

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

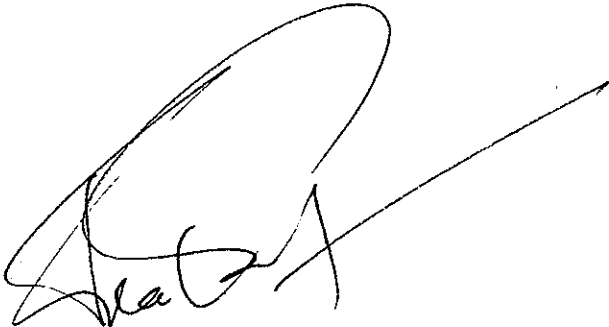
DETERMINATION OF MAJOR PROJECT NO. 06_0115

(FILE NO. 9042511-1)

8 LOT RESIDENTIAL SUBDIVISION AT 42 ILUKA ROAD, WOOMBAH

I, the Minister for Planning, having considered the following, pursuant to Part 3A of the *Environmental Planning & Assessment Act, 1979*, Section 75J Clause (2), determine the major project referred to in the attached Director-General's Environmental Assessment Report, by **granting approval** to the major project referred to in the attached Schedule 1, and the Proponent's Statement of Commitments in Schedule 3, subject to the conditions of approval in the attached Schedule 2.

This consent applies to the plans, drawings and documents cited by the Proponent in their Environmental Assessment identified in Appendix D, subject to the conditions of approval in the attached Schedule 2.

A large, stylized handwritten signature in black ink, likely belonging to Frank Sartor, Minister for Planning.

Frank Sartor MP
Minister for Planning

Sydney,

A handwritten signature in black ink, possibly reading '9th Dec'.

2006

SCHEDULE 1

PART A—TABLE

Application made by:	Mr Barry Dowman
Application made to:	Minister for Planning
Major Project Application:	MP 06_0115
On land comprising:	42 Iluka Road, Woombah Lot 24 DP 1055427 and Lot 1 DP 572076
Local Government Area	Clarence Valley Council
For the carrying out of:	8 lot residential subdivision
Estimated Cost of Works	\$ 280,000
Type of development:	Major Project (project approval)
S.119 Public inquiry held:	No
Determination made on:	9 December 2006
Date consent is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act.

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06_0115

Responsibility for other approvals / agreements

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Appeals—Third Party

A third party right to appeal to this development consent in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this consent.

Council means Clarence Valley Council.

CPI means Consumer Price Index.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department.

Environmental Assessment means the Environmental Assessment and Addendum to Environmental Assessment, prepared by Ed Munday, Town Planner, LandPartners, dated August 2006.

Minister means the Minister for Planning.

MP No. 06_0115 means the Major Project described in the Proponent's Environmental Assessment.

NR2 means *Northern Rivers Local Government Development and Design Manual Version 2' (Auspec)*

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Proponent means Mr Barry Dowman or any party acting upon this consent.

RTA means NSW Roads and Traffic Authority

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 06_0115

PART A—ADMINISTRATIVE CONDITIONS

A1 *Development Description*

(1) Approval is granted only to carrying out the development described in detail below:

- a) Subdivision of Lot 1 in DP 572076 and Lot 24 in DP 1055427 into 8 torrens title lots in seven stages generally in the following sequence;
 - ⇒ Stage 1 – Lot 19
 - ⇒ Stage 2 – Lot 18
 - ⇒ Stage 3 – Lot 17
 - ⇒ Stage 4 – Lot 20
 - ⇒ Stage 5 – Lot 21
 - ⇒ Stage 6 – Lot 16
 - ⇒ Stage 7 – Lot 16 & 22
- b) construction of one (1) principle access road to the lots off West Street within the site approximately 200 metres in length;
- c) construction of an approved access off Iluka Road into West Street approximately 70 metres in length;
- d) construction of associated stormwater management infrastructure (grassed swales and stormwater treatment devices);
- e) widening of Iluka Road for a distance of approximately 280 metres (140 metres either side of the intersection with West Street) as set out in the Intersection Detail Drawing (Drawing No. 02-145-Int1 dated October 2003) prepared by McKenzie Burridge and Associates Pty Ltd; and,
- f) construction and installation of water supply, electricity and telecommunications infrastructure to each lot.

(2) A combined maximum of 7 new dwellings will be permitted on new lots 15, 16, 17, 18, 20, 21 and 22 and shall be subject to separate approval.

(3) The construction of residential buildings does not form part of this consent.

(4) These conditions of approval do not relieve the Proponent of its obligations under any other Act.

A2 *Development in Accordance with Plans*

The development will be undertaken in accordance with the Environmental Assessment and Addendum to Environmental Assessment dated August 2006 prepared by Ed Munday, Town Planner, LandPartners, including all Appendices and the following drawings:

Subdivision plans prepared by McNamara Cooksley & Associates P/L			
Drawing No.	Revision	Name of Plan	Date
DWG3466B	N/A	Site of Proposed Boundary Adjustment & Subdivision: 8 Lots Sheet 2 of 3 Figure 5: Proposed Masterplan	21/1/06

DWG3466C	Rev A	Site of Proposed Boundary Adjustment & Subdivision: 8 Lots Sheet 3 of 3 Figure 6: Proposed Subdivision	20/1/06
DWG3466B	N/A	Site of Proposed Boundary Adjustment & Subdivision: 8 Lots Sheet 4	21/1/06
DWG3466C	Rev A	Site of Proposed Boundary Adjustment & Subdivision: 8 Lots Sheet 3 of 3 Figure 12: Proposed Construction Stages	21/1/06
Intersection Detail prepared by McKenzie Burridge & Associates Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
02-145-Int1	N/A	Proposed subdivision Lot 1 & pt Lot 2 DP 572076 Iluka Road, Woombah	October 2003
Survey Drawings prepared by McNamara Cooksley & Associates P/L			
Drawing No.	Revision	Name of Plan	Date
DWG3466A	N/A	Site of Proposed Boundary Adjustment & Subdivision: 14 Lots Lot 24 DP 1055427 & Lot 1 DP 572076 – Woombah Sheet 1 of 3 Figure 4: Existing Site	12/11/03

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in Maclean Shire Council Local Environmental Plan 2001 Year or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the conditions of this consent.

A3 Development in Accordance with Documents

The development will be undertaken in accordance with the following documents:

- (1) *Environmental Assessment Report and Addendum to Environmental Assessment* prepared by Mr Ed Munday, LandPartners, on behalf of Mr Barry Dowman, dated August 2006;
- (2) *Bush Fire Risk Management Plan for Proposed Subdivision Lot 24 Woombah NSW* prepared by Land and Marine Management Strategies Pty Ltd and dated 20 October 2004 (Appendix A to *Environmental Assessment*);
Wastewater Management Report Revision B prepared by McKenzie Burridge & Associates Pty Ltd and dated 2 December 2004 (Appendix C to *Environmental Assessment*);
Wastewater Management Report prepared by McKenzie Burridge & Associates Pty Ltd and dated 21 October 2003 (Appendix D to *Environmental Assessment*);
Proposed Boundary Adjustment & 14 Lot Subdivision of Lot 24 DP 1055472 & Lot 1 DP 572076 Woombah prepared by Land and Marine Management Strategies Pty Ltd and dated 20 October 2004 (Appendix F – Flora and Fauna Report - to *Environmental Assessment*);
- (3) Correspondence prepared by Ed Munday, Town Planner, on behalf of Mr Barry Dowman dated 27 November 2006.

A4 *Inconsistency between documents*

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

A5 *Prescribed Conditions*

The Proponent shall comply with the prescribed conditions of development consent under clause 98 of the Regulation.

A6 *Certification & Staging*

Construction Certificate

A Construction Certificate must be obtained from either the Council or an accredited certifier for each stage of the subdivision before any subdivision work can commence for any stage on the site.

Subdivision Certificate

A Subdivision Certificate pursuant to Section 109C(1)(d) must be obtained from the Council for each stage of the subdivision before the registration of a plan of subdivision under Division 3 of Part 23 of the *Conveyancing Act 1919* for any allotments in any stage within the subdivision.

Staging of the Development

The staging of the development is to occur generally in accordance with the following sequence:

- Stage 1 – Lot 19
- Stage 2 – Lot 18
- Stage 3 – Lot 17
- Stage 4 – Lot 20
- Stage 5 – Lot 21
- Stage 6 – Lot 16
- Stage 7 – Lots 15 & 22

It is noted that staging may vary in timing according to market forces.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B1 *Additional Details*

The development works for each stage of the subdivision shall be designed and constructed in accordance with Clarence Valley Council's NR2 unless varied by this consent or the Development Control Plan and shall be submitted to Council prior to the issue of a Construction Certificate for the works. The plans shall include details of all road works, drainage works and filling of the land and any other civil design details required to complete the development. The plans shall be approved, stamped and dated by Council prior to the issue of a Construction Certificate for the works and the approval will remain current for a period of two years after which time it will lapse.

B2 *Erosion and Sedimentation Control*

(1) An erosion and sediment control plan must be submitted to and approved by Council prior to issue of the Construction Certificate for each stage of the subdivision.

(2) Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1 (2004)* by Landcom and Council's *Development Control Plan*

for Residential Development (November 2006). Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for each stage of the subdivision.

(3) No work on the site for the removal of vegetation or topsoil may be undertaken until the erosion and sediment controls are in place in accordance with the approved erosion and sediment control plan.

Construction Management

B3 Construction Management Plan

Prior to the issue of a Construction Certificate, a Construction Management Plan documenting the proposed method of work within the construction site boundaries with regard to the health and safety of the public and affect on the road reserve must be submitted to and approved by Council prior to the issue of the civil construction certificate for each stage of the subdivision. If any part of the road reserve or public land is proposed for long term (exceeding 24 hours) inclusion in the construction site boundaries this area must be identified in the Construction Management Plan. The road reserve is classed as the property boundary to opposite property boundary and includes roadway, nature strip and footpath.

The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) contact details of site manager,
- (3) traffic management (see also B4 & B7 below),
- (4) noise and vibration management (see also B5 below),
- (5) waste management (see also B6 below),
- (6) erosion and sediment control (see also B2), and
- (7) flora and fauna management.

The Proponent shall submit a copy of the approved plan to Council for each stage of the subdivision.

B4 Traffic & Pedestrian Management Plan

Prior to the issue of a Construction Certificate for each stage of the subdivision, a Traffic Management Plan showing the proposals for reducing any impact of the construction site on the adjacent traffic network must be submitted with the Construction Management Plan for prior approval by Council. This plan will also include traffic management of short term activities such as delivery of materials; accessing, exiting and parking in and near the work site by cranes, concrete agitator trucks, tradesmen work vehicles and the like.

The Traffic Management Plan should include Traffic Control Plans detailing proposed methods to ensure safe vehicle access into and out of the general traffic stream, pedestrian control and safe transfer of materials from road reserve to construction site. The Traffic Management Plan should be, and any associated Traffic Control Plans must be, prepared by a person authorised by the RTA to prepare Traffic Control Plans with level of authorisation appropriate for the type of traffic control plans required.

Where long term (exceeding 24 hours) occupation of the road reserve is proposed a Construction Activity Application - Encroachment / Use of Council Land - must be approved by Council and appropriate fees paid prior to any occupation of the road reserve by construction equipment.

The Proponent shall submit a copy of the approved plan to Council for each stage of the subdivision.

B5 Noise and Vibration Management Plan

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority for each stage of the subdivision.. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,

- (2) Identification of all potentially affected sensitive receivers including residences, schools, and properties containing noise sensitive equipment,
- (3) The construction noise objective specified in the conditions of this consent,
- (4) The construction vibration criteria specified in the conditions of this consent,
- (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,
- (6) Noise and vibration monitoring, reporting and response procedures,
- (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
- (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction,
- (9) Justification of any proposed activities outside the construction hours specified in the conditions of this consent,
- (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
- (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration, and
- (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints.

The Proponent shall submit a copy of the approved plan to Council for each stage of the subdivision.

B6 Construction Waste Management Plan

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority a Construction Waste Management Plan prepared by a suitably qualified person in accordance with Clarence Valley Council's Development Control Plan for each stage of the subdivision. The Proponent shall submit a copy of the plan to the Department and Council.

Traffic & Parking

B7 Traffic Control Devices

In order to ensure the safe, efficient and logical movement of vehicles and pedestrian movement to and from the site and its immediate surrounds, suitable traffic control devices eg, signage, speed hump, line marking, traffic signals, pedestrian crossings shall be installed in accordance with RTA and Council guidelines for each stage of the subdivision. Details of the type, location and operation of the devices are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for each stage of the subdivision.

Monetary Contributions and Contributions-in-lieu

B8 Monetary Contributions

Prior to the endorsement of a subdivision certificate for each stage of the subdivision, the Proponent must pay, in proportion to the additional lots created by that stage (i.e. to a total of 7 additional lots) the following contributions to Council pursuant to Section 94 of the Environmental Planning and Assessment Act (1979):

(1) Amount of Contribution

(a) Open Space/Recreation Facilities Contribution Plan 1993

Regional	\$78.00 x 2.6 persons x 7 =	\$1,419.60
Passive	\$75.00 x 2.6 persons x 7 =	\$1,365.00
Active	\$314.00 x 2.6 persons x 7 =	\$5,714.80

(b) Community Amenities & Services Contributions Plan 1993

Regional	$\$56 \times 2.6 \text{ persons} \times 7 =$	\$1,019.20
Local	$\$118.00 \times 2.6 \text{ persons} \times 7 =$	\$2,147.60

(c) Photogrammetric Plan preparation of Rural Residential Areas 1993

Woombah	$\$10.00 \times 5.40 \text{ hectares} =$	\$54.00
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(2) Timing and Method of Payment

The contribution(s) as assessed will apply for 12 months from the date of this approval. Contributions not received by Council within 12 months of the date of this notice will be adjusted in accordance with the adopted Schedule of Fees and Charges current at the time of payment.

The contributions are to be paid to Council prior to release of the subdivision certificate.

In the event of any subsequent amendment to the approved Development Plans, the calculated contribution amounts may vary and if so will become the contribution payable.

All contribution plans are available for inspection at Clarence Valley Council Office, 50 River Street, Maclean.

B9 Section 64 – Sewer and Water Head Works Charges

Conditions required for approval under section 68 of the Local Government Act for water reticulation works being new works, upgradings or augmentations that will be of benefit to the development:

- (1) Payment to Council of the following contributions pursuant to Section 68 of the Local Government Act, 1993:

- a. Water Headworks - $\$4,100 \times 7 = \$28,700$

For each stage of the subdivision, payment in proportion to the additional lots created by that stage (i.e. to a total of 7 additional lots) must be made prior to the issue of the subdivision certificate.

- (2) The obtaining from Clarence Valley Council of a certificate stating that the development complies with the requirements under Part 3 Clause 16 of the Local Government (Water Services) Regulation 1999, in regard to Water; and
 - (3) The construction of water works is a condition of consent for the subject development. All water works to serve the development are to be in accordance with the specifications of the Director Engineering Services and are to be included in the construction certificate plans.

The contribution(s), as assessed, will hold for a period of 12 months from the date of this approval. Contributions not received by Council within 12 months of the date of this determination will be adjusted in accordance with the adopted Schedule of Fees and Charges current at the time of payment.

B10 Long Service Levy

All building and construction work, which includes subdivision and civil works, which cost \$25,000 or more require the payment of the long service levy prior to a construction certificate being issued. The levy is required under the Building and Construction Industry Long Service Payments Act 1986.

B11 Development Construction Certificate / Supervision

The payment to Council of the schedule fee for development construction certificate/supervision is required in accordance with the adopted fees and charges current at the time of issuing the development construction certificate. For staged developments the fee will be based on the works required in each stage release.

Subdivision Works

B12 Stormwater and Drainage Works Design

(1) Final design plans of the stormwater drainage systems within the proposed subdivision, prepared by a qualified practicing Civil Engineer and in accordance with the requirements of Clarence Valley Council shall be submitted to and approved by the Certifying Authority prior to issue of a Construction Certificate for Stage 1 of the subdivision. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

(2) All stormwater is to be collected within the property and discharged in accordance with Council's 'Engineering Specification for Development' NR2.

B13 Stormwater Management Plan

A full detailed stormwater management plan for the site is to be submitted for Council's approval prior to the issue of the Construction Certificate for Stage 1 of the subdivision. The plan is to include but is not limited to the following:

- (a) analysis of the upstream contributing area,
- (b) documentation of the inflow flow rates at all inflow points,
- (c) identification of the 1 in 100 year flow lines,
- (d) post development flows leaving the development not to exceed the pre development flow rates,
- (e) control of stormwater quality leaving the site,
- (f) review downstream drainage capacity by field observation and bring to notice any concerns for potential drainage capacity problems. Council may require upgrading of downstream drainage facilities by the developer where the facility is directly affected by the development,
- (g) minimise the depth of table drains by the use of box culverts,
- (h) where overtopping of the road pavement is expected for the 1 in 20 year event or lessor return period, the road shoulder to have a concrete apron both sides for the extent of the 1 in 20 year event to prevent erosion of the shoulder and damage to the seal,
- (i) the footpaths to have a minimum of 2.4m width suitable for use by pedestrians and the provision of services,
- (j) the road reservation to be widened where necessary due to the width of drainage swales to ensure the 2.4m pedestrian width is available,
- (k) maximum crossfalls on drainage swales of 1 in 6 is preferred,
- (l) show flow rates at pertinent points in the drainage swales and the capacity of the access pipes at critical points.

Effective measures are to be undertaken to prevent the obstruction of surface drainage, the disruption of amenity, damage or deterioration of any other property. The development of the site is not to adversely affect adjacent properties or local drainage patterns. Provision is to be made for the free passage of surface stormwater away from affected sites.

B14 Site Drainage

(1) Drainage easements and the construction of drainage structure and pipelines required for the development are to be provided to Council prior to the issue of the Construction Certificate for each stage of the subdivision in accordance with Council's 'Engineering Specification for Development' to ensure drainage works are compatible with local drainage patterns.

(2) Detailed plans of site drainage are to be submitted to Council's Director of Engineering Services for approval prior to issue of the Construction Certificate for each stage of the subdivision to ensure that stormwater run-off is properly collected and conveyed to an adequate drainage facility.

(3) The detailed plans must be accompanied by an electronic copy of the drainage files where a computer program is used for the drainage design.

B15 Landowner Approval for Stormwater Design

Written approval from adjacent landowners where stormwater is proposed to tail out in quantities additional to the existing tail out conditions must be submitted to and acceptable to Council prior to the issue of the Construction Certificate for each stage of the subdivision.

B16 Road Design

Final road design plans prepared by a qualified practising Civil Engineer showing details of all road construction, water supply and drainage requirements in accordance with Council's 'Engineering Specification for Development' NR2 are to be submitted for approval by Council prior to the issue of a Construction Certificate for each stage of the subdivision.

Vegetation**B17 Vegetation Management Plan**

A Vegetation Management Plan (VMP) or the rehabilitation of the dry gully within Lots 20 – 22 is to be prepared to the satisfaction of the Certifying Authority for approval prior to the issue of the Construction Certificate for Stage 1 of the subdivision. The VMP is to be in accordance with the guideline: "How to Prepare a Vegetation Management Plan – Version 4" (Department of Natural Resources, undated). The VMP is to fully address all matters relating to riparian zone protection, vegetation to be retained, vegetation to be removed, obtaining plant material for rehabilitation, establishment methods, sequencing of tasks and maintenance relating to the rehabilitation of the riparian zones.

The VMP is to include drawings that clearly show the approved extent of the riparian zone (20 metres either side of the dry gully measured from the centreline of the gully) and should clearly state planting densities and the species mix for all areas to be rehabilitated. The riparian zone so restored is to consist of a diverse range of native plant species local to the area. The plants used are to consist of species and communities that emulate the original natural situation. Specific attention should be made to providing those species that are considered to be suitable habitat for the Grey Headed Flying Fox, the Osprey, Brahminy and Whistling Kite.

Filling**B18 Filling of the Site**

The source of any fill material is to be identified and reported by a practicing geotechnical engineer certifying that the material is suitable for the intended purpose must be provided prior to the issue of the Construction Certificate for each stage of the subdivision. The report is to include any conditions on the use of the material and a report from a registered NATA laboratory on the soil properties of the fill material.

Any fill earthworks to be undertaken on the site shall be carried out in accordance with the placement and compaction of fill described in AS 3798. A practicing geotechnical engineer shall advise the standard of the filling and compaction in accordance with AS 3798 such that the work will be suitable for the intended purpose.

All lots which have been filled shall require a certification from a practicing geotechnical engineer that each lot is suitable for the intended purpose. The certification shall also provide a classification for each lot in accordance with AS 2870 and the submission of soil compaction and bearing capacity test results for the filled areas. The reports from the geotechnical engineer shall be submitted to and approved by Council prior to the issue of the Subdivision Certificate for each stage of the subdivision.

Once the Construction Certificate has been issued any change in the source of fill must be notified to the Certifying Authority and approval obtained to the new source prior to the import of any of the material. A report from a practicing geotechnical engineer certifying that the new source material is suitable for the intended purpose must be provided. The report to include any conditions on the use of the material and a report from a registered NATA laboratory on the soil properties of the fill material.

B19 Traffic Control

Where occupation of the road reserve is proposed a Traffic Control Plan must be prepared and submitted to Council showing how vehicle and pedestrian traffic will be safely managed within the road reserve. This plan must be prepared by a person authorised by the RTA to prepare Traffic Control Plans and must be approved by Council prior to the occupation of the road reserve for each stage of the subdivision.

B20 Wastewater Management System

The wastewater management systems for each stage of the subdivision shall be designed in accordance with the requirements of Clarence Valley Council's *On-site Wastewater Management Strategy 2005*; *Australian/New Zealand Standard 1547:2000*; *On-site domestic-wastewater management*; *Environment & Health Protection Guidelines*; *On-site Wastewater Management for Single Households*; *Land and Water Conservation Soil Landscapes of Woodburn*, where applicable; and current best practice.

Any Onsite Sewerage Management System must generally comply with the Waste Water Management Report prepared by McKenzie Burrige & Assoc. Ref.02-145 dated 29/11/02 and as modified by Revision B dated 21/10/03, or any alternate system subsequently approved by Council for each stage of the subdivision.

The wastewater management system constructed for Stage 2 of the subdivision must be located such that discharges are directed down slope of the registered bore on the corner of West and Adams Street, Woombah.

Compliance**B21 Compliance Report**

Prior to the issue of a Construction Certificate for each stage of the subdivision, the Proponent, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this Part.

PART C—PRIOR TO COMMENCEMENT OF WORKS**Demolition Works****C1 Statement of Compliance with Australian Standards**

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures* for each stage of the subdivision. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

Excavation Works**C2 Notice to be Given Prior to Excavation**

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the subdivision.

C3 Contact Telephone Number

Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works for each stage of the subdivision.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Erosion and Sediment Control

All erosion and sediment control measures, as designed in accordance with Condition B2, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment for each stage of the subdivision.

The control of erosion and the prevention of silt discharge into drainage systems, street drainage systems and waterways is subject to the following and must be in accordance with the following requirements and Council's Erosion and Sediment Control DCP.

- (a) All erosion and sediment control measures are to be installed prior to the commencement of any work in accordance with the approved erosion and sediment control plan.
- (b) Sediment control measures are to be constructed to prevent sediment from leaving the site or entering downstream properties, drainage lines or watercourses.
- (c) Disturbance of the site must only occur on areas indicated in the approved plans.
- (d) Direct up slope runoff around the site, by use of a diversion bank or channels. These devices may require measures to control erosion depending on the volume of flow anticipated.
- (e) Vehicular access is to be restricted to one stabilised access point.
- (f) Stockpiles of erodible materials (sand, soil, spoil and vegetation) must be protected by a sediment fence or bund. If the stockpile area is prone to high winds or is to be there for a long time then the stockpile must be covered.
- (g) Stockpiled material must be stored clear of any drainage line and within the property boundary. NOTE: stockpiles are not permitted on footpaths or roads.
- (h) All erosion and sediment control measures are to be regularly maintained in good working order at all times and inspected for adequacy following any rainfall event.
- (i) All disturbed areas are to be made erosion resistant by revegetation, turfing or stabilised by paving on completion of the works.
- (j) During dry weather, adequate dust suppressions methods are to be used as often as is necessary to ensure that adjoining properties are not adversely affected by undue dust.
- (k) The Proponent or any party acting upon this development consent is to ensure that construction vehicles do not adversely impact on the roadway network to such an extent that cause them to become unsafe for other road users particularly during wet weather. Any such damage is to be rectified immediately.

D2 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council for each stage of the subdivision.

Construction Management

D3 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA for each stage of the subdivision.

D4 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Principal Certifying Authority and Structural Engineer for each stage of the subdivision. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D5 Contact Telephone Number

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development for each stage of the subdivision.

D6 External Lighting

External Lighting shall comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the Proponent shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition for each stage of the subdivision.

D7 Protection of Trees – Street Trees

All street trees shall be protected at all times during construction for each stage of the subdivision. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

D8 Protection of Trees – On-site Trees

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction for each stage of the subdivision.

No existing trees are to be removed from the site during subdivision construction, with the exception of those necessary for road construction (5 No.) (as specified on McNamara Cooksley and Associates Pty Ltd Drawing No.3466B (Sheet 2 of 3) dated 21 January 2006) without the prior approval of Clarence Valley Council.

D9 Vegetation Management Plan

For Stage 1 of the subdivision, revegetation of the creek is to be in accordance with the Vegetation Management Plan approved by Clarence Valley Council to satisfy Condition B17.

D10 Dust Control Measures

During dry weather, standard dust suppressions methods are to be used as often as is necessary to ensure that adjoining properties are not adversely affected by undue dust for each stage of the subdivision. Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,

- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
- (3) All materials shall be stored or stockpiled at the best locations,
- (4) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) Cleaning of footpaths and roadways shall be carried out regularly.

The Proponent or party acting upon this development consent is to ensure that vehicles or plant associated with the works do not adversely impact on the roadways to such an extent that cause them to become untrafficable for other road users during wet weather. Any such damage is to be rectified immediately.

Noise and Vibration

D11 Hours of Work

The hours of construction, including the delivery of materials to and from the site for each stage of the subdivision, shall be restricted as follows:

- (1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 1:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (4) the delivery of materials is required outside these hours by the Police or other authorities;
- (5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (6) the work is approved through the Construction Noise and Vibration Management Plan; and
- (7) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

D12 Construction Noise Objective

The construction noise objective for each stage of the subdivision is to manage noise from construction activities (as measured by a L_{A10} (15minute) descriptor) so it does not exceed the background L_{A90} noise level by:

- (1) For the first four weeks of the construction period, not more than 20dB(A);
- (2) From the 5th week to the 26th week (inclusive) of the construction period, not more than 10dB(A); and
- (3) For construction periods greater than 26 weeks, not more than 5dB(A).

Background noise levels are those identified in the Environmental Assessment or otherwise identified in the approved Construction Noise and Vibration Management Plan for the relevant stage of the subdivision. The Proponent shall implement all feasible noise mitigation and management measures with the aim of achieving the construction noise objective.

Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the approved Construction Noise and Vibration Management Plan.

If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.

D13 Construction Noise Management

For each stage of the subdivision, the Proponent shall:

- (1) schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan:
 - (a) 9.00 am to 12.00 pm, Monday to Friday;
 - (b) 2.00 pm to 5.00 pm Monday to Friday; and
 - (c) 9.00 am to 12.00 pm, Saturday
- (2) ensure that wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where approved in the Construction Noise and Vibration Management Plan.

D14 Vibration Criteria

For each stage of the subdivision, vibration caused by construction at any residence or structure outside the subject site must be limited to:

- (1) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- (2) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472-Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.

These limits apply unless otherwise approved in the Construction Noise and Vibration Management Plan.

D15 Vibration Management

Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above for each stage of the subdivision.

D16 Traffic Control

During the course of work for each stage of the subdivision should it become necessary to occupy the road reservation for any reason not included in the approved Traffic Management Plan, even short term, then a specific Traffic Control Plan for the event or events, prepared by a person authorised by the RTA to prepare Traffic Control Plans with level of authorisation appropriate for the type of traffic control plans required, must be submitted to and approved by Council prior to the occupation. The submission must include the reasons that the occupation is required and any revision of the Construction Management Plan and/or Traffic Management Plan to accommodate the change in the construction methodology.

D17 Crown Land

For each stage of the subdivision, the development must not:

- (1) Encroach on Crown Land
- (2) Remove any vegetation from Crown land;
- (3) Use Crown land to access the property;
- (4) Stockpile materials, equipment or machinery on the Crown land; and,
- (5) Direct stormwater discharges on the Crown land additional to those already directed there.

D18 Excavation – Aboriginal Objects

Should any Aboriginal objects be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the National Parks and Wildlife Service shall be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

D19 Excavation – Historical Relics

Should any historical relics be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the Heritage Council of NSW shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

Compliance

D20 Compliance Report

The Proponent, or any party acting upon this consent, shall, for the duration of construction period for each stage of the subdivision, submit to the Department a three monthly report addressing compliance with all relevant conditions of this Part.

PART E—PRIOR TO SUBDIVISION OR STRATA SUBDIVISION

Easements

E1 Easements

- a) Documentary easements for the protection of riparian vegetation measured as 20metres either side of the centreline of the gully that runs along the western perimeter of the site must be created over lots 20, 21 and 22 in the subdivision, and in addition over Lot 19 to the extent that it does not impact on the applicant's existing structures, and created pursuant to Section 88B of the *Conveyancing Act 1919*.
- b) Documentary easements for the protection of riparian vegetation measured as 20 metres from the Highest Astronomical Tide Mark along the northern bank of the Clarence River, must be created over Lot 19 in the subdivision, to the extent that it does not impact on the applicant's existing structures, and created pursuant to Section 88B of the *Conveyancing Act 1919*.

E2 Restriction-as-to-User

Prior to issue of a Subdivision Certificate for each stage of the subdivision, a Section 88B Restriction-as-to-User shall be placed as per the following:

- (a) A restriction as to user is to be placed on the title prohibiting Effluent Disposal Areas being located within 40 of a watercourse (dry or wet, see Figure as prepared by McNamara Cooksley & Associates P/L).
- (b) A restriction as to user is to be placed on the title prohibiting the removal of any trees within each lot without the approval of Clarence Valley Council.
- (c) A restriction as to user is to be placed on the title prohibiting the removal of native vegetation or the erection of any structures within 20m of any watercourse on the site (dry or wet, see Figure 5 as prepared by McNamara Cooksley & Associates P/L). This includes 20 metres either side of the centreline of the dry gully that runs adjacent to the western perimeter of the site and 20 metres from the Highest Astronomical Tide Mark along the northern bank of the Clarence River. Fencing may be constructed within the restricted area adjacent to the dry gully; however fencing must be of an open construction so as not to obstruct the conveyance of overland flows.

Prior to issue of a Subdivision Certificate for Stage 3 (lot 17), Stage 5 (Lot 16) and Stage 6 (Lot s15 & 22), a Section 88B Restriction-as-to-User shall be placed as per the following:

- (d) A restriction as to user is to be placed on the title of proposed Lots 15, 16 and 17 prohibiting vehicular access to Iluka Road, or the placement of gates capable of being used for vehicular access.
- (e) A restriction as to user 5m wide is to be placed along the frontage to Iluka Road of proposed Lots 15, 16 and 17 prohibiting the erection of any structures (other than fencing).

E3 Services

Documentary easements for services, drainage, support and shelter, use of plant, equipment, loading areas and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to Section 88B of the *Conveyancing Act 1919* for each stage of the subdivision.

E4 Part 4A Certificate

Prior to the registration of final subdivision plan in the Office of the Registrar-General, a Part 4A certificate shall be obtained under section 109D(1)(d) of the *Environmental Planning and Assessment Act 1979* for each stage of the subdivision.

E5 Registration of Easements

Prior to the issue of the Subdivision Certificate, the Proponent shall provide to the PCA evidence that all easements required by this consent, approvals, and other consents have been or will be registered on the certificates of title for each stage of the subdivision.

E6 Utilities –Telephone and Electricity Services

The development is to be connected to all available services (water, electricity and telephone) prior to issue of the subdivision certificate for each stage of the subdivision. Such connections, and any extension of services required to the development, are to be carried out at full cost to the Proponent. The extension and provision of overhead electricity main reticulation is required to service all proposed lots in the subdivision. Telephone services are to be installed in accordance with the requirements of Telstra. The developer is responsible for any costs relating to alterations and extensions of existing roads, drainage and services for the purposes of the development.

The submission to the PCA and subsequent registration of the required right of carriageway/easement for services/restrictions-as-to-users is required.

Council must be provided with a written Pre-Provisioning Confirmation, or similar written advice, issued by Telstra or other recognised telecommunications service provider confirming that arrangements have been made with the Proponent to have these services provided to the particular development prior to issue of Subdivision Certificate for each stage of the development.

E7 Water Supply

Prior to issue of a Subdivision Certificate for each stage of the subdivision, documentation shall be submitted to the issuing authority from North Coast Water stating that satisfactory arrangements have been made for the supply of reticulated water to the development.

The extension and provision of water main reticulation is required to service all proposed lots in the subdivision.

E8 Geotechnical Stability

Prior to issue of a Subdivision Certificate for each stage of the subdivision, the Proponent shall submit to Council a geotechnical report detailing the classification of soil type generally found within the subject site. A general classification for each lot within the subdivision must be provided and such classifications must be made by a geotechnical engineer in accordance with the requirements of Australian Standard AS2870.

E9 Engineering

Prior to issue of a Subdivision Certificate of Stage 1 of the subdivision, documentation shall be provided to Council confirming that all work as required by this consent has been undertaken in accordance with the approved plans, including;

- (a) A sealed driveway for the full length of the battle axe handle of the battle axe lot is to be provided in accordance with NR2.
- (b) All roads in the subdivision are to have full road construction and bitumen sealing in accordance with Council's Development Specification – NR2.
- (c) An approved access in accordance with Council's Development Specification – NR2 is to be provided lot 19. (The pipe culvert may be deleted, depending on location).
- (d) Provision of a Type B intersection at the Iluka Road intersection to the development in accordance with AusRoads.
- (e) Provision of full road construction from Iluka Road into the development.

Prior to issue of a Subdivision Certificate for Stage 2 – Stage 7 of the subdivision, documentation shall be provided to Council confirming that all work as required by this consent has been undertaken in accordance with the approved plans, including;

- (a) All roads in the subdivision are to have full road construction and bitumen sealing in accordance with Council's Development Specification – NR2.
- (b) An approved access in accordance with Council's Development Specification – NR2 is to be provided to each lot. (The pipe culvert may be deleted, depending on location).
- (c) Traffic/regulatory signage to the development is to be provided in accordance with Roads and Traffic Authority standards for rural roads.

The Proponent is responsible for any costs relating to alterations and extensions of existing roads, drainage and services for the purposes of the development and to construct, at own cost, all works required for the development and in accordance with the Construction Certificate, under the supervision of an engineer or surveyor approved by the Director of Engineering Services, Council.

E10 Infrastructure

The Proponent is to construct, at own cost, all civil and service infrastructure works to service the subdivision, in accordance with the Northern Rivers Local Government Development and Design Guidelines and the Construction Certificate under the supervision of an engineer or surveyor approved by the Director of Engineering Services, Council. The Council will hold the Subdivision Certificate or a bond in an amount to be determined against the construction and maintenance of the works until such time as Council is satisfied to take over the system for each stage of the subdivision.

E11 Vegetation Management Plan

Prior to issue of a Subdivision Certificate of Stage 1 of the subdivision, documentation shall be provided to Council confirming that all work as required by the Vegetation Management Plan has been undertaken in accordance with the approved plans.

The rehabilitated riparian zone along the dry western gully must be maintained and monitored for a period of at least two years after final planting. Maintenance must include sediment and erosion control, watering, weed control, replacement of plant losses, disease and insect control, mulching and any other requirements necessary for achieving successful vegetation establishment.

E12 Work as Executed Plans

Submission of satisfactory Work as Executed Plans and certification from the supervising engineer or surveyor that the works have been constructed in accordance with the approved plans and specifications at the completion

of the works, and certification from the surveyor that all services are located within the easements are to be submitted to Council prior to the issue of the subdivision certificate for each stage of the development.

E13 *Security Bond – Satisfactory Completion of Works*

Prior to the issue of a Subdivision Certificate, a defect liability bond (in cash or unlimited time Bank Guarantee) shall be lodged with Council for each stage of the subdivision. The bond shall be based on 5% of the value of the works which will be held by Council for a period of 6 months from the date on which the Subdivision Certificate is issued. It is the responsibility of the Proponent to apply for a refund following the remedying of any defects arising within the 6 month period.

ADVISORY NOTES

AN1 *Compliance Certificate, Water Supply Authority Act, 2000*

Prior to issuing a subdivision certificate, a Compliance Certificate shall be provided to the consent authority showing that the development has met with the detailed requirements of the relevant water supply authority for the region that the subject site is located within.

The developer shall obtain the Compliance Certificate from the relevant local water supply authority and produce this to the satisfaction of:

- (1) the certifying authority before release of the Construction Certificate,
- (2) the consent authority before the release of the subdivision certificate, and
- (3) the principal certifying authority prior to occupation.

AN2 *Requirements of Public Authorities for Connection to Services*

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN3 *Application under Part 4A of the Act*

An application under Part 4A of the Act shall be submitted to the consent authority or the council along with a plan of subdivision prepared by a registered surveyor, for certification prior to the issue of the Subdivision Certificate.

AN4 *Other Details Required prior to Issue of Subdivision Certificate*

The Proponent shall submit to the satisfaction of the consent authority or the council, the following information, prior to the issue of the Subdivision Certificate:

- (1) Documentary evidence of the payment of the open space/ community facility/ transport and access contribution(s),
- (2) Documentary evidence that the property has been developed in accordance with plans approved by Major Project No. MP06_0115 and of compliance (or a Compliance Certificate) with the conditions of that consent.
- (3) The submission of evidence that satisfactory arrangements have been made with service providers for the provision of utility services must be provided to the satisfaction of the PCA.
- (4) The control of erosion and silt discharge will involve works and measures on site, and possible additional silt retention works. Details of proposed control works are to be submitted to and approved by Council.

A subdivision certificate fee is charged for the endorsement of linen plans. Fees for the 2006/07 financial year are \$55.00 per lot (minimum \$110.00).

AN5 Compliance with Conditions

The Proponent will be required to submit, documentary evidence that the property has been developed in accordance with plans approved by Major Project No. MP06_0115 and of compliance (or a Compliance Certificate) with the conditions of that consent, prior to the issuing of Torrens Plan of Subdivision.

AN6 Nuisances

Effective measures are to be taken to prevent any nuisance being caused by noise, vibration, smell, fumes, dust, smoke, waste water products and the like at all times.

Any noise generated during the construction of the development shall not exceed the limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act 1997*, or exceed approved noise limits for the site.

AN7 Street Numbering

Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with Council's Street Numbering Policy, prior to the occupation of the building(s) or commencement of the use. If street numbers or a change to street numbers are required, a separate application shall be made to Council.

AN8 Stormwater drainage works or effluent systems

A construction certificate for works that involve any of the following:

- (1) water supply, sewerage and stormwater drainage work
- (2) management of waste

as defined by Section 68 of the Local Government Act, 1993 will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN9 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponents responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

AN10 Civil Construction Certificate

A civil construction certificate is required for road and drainage works.

AN11 Stormwater Management Plan

The consent requires a stormwater management plan satisfactory to Council to be submitted prior to the issue of the construction certificate.

AN12 Clearing of Vegetation

No clearing of trees, shrubs or vegetation not shown on the plans is to be carried out without obtaining any necessary approval from Clarence Valley Council.

This Notice of Determination approves the clearing shown on the stamped approved plans and/or as detailed in the Environmental Assessment submitted with the Development Application, in accordance with the relevant Local Environmental Plan.

AN13 Engineering Standards

The development works will be required to be designed and constructed in accordance with Council's Engineering Standards current at the time of approval of Engineering Plans. Approval of Engineering Plans will be current for a period of two years after which time Council may require the alteration to Engineering Design to comply with standards current at that date. The current Engineering Standards are the "Northern Rivers Local Government Development and Design Manual Version 2" and "Northern Rivers Local Government Construction Manual Version 2".

Note that in these conditions NR2 means 'Northern Rivers Local Government Development and Design Manual Version 2' (Ausspec)

SCHEDULE 3

MP 06_0115

8 LOT RESIDENTIAL SUBDIVISION

42 ILUKA ROAD, WOOMBAH

STATEMENT OF COMMITMENTS

(SOURCE: ENVIRONMENTAL ASSESSMENT)

STATEMENT OF COMMITMENTS OUTLINING ENVIRONMENTAL MANAGEMENT, MITIGATION, AND MONITORING MEASURES

Environmental management mitigation and monitoring measures have been outlined throughout the Statement of Environmental Effects completed in December 2003, and are as follows:-

- Erosion control safeguards will be implemented in general conformance with the controls shown on Figure 7 within the Environmental Assessment;
- A Restriction created by 88B Instrument, for the benefit of Council, will be applied to each of Lots 15 – 18 and 20 -22 requiring on-site wastewater management systems to be installed, with the erection of new report attached as Appendix C to the Environmental Assessment;
- Restrictions created by 88B Instrument, for the benefit of Council, requiring:-
 - a) No further disturbance or modification to the gully area shown as (C) within Lot 22 on Figure 6 in the Environmental Assessment;
 - b) No wastewater disposal areas to be installed within the areas shown as (A) within Lots 20 – 22 on Figure 6 in the Environmental Assessment;
 - c) No existing trees to be removed from within each lot without development approval.

These measures and any other measures issued by a consent authority, in relation to the subject development, will be strictly complied with.