the consent authority following assessment of the development.*

1. **Long Service Levy**

Before the issue of the relevant construction certificate, the long service levy of $21,326.00, as calculated at the date of this consent, must be paid to the Long Service Corporation of Council under *the Building and Construction industry Long Service Payments Act 1986*, section 34, and evidence of the payment is to be provided to The Principal Certifier.

***Reason:*** *To ensure the long service levy is paid.*

1. **Waste Management Plan requirements**

Before the issue of a construction certificate, a waste management plan for the development must be prepared and provided to The Principal Certifier, The plan must be prepared;

1. in accordance with
   1. the Environment Protection Authority’s Waste Classification Guidelines as in force from time to time, and
   2. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

**Reason:** To ensure resource recovery is promoted and local amenity protected during construction.

1. **s68 application to be lodged prior to issue of CC**

Before the issue of a Construction Certificate, a Section 68 application shall be submitted together with any prescribed fees (including inspection fees) and approved by Council for works that involve any of the following:

* Any water, sewerage, on site sewerage management system, or stormwater drainage works;
* Installation of stormwater treatment and quality control devices;
* Erosion and sediment control works; and

Any works that is likely to disturb or impact upon water, sewer or drainage infrastructure (e.g., extending, relocating or lowering of pipeline)

**Reason:** To ensure regulatory approval is obtained for Water, sewerage, stormwater drainage, sediment and erosion control works.

1. **Trade waste application**

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.

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

1. **Confirmation of Habitable Floor Level**

**Before the issue of the Construction Certificate** the Principal Certifier must confirm that the absolute **Minimum Habitable Floor** **Level** shall be equal to or greater than the 2023 flood study 1 % AEP Annual Exceedance Probability incl climate change(1 in 100 year ARI Average Recurrence Interval including climate change) design flood event **plus** 0.5 m freeboard:

Flood Planning Level = Minimum Habitable Floor Level = 1% AEP incl CC design flood + 0.5m (freeboard)

**Core and Cluster 1**

* RL 22.6 m AHD design flood incl CC + 500mm = **RL 23.1 m AHD (minimum habitable floor)**

**Cluster 2 and Cluster 3**

* RL 22.5 m AHD design flood incl CC + 500mm = **RL 23.0 m AHD (minimum habitable floor)**

*Please note that there will be higher floods higher/rarer than the 1% AEP. It is recommended that if financially and physically practical (and subject to building height limits), a higher floor level will provide additional buffer to higher floods.*

*For example the 0.2% AEP design flood level (500yrARI) is RL 22.75 m AHD.*

***Reason****: To comply with the requirements of Council’s adopted Floodplain Risk Management Plan(s) (matrix requirement FL2c).*

1. **Installation/Upgrade of water service**

Before the issue of the Construction Certificate details of any required water service size upgrades to accommodate commercial, domestic and fire fighting requirements must be submitted to Richmond Valley Council for the determination of a current estimated cost (actual cost must be charged). Services requiring fire fighting must be designed by a hydraulics engineer.

Installation of any required water supply upgrade works will be a private works order and actual cost must be charged in accordance with Council’s private works policy. A Local Government Act Section 68 application for water supply is to be completed (form within the NSW ePlanning Portal <https://pp.planningportal.nsw.gov.au>). Council’s water/sewer section will then arrange for the inspection of the location, and if applicable and assessment of any relevant costing of the works. The service, up to and including the water meter and backflow prevention, will be constructed by Council at the applicant’s cost.

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

1. **Sewer Zone of Influence, footing structural design, redundant Council sewer main, and single point of connection**

Before the issue of the Construction Certificate structural design plans of footings, with accurate survey measurements of the sewer main, along the Clark Street frontage must be submitted by a practising Structural Engineer to the Principal Certifier for inclusion in the stamped approved construction plans. The footings must be founded below the zone of influence of the sewer main. The sewer main onsite exceeds 3.0 metres in depth (approximately 4.9 metres deep). No structure/footing is to be constructed within 3.5 metres of the centreline of the sewer main.

* NOTE: The proposed connection to the Council sewer main along the Clark Street frontage is not permitted due to the excessive depth of the main (4.9 metres).
* The existing Council sewer main across the rear of existing Lot 155 is to be made redundant back to within 1 metre of the northern boundary of the development site. This point will become the connection point of sewer from the full development to discharge across the boundary into Manhole 61414.

Sewer mains are to be accurately located **prior to the commencement of any on site works to confirm clearances.**

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

1. **Section 64 water and/or sewer headworks development contributions**

Before the issue of the Construction Certificate, payment must be made 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 generally in accordance with the attached current schedule and shall be payable at the rates applicable at the date of payment.

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| **Section 64 Local Govt Act 1993 &**  **Sections 305-307 Water Management Act 2000**  **Levy Area – Casino**  Total demand: Water 9.36ET, Sewer11.46ET  Less 4 ET credit for 4 existing lots  Nett increase: Water 5.36ET, Sewer 7.46ET  (1 ET = 1 Equivalent Tenement) | TechOne  Code | **No.**  **of**  **ET’s** | **$ / ET**  for 2023-2024 | **Amount**  **Payable**  **($)** | |
| RVC Water Headworks | WatS64Hwks | 5.36 | $ 9,630.50 | $ 51,619.48 | |
| RVC Sewerage Headworks | SewS64Hwks | 7.46 | $ 8,000.00 | $ 59,680.00 | |
| Rous Water # Water Headworks | Rous64Hwks | N/A | N/A | not applicable | |
| **Total Section 64 contributions**  (current @ 26/4/2024 but generally applicable for payment 1/7/2023 to 30/6/2024)  **Payments will be in accordance with Council’s Revenue Policy at the time of payment** | | | | | $ 111,299.48 |

***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.*

1. **Stormwater Drainage Discharge Outlets**

Before the issue of the Construction Certificate the Principal Certifier must confirm that the internal stormwater infrastructure is to discharge at a number of separate locations in Clark Street and Johnston Street.

***Reason:*** *to ensure adequate dispersed stormwater discharges are provided around the frontages of the development to minimise localised impacts.*

**BEFORE BUILDING WORK COMMENCES**

1. **Discovery of relics and Aboriginal objects**

While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:

a) the work in the area of the discovery must cease immediately;

b) the following must be notified

i) for a relic – the Heritage Council; or

ii) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

a) for a relic – the Heritage Council; or

***Reason****: To ensure the protection of objects of potential significance during work*

1. **Dial Before You Dig**

Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).

***Reason****: To comply with relevant safety requirements.*

1. **Erosion and sediment controls in place**

Before any site work commences, The Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time).

***Reason:*** *To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.*

1. **Timing of Construction Certificate**

The erection of a building in accordance with a development consent must not be commenced until:

* a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or a registered certifier, and
* the person having the benefit of the development consent has:
* appointed a principal certifier for the building work, and
* notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, and
* the principal certifier has, no later than 2 days before the building work commences:
* notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
* notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
* the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
* appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
* notified the principal certifier of any such appointment, and
* unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

***Reason:*** *To ensure compliance with legislative requirements.*

1. **Toilet facilities**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must —

a) be a standard flushing toilet connected to a public sewer, or

b) have an on-site effluent disposal system approved under the Local Government Act 1993, or

c) be a temporary chemical closet approved under the Local Government Act 1993.

***Reason:*** *To ensure the construction site is provided with appropriate amenities for workers and prevent adverse impacts on adjoining property owners.*

1. **Notification of existing damage to infrastructure**

Before the building work commences, Richmond Valley Council shall be notified in writing of any existing damage to roads, stormwater drainage, kerb and gutter, footpaths, water and sewer mains, power and telecommunications services etc.

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

***Reason****: To formally record the pre-existing condition of assets in the vicinity of the development.*

1. **Driveway Application – Section 138 Roads Act**

Before the commencement of any works in the road reserve, a Section 138 Roads Act application approval is to be issued by Richmond Valley Council for the construction of the concrete driveway apron and/or crossing. The Section 138 Roads Act application is to be lodged to Richmond Valley Council via the NSW ePlanning Portal at <https://pp.planningportal.nsw.gov.au>>.

The bond amount for the two (2) heavy duty concrete apron and/or crossings is $1,000 each. The cost of inspections will be deducted from the bond money paid and upon successful completion the balance will be refunded.

Public Liability Cover to a minimum value of $20,000,000.00 is required for contractors working in the road reserve. A certificate of currency is required.

Compulsory inspections by Richmond Valley Council shall be carried out at apron/crossing pre pour, and a final inspection upon completion.

Under Section 142 of the Roads Act 1993, the property owner is responsible for all future maintenance.

Note that Johnston Street is a classified road (Bruxner Highway) and the Johnston Street access will be referred to Transport for New South Wales as required by the Act for concurrence and any conditions as part of Richmond Valley Council’s assessment/approval.

***Reason:*** *To provide adequate access for the anticipated traffic that will be generated by the development.*

## DURING BUILDING WORK

1. **Unexpected Finds – Contaminated Land**

If unexpected soil and/or groundwater contamination is encountered during any works; all work must cease, and the situation must be promptly evaluated by an appropriately qualified and experienced environmental consultant. The contaminated soil and/or groundwater must then be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) guidelines.

Note: The environmental consultant must be certified by one of the following certification schemes, or demonstrate an equivalent standard acceptable to Richmond Valley Council Environmental Health Officers

• EIANZ ‘Certified Environmental Practitioner - Site Contamination’ scheme (CEnvP SC).

• Soil Science Australia ‘Certified Professional Soil Scientist - Contaminated Site Assessment & Management’ scheme (SSA CPSS CSAM).

Prior to recommencement of works

If unexpected contaminated soil or groundwater is treated and/or managed onsite; the supervising environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines.

The verification documentation must be provided to the satisfaction of the Principal Certifier and Richmond Valley Council Environmental Health Officers, prior to the recommencement of any works.

***Reason****: To ensure unexpected finds are managed appropriately to protect health and safety.*

1. **Imported soil**

No fill material shall be imported to the site until such time as a Validation Certificate for the fill material has been submitted to, considered and approved by Council. A copy of a report forming the basis for the validation is also to be provided.

The Validation Certificate shall:

• be prepared by an appropriately qualified person with consideration of all relevant guidelines, standards, planning instruments and legislation (e.g. EPA, NEPM, ANZECC, NH&MRC),

• clearly state the legal property description of the fill material source site and the total amount of fill tested,

• provide details of the volume of fill material to be used in the filling operations,

• provide a classification of the fill material to be imported to the site in accordance with the NSW Environment Protection Authority’s “Waste Classification Guidelines”, and

• (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

Note: an appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance.”}.

If the Principal Certifying Authority is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation work may be requested. In these circumstances the works shall be carried out prior to any further approved works.

**Reason**: To ensure soil imported to the site is not contaminated and is safe for future occupants.

1. **Hours of work**

Site work must only be carried out between the following times –

* For Construction Works from 7.00am to 6.00pm on **Monday** to **Friday**
* From 8.00am to 1.00pm on **Saturday**

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

***Reason:*** *To protect the amenity of the surrounding area.*

1. **Implementation of the site management plans**

While site work is being carried out:

1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and
2. a copy of these plans must be kept on site at all times and made available to council officers upon request.

***Reason:*** *To ensure site management measures are implemented during the carrying out of site work.*

1. **Waste management**

While site work is being carried out:

1. all waste management must be undertaken in accordance with the waste management plan, and

If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.

***Reason:*** *To require records to be provided, during site work, documenting the lawful disposal of waste.*

1. **Construction fencing**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works—

a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or

b) could cause damage to adjoining lands by falling objects, or

c) involve the enclosure of a public place or part of a public place.

*Reason: To ensure public safety.*

1. **Storage of building material**

Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

*Reason: To ensure safety within public place*.

1. **Site management**

All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

* Noise, water or air pollution.
* Dust during filling operations and also from construction vehicles.
* Material removed from the site by wind.

*Reason: To protect the amenity of the local area.*

1. **Waste management**

The burning off of trees and associated vegetation felled by clearing operations or builders' waste is prohibited.

*Reason: To protect the amenity of the local area.*

1. **Confirmation of Habitable Floor Level**

**During building works**, a NSW Registered Surveyor must survey the habitable floor level of the building to certify that it is at a level equal to or higher than the minimum habitable floor level (1% AEP design flood including climate change + 0.5m freeboard):

**Core and Cluster 1**

* RL 22.6 m AHD design flood incl CC + 500mm = **RL 23.1 m AHD (minimum habitable floor)**

**Cluster 2 and Cluster 3**

* RL 22.5 m AHD design flood incl CC + 500mm = **RL 23.0 m AHD (minimum habitable floor)**

***\*note\**** *there will be floods higher/rarer than the 1% AEP. It is recommended that if financially and physically practical (and subject to building height limits), a higher floor level should be sought to provide additional buffer to higher floods.*

*For example the 2010 study 0.2% AEP design flood level (500yrARI) is RL 22.2 m AHD.*

***Reason:*** *To comply with the requirements of Council’s adopted Floodplain Risk Management Plan(s) (matrix requirement FL2c).*

## BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

1. **Parking and allocation of parking**

Prior to the issue of any occupation certificate the applicable car parking spaces must be fully constructed and numbered in accordance with the following approved allocation:

1. A total of 6 car spaces, including 1 accessible car parking space to be allocated to the in-fill affordable housing development;
2. A total of 2 car parking spaces must be allocated to the group homes development;
3. A total of 4 car parking spaces must be allocated to the residential component of the shop top housing development;
4. A total of 2 car parking spaces must be allocated to the commercial component of the shop top housing development; and
5. A total of 2 accessible car parking spaces must by allocated to the shop-top housing and group home development.

***Reason:*** *To ensure adequate car parking spaces are provided to all residential components of the development.*

1. **Completion of landscape and tree works**

**Prior to release of the occupation certificate**, the approved landscaping must be consistent with this consent to the satisfaction of Council.

***Reason****: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).*

1. **Plan of Management**

A plan of management must be reviewed and updated annually once commencement and use of the site. The plan of management shall be adhered to at all times, and shall include:

1. The shop top housing, group home, and in-fill affordable housing development shall be managed by a registered housing provider and be in accordance with management practices;
2. Procedures, actions, and penalties to apply in the event of undesired behaviour;
3. A ‘Complaints and Incident Register’ is to be kept by the managing body;
4. An emergency management plan, including an evacuation procedure in place in the event of an emergency;
5. The responsibilities of the managing body of the building(s) including transfer and return of all bins to roadside for collection;
6. Procedures for management of after-hours requirements or incidents, including contact details;
7. A parking area management plan;
8. A noise management plan;
9. A security and safety plan, that must address the requirements stipulated within the NSW Police Force recommendations; and
10. Penalties for not complying with the plan.

The plan of management shall be submitted to Council for approval prior to issue of an occupation certificate.

***Reason****: To ensure the shop top housing, group home, and infill affordable housing development are managed appropriately.*

1. **Emergency Management Plan**

The Emergency Management Plan applicable to the existing development is to meet the specific needs of the approved facility. The Plan shall be provided to the Certifier prior to issue of the Occupation Certificate. A copy of the Plan shall be kept on the premises at all times and all staff shall be appropriately trained to ensure implementation of the Plan.

***Reason:*** *To ensure the safety and security of all residents of the approved facility.*

1. **Submission of applicable local telecommunications supply authority certifying documentation**

The production of written evidence from the local telecommunications supply authority prior to the issue of the Occupation Certificate certifying that the provision of telecommunications at the front boundary of the allotment has been completed.

Unless agreed otherwise by Council an acceptable form is Telstra's "Telstra Network Infrastructure Letter" or NBN's "Provisioning of Telecommunication Services - Confirmation of final payment" *letter.*

*The NBN letter must reference:*

*• Over which Lot and Deposited Plan the agreement applies to,*

*• Identification of the number of lots to be serviced*

Alternatively, evidence of the pit and pipe infrastructure exemption is to be provided to Council prior to the release of the Occupation Certificate.

***Reason:*** *To advise of the correspondence required to be obtained from the local telecommunications supply authority.*

1. **Electrical infrastructure**

A Certificate of Compliance from a relevant energy supplier shall be required confirming that it has provided electrical power to each lot, and adequate street lighting for the development as required by the Australian Standard and that charges for the extension of electricity supply have been paid prior to release of the relevant Occupation Certificate.

***Reason:*** *To ensure adequate provision of utility services. (EPA Act Sec 4.15)*

1. **Commencement of occupation or use**

A person must not commence occupation or use of the whole or any part of a new building or structure unless an occupation certificate has been issued in relation to the building or part.

*Reason: To ensure the development is completed and complies with the development Consent.*

1. **Final Fire Safety Certificate**

A final fire safety certificate must be **provided to the Principal Certifier or Council before issue of the relevant Final Occupation Certificate.** Each essential fire safety measure specified in the current schedule has been assessed by a properly qualified person, and as found, to be capable of performing to the standard required by the current schedule.

***Reason:*** *Required by Clause 170 of the Regulation.*

1. **Unit and Street number identification**

The premises shall be suitably identified by Unit Number (where appropriate) and Street Number displayed in a prominent position on the facade of the building facing the primary street frontage and is to be of sufficient size to be clearly identifiable from the street.

*Reason: To ensure a premises is clearly identifiable from the street*

1. **Building Compliance Declaration**

The proposed works to be undertaken is a building with Class 2 and Class 3 building elements, compliance with the *Design and Building Practitioners Act 2020* is required as this is considered to be prescribed building work under the Act. A Building Compliance Declaration is therefore required to be supplied to the Principal Certifier for the building work.

***Reason****: To comply with the requirements of the Design and Building Practitioners Act 2020*

1. **Trade Waste**

All plumbing and drainage work associated with the Trade Waste installation are to be inspected and approved by Council. A works as executed diagram is to be submitted to Council on completion of the works.

***Reason:*** *To ensure adequate protection of utility services and to ensure compliance (EPA).*

1. **Mechanical Ventilation**

A certificate shall be provided from a mechanical ventilation engineer certifying that the design, installation and operation of the mechanical exhaust ventilation system complies with AS 1668.2 - 2002 and relevant legislative requirements.

***Reason:*** *To assess compliance with Australian Standard 1668.2 - 2002, Australian Standard 4674, the Food Act 2003 and associated legislation.*

1. **Submission of actual floor level certification**

**Before the issue of the Occupation Certificate,** A survey certificate signed by a NSW Registered Surveyor is to be submitted to Richmond Valley Councilwithdetails of the actual level of the habitable floor of the building, plus any ground level floor area, and certifying that the habitable floor level is equal to or exceeds the minimum habitable floor level required.

Details shall be submitted in the following format.

|  |  |
| --- | --- |
| **Casino Floodplain Risk Management Plan** | |
| DA Number | DA 2024. 0096 |
| Street Number | 146-152 |
| Street | Johnston Street |
| Town/Village | Casino |
| Lot Number | Lots 155 to 158 |
| Deposited Plan | DP 834821 |
| Habitable Floor Level (m AHD) actual CORE & CLUSTER01  CLUSTERS 02 & 03 |  |
| Lower ground floor if applicable (m AHD) |  |
| Low Ground Level of the lot (m AHD) and |  |
| High Ground Level of the lot (m AHD) or |  |
| Ground level near house on rural property (mAHD) | n/a |

***Reason:*** *To comply with the requirements of Council’s adopted Floodplain Risk Management Plan(s).*

1. **Installation of New/Upgraded Water Connection**

Before the issue of the Occupation Certificate, the installation of the additional/upgraded water service and meter is to be completed.

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

1. **Reinstatement of infrastructure damaged during development works**

Before the issue of the Occupation Certificate, any damage caused to infrastructure (roads, footpaths, kerb and gutter, stormwater, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of Richmond Valley Council, or the owner of the impacted infrastructure.

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

1. **Driveway Construction**

Before the issue of the Occupation Certificate,the concrete driveway crossings and aprons must be constructed in full.

***Reason****: To provide adequate access for the anticipated traffic that will be generated by the development.*

## OCCUPATION AND ONGOING USE

1. **Maintenance of landscaping**

Landscaping must be maintained and kept in good condition in perpetuity for the life of the development, and generally be in accordance with the approved landscaping. Landscape areas shall not be replaced by impervious surfaces including artificial turf or hardstand paving.

***Reason****: To ensure landscaping outcomes are achieved and for compliance with site coverage controls.*

1. **Managing Amenity Impacts**

The use shall be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, odours, or the like.

*Reason: To protect the amenity of the local area.*

1. **Terrace restriction**

The Terraces are not to be enclosed by any means unless prior consent is obtained.

*Reason: To ensure compliance with the development consent.*

1. **Annual Fire Statement**

The owner of the building must provide Council with an annual fire safety statement in relation to each fire safety measure implemented in the building. The annual fire safety statements **prepared by a suitably qualified person** are to be given within 12 months after which the last fire safety certificate statement was given. A copy of each statement is to be given to the Commissioner of New South Wales Fire Brigades and a further copy is to be prominently displayed in the building.

***Reason:*** *Required by Clause 177 of the Regulation.*

1. **Managing Amenity Impacts**

The ongoing use of the premises shall be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, vibration, smoke, dust, odours, or the like.

***Reason:*** *To protect the amenity of the local area.*

1. **Managing Noise – Mechanical Equipment**

Swimming pool pumps, air conditioning units, heat pump water systems and the like shall not be operated if it can be heard in a habitable room of a residence during restricted hours or at other times should the noise from the article be deemed to be offensive as defined within the *Protection of the Environment Operations Act 1997.*

***Reason:*** *To protect the amenity of the local area.*

1. **External Lighting**

All externally mounted artificial lighting, including security lighting, shall comply with Australian Standard AS4282:2019 *Control of the obtrusive effects of outdoor lighting* and be shielded to the satisfaction of Council’s General Manager or delegate where necessary or required to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises. Externally mounted lighting shall not spill beyond the boundary of the site.

***Reason:*** *To ensure safe operation of the premises and protect the amenity of the local area.*

1. **Stormwater disposal**

Stormwater must be collected and disposed of in a controlled manner such that stormwater flows are:

a) Clear of buildings and infrastructure,

b) Not concentrated so as to cause soil erosion,

c) Not directly to a watercourse, and

d) Not onto adjoining land.

***Reason:*** *To ensure that the approved sewerage management facilities are provided for the development.*

1. **Managing Noise - Complaints**

Upon receipt of a noise complaint that Council deems to be reasonable, the operator/owner is to submit to Council a Noise Impact Study (NIS) carried out by a suitably qualified acoustic consultant in accordance with relevant standards and guidelines. The NIS is to be submitted to the satisfaction of Council’s General Manager or delegate and include recommendations for noise attenuation. The operator/owner is to implement the recommendations of the NIS within a timeframe specified by Council's authorised officer.

***Reason:*** *To protect the amenity of the local area.*

1. **Waste Management**

* An acceptable number of suitable waste containers must be kept on the premises for the storage of waste.
* All garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time
* Any waste storage area used for the storage of liquid wastes must be covered and bunded to prevent the escape of spills and leaks.
* All waste storage areas must be maintained in a clean and tidy condition at all times, with no accumulation of waste materials except in the containers provided
* All waste storage areas are to be adequately screened from public areas. The storage area is to have a hard stand base and be designed to minimise pollution.
* Waste water from any bin washing shall be dealt with as trade waste, will be subject to trade waste approval and discharged to sewer via an approved pre-treatment device.
* arrangements must be implemented for the separation of recyclable materials from general waste

***Reason:*** *To ensure waste is dealt with satisfactorily.*

1. **Amenity – Vehicles**

Vehicles servicing the development (including deliveries and waste collection) shall not park and/or wait in the surrounding residential areas prior to 7.00 am or after 6.00 pm Monday to Fridays and prior to 8.00 am or after 1.00 pm Saturdays.

***Reason:*** *To protect the amenity of the local area.*

#### General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [*Conditions of development consent: advisory notes*](https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

#### Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means Richmond Valley Council.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979.*

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021.*

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** means Northern Regional Planning Panel.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:

the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Northern Regional Planning Panel.

**Subdivision work** means any physical activity authorised to be carried out in connection with a subdivision under the conditions of a development consent for the subdivision of land.