

## CONDITIONS OF CONSENT:

### SCHEDULE 1. CONDITIONS OF CONSENT

#### Parameters of consent

1. **Development is to be in accordance with approved plans**  
The development is to be in accordance with plans listed below:

Plan No.	Description	Prepared by	Dated:
-	<i>Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm</i>	Balanced Systems Planning Consultants	January 2020
Illustration 6	Proposed Layout	Balanced Systems Planning Consultants	14/11/2019
C1 Rev A	Internal 5m Sealed Road Layout	SDS Civil Enterprises	Feb 2020
C2 Rev -	Internal Access road Longsection	SDS Civil Enterprises	Feb 2020
C3 Rev -	Internal Access road Typical Cross Sections	SDS Civil Enterprises	Feb 2020
C4 Rev -	Intersection Plan & Driveway C1, C2, C3, D1, D2	SDS Civil Enterprises	Feb 2020
C5 Rev -	Driveway Longsections A1, A2, A3, A4, B1, B2, B3	SDS Civil Enterprises	Feb 2020
Culv1	Blindmouth Creek – Causeway Section View	SDS Civil Enterprises	Feb 2020

The development is also to be in accordance with any changes shown in red ink on the approved plans or conditions of consent.

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

2. **Conditions prescribed by the Regulation**  
This development consent is subject to the conditions prescribed by the regulations in accordance with subsection 4.17(11) of the Environmental Planning and Assessment Act 1979. Conditions are provided in **Schedule 3** of this consent.
3. **Bush fire safety measures**  
The land is identified as being designated bush fire prone land and under Section 4.14 of the Act and the development must comply at all times with the recommendations and requirements of Bushfire Assessment Report prepared by Sustainable Home Solutions dated 31<sup>st</sup> March 2020.

#### The following conditions are to be complied with prior to issue of a Construction Certificate for building works

4. **Amended Layout Plan**  
An amended Layout Plan be submitted with the construction certificate with Dwelling Sites D1 and D2 located no further than 80 metres apart.

5. **Controlled Activity Approval – Stormwater Works within the Internal Driveway**  
A Controlled Activity Approval under section 92 of the Water Management Act 2000 must be made to the Natural Resources Access Regulator (NRAR) for works within and adjacent to the waterway area.

Such plans and specifications must be submitted to the Principal Certifying Authority and shall form part of the Construction Certificate.

6. **Primary ecological restoration work**  
Primary ecological restoration work as defined within the *Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm* dated January 2020 must be completed prior to the issue of a Construction Certificate.

7. **Environmental Management Zones to be illustrated on relevant construction plans**  
All Environmental Management Zones to be retained in accordance with this development consent as defined within the *Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm* dated January 2020 must be illustrated on any and all relevant Construction Plans.

8. **Long Service Levy to be paid**  
In accordance with Section 6.8 of the Environmental Planning and Assessment Act 1979 (as amended), a Construction Certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid (as applicable).

These payments can be made online at [www.longservice.nsw.gov.au](http://www.longservice.nsw.gov.au). Proof of payment is required to be submitted with the Construction Certificate application.

For further information regarding the Long Service Payment please refer to the website above.

9. **Developer Contributions to be paid**  
Contributions set out in the schedule below are to be paid to Council prior to:
- a) the approval of a construction certificate related to any subsequent development applications for dwellings on the site; or
  - b) a complying development certificate for a dwelling on the site.

Contributions may be paid on a proportional basis for each dwelling.

Contributions are levied in accordance with the Byron Shire Developer Contributions Plan 2012 (as amended). The Plan may be viewed on line at [www.byron.nsw.gov.au](http://www.byron.nsw.gov.au) or during office hours at the Council Offices located at Station Street, Mullumbimby. These contributions are to fund public amenities and services as listed in the schedule. Additional details on the specific amenities are to be found in the Byron Shire Developer Contributions Plan 2012 (as amended).

The contributions in the schedule are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and the **amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.** The schedule contains a date for which the schedule remains valid, after this date you will have to contact Council for an updated schedule.

10. **Rural Land Sharing Management Plan**  
An Amended Rural Land Sharing Management Plan must be submitted to Council for approval prior to the issue of the construction certificate. The plan must address all of the issues prescribed for Rural Landsharing Management Plans under Clause D2.6.1 of *Byron Development Control Plan 2014*.

The plan must also include provisions for:

- restrictions on the number of dwellings per house site to one dwelling only (no secondary dwellings or dual occupancies permitted).
- to prohibit holiday letting or short term rental accommodation.
- To prevent the keeping of cats and dogs other than “assistance animals” as defined by the Companion Animals Act 1998.
- Amended Layout plan to site dwellings D1 and D2, 80- metres apart at their closest point.
- Water Supply – provision of a minimum of 40,000 litres of water per dwelling plus a further 20,000 litres for bushfire fighting purposes.

The *Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm* dated January 2020 must be incorporated into the Rural Landsharing plan.

**11. Vegetation Management Plan to be incorporated into the Community Management Statement**

Prior to the issue of a Construction Certificate, the *Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm* dated January 2020 must be incorporated into the Community Management Statement (CMS) and be integrated with any Bushfire Management Plan, Landscape Standards and Environmental Habitat Areas also included in the CMS.

**12. Consent required for works within the road reserve**

Consent from Council must be obtained for works within the road reserve pursuant to Section 138 of the Roads Act 1993. Three (3) copies of engineering construction plans must accompany the application for consent for works within the road reserve.

Such plans are to be in accordance with Council’s current Design & Construction Manuals and are to provide for the following works:

**Driveway (Typical Rural Property Access Standard)**

A driveway(s) in accordance with Type 1 driveway of RMS drawing 19.07.2016.

The works are to include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

**Access Treatment**

Provision of a BAR & BAL turning treatment in accordance with AUSTRROADS.

**Blindmouth Road Upgrade**

Blindmouth Road including the causeway on Blindmouth Road must be upgraded in accordance with Chapter D1.22 to D1.29 of D1.0 - Geometric Road Design - Northern Rivers Local Government.

a) The upgrade of Blindmouth Road in SDS Civil drawing C1 must be extended to link the unsealed section of road and the causeway on Blindmouth Road. The upgrade of the road must be designed to provide a 6m seal and 1m shoulders with table drains.

b) The upgrade of the causeway on Blindmouth Road over Blindmouth Creek to Austroads standards. The floodway must be designed to provide flood free access for at least the 1 in 2 year ARI storm event and safe vehicle access for at least the 1 in 50 year ARI storm event. Detailed design and documentation, including erosion protection works and safety measures,

for the creek crossing. Flood warning signs and flood gauges to show depth of flooding must be installed for both approaches to the floodway.

**13. Traffic Management Plan**

Consent from Council must be obtained for a Traffic Management Plan pursuant to Section 138 of the Roads Act 1993. The plans and specifications are to include the measures to be employed to control traffic (inclusive of construction vehicles) during construction of the development. The traffic management plan is to be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, Traffic Control at Work Sites Version 2, and the current Australian Standards, Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads'.

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

The traffic management plan must be prepared by a suitably qualified and RTA accredited Work Site Traffic Controller.

**14. Internal Access, Turnaround Area & Passing Bays**

The application for a Construction Certificate is to include plans and specification that indicate access details in accordance with the plans approved by this consent.

The internal access, turnaround area & passing bays for the development are to comply with the requirements of NSW Planning for Bushfire Protection 2006 and SDS Civil drawing C1. Plans are to include, but not be limited to, the following items:

- a) Bridges clearly indicate load rating and pavements and bridges are capable of carrying a load of 15 tonnes.
- b) Passing bays shall be provided, that are 20 metres long by 2 metres wide, making a minimum trafficable width of 6 metres at the passing bay.
- c) A minimum vertical clearance of 4 metres to any overhanging obstruction, including tree branches.
- d) Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress.
- e) The minimum distance between the inner and outer curves is 6 metres.
- f) The crossfall is not to exceed 10 degrees.
- g) The internal access design must be supported with detailed engineering plans. Plans, cross sections, long sections and pavement design shall be in accordance with NRLG Guidelines. Plans shall also include site conditions affecting the access, existing and design finish surface levels.

Such plans and specifications must be approved as part of the Construction Certificate.

**15. Electricity Supply**

Electricity supply is to be provided to all dwelling sites as located on the Proposed Layout Plan prepared by Balance Systems Planning Consultants (Plan Number: Illustration 6, Dated: 14/11/19). The application for a Construction Certificate is to include plans that indicate the alignment of electricity and telecommunication supply through the development.

**16. Fibre-ready Facilities and Telecommunications Infrastructure**

Prior to the issue of the Construction Certificate in connection with a development, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:

- a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and

- b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note real estate development project has the meanings given in section 372Q of the Telecommunications Act).

**17. Site Waste Minimisation and Management Plan**

Chapter B8 of Byron Shire Development Control Plan 2014 (DCP 2014) aims to facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development. Prior to the issue of a Construction Certificate, a Site Waste Minimisation and Management Plan (SWMMP) must be submitted outlining measures to minimise and manage waste generated during demolition, construction and the ongoing operation and use of the development. The SWMMP must specify the proposed method of recycling or disposal and the waste management service provider.

A template is provided on Council's website to assist in providing this information [www.byron.nsw.gov.au/files/publication/swmmp-pro-forma.doc](http://www.byron.nsw.gov.au/files/publication/swmmp-pro-forma.doc)

**18. Developer Contributions to be paid**

Contributions set out in the schedule below are to be paid to Council prior to the release of a construction certificate. Contributions are levied in accordance with the Byron Shire Developer Contributions Plan 2012 (as amended). The Plan may be viewed on line at [www.byron.nsw.gov.au](http://www.byron.nsw.gov.au) or during office hours at the Council Offices located at Station Street, Mullumbimby. These contributions are to fund public amenities and services as listed in the schedule. Additional details on the specific amenities are to be found in the Byron Shire Developer Contributions Plan 2012 (as amended).

The contributions in the schedule are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and the **amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.** The schedule contains a date for which the schedule remains valid, after this date you will have to contact Council for an updated schedule.

**19. Tree Removal**

No trees or vegetation to be cleared or removed until a Construction Certificate has been issued.

**The following conditions are to be complied with prior to any building or construction works commencing**

**20. Erosion and Sediment Control Management Plan required**

Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.

Sediment and erosion control measures in accordance with the approved Erosion and Sedimentation Control plan/s must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Any such measures that are deemed to be necessary because of the local conditions must be maintained at all times until the site is made stable (i.e. by permanent vegetation cover or hard surface).

**Note: Council may impose on-the-spot fines for non-compliance with this condition.**

**21. Traffic Management Plan**

The approved traffic management plan is to be implemented.

**22. Public safety requirements**

All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. The public liability insurance cover, for a minimum of \$20 million, is to be maintained for the duration of the construction of the development. Council is not held responsible for any negligence caused by the undertaking of the works.

**23. Toilet facilities**

Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.

**The following conditions are to be complied with during any building or construction works**

**24. Construction times**

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

- a) Monday to Friday, from 7 am to 6 pm.
- b) Saturday, from 8 am to 1 pm.

No construction work to take place on Sundays or public holidays.

**Note: Council may impose on-the-spot fines for non-compliance with this condition.**

**25. Construction Noise**

Construction noise is to be limited as follows:

- a) For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- b) For construction periods greater than four (4) weeks and not exceeding twenty-six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

**Note: Council may impose on-the-spot fines for non-compliance with this condition.**

**26. Signs to be erected on building and demolition sites**

A sign must be erected in a prominent position on the work site:

- a) stating that unauthorised entry to the work site is prohibited, and
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed..

**27. Builders rubbish to be contained on site**

All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

**28. Fill to be retained on the subject land**

Fill material must not encroach onto any adjoining land.

**29. Prevention of water pollution**

Only clean and unpolluted water is to be discharged to Council's stormwater drainage system or any

watercourse to ensure compliance with the Protection of Environment Operations Act.

**Note: Council may impose on-the-spot fines for non-compliance with this condition.**

**30. Excavated natural materials and demolition waste disposal**

Any and all excavated natural materials and demolition and builders waste transported from the site must be accompanied (a copy kept with the transporter) by a NSW Protection of The Environment Operations Act s143 Notice. Template s143 Notices are available at <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/wasteregulation/160095-notices143-form.docx>

**31. Maintenance of sediment and erosion control measures**

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

**32. Stormwater drainage work**

Stormwater drainage for the development must be constructed in accordance with the approved plans and specification by a suitably qualified person.

**33. Protection of native vegetation**

All native vegetation nominated to be retained by notation or condition as a requirement of the development consent shall be maintained and protected during demolition, excavation and construction on the site in accordance with AS 4970-2009 – Protection of Trees on Development Sites.

**34. Aboriginal Relics**

If any Aboriginal archaeological relics or items are exposed during construction works, the Applicant shall:

- a) immediately cease works;
- b) notify the NSW National Parks and Wildlife Service (NPWS);
- c) obtain any necessary permits and/or approvals to continue the work under the National Parks and Wildlife Act 1974.

The Applicant shall comply with any further request made by the NPWS to cease work for the purposes of archaeological assessment and recording.

**The following conditions are to be complied with prior to issue of a Final Occupation Certificate for the MO**

**35. Works to be completed prior to issue of a Final Occupation Certificate**

All of the works indicated on the plans and approved by this consent, including any other consents that are necessary for the completion of this development including approvals issued under the Local Government Act 1993 and the Roads Act 1993, are to be completed and approved by the relevant consent authority/s prior to the issue of a Final Occupation Certificate.

Any Security bond paid for this application will be held until Council is satisfied that no further works are to be carried out that may result in damage to Councils road/footpath reserve.

**36. Plumbing Works**

All works in relation to any associated Section 68 Water and Sewerage approval must be fully complied with and have a Final Plumbing Certificate issued prior to the issue of an Interim or Final Occupation Certificate.”

**37. 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) Clear of effluent disposal areas,

- c) Not concentrated so as to cause soil erosion,
- d) Not directly to a watercourse, and
- e) Not onto adjoining land.

**38. Internal driveway in accordance approved plans**

Internal driveway to be constructed in accordance with the approved plans.

**39. Roadworks to be completed.**

The roadworks are to be constructed in accordance with the approved plans and Roads Act consent.

**40. Secondary ecological restoration work**

Secondary ecological restoration work as defined within the *Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm* dated January 2020 must be completed prior to the issue of an occupation certificate.

**41. Restriction on title**

The creation of a restriction as to use that:

- a) Prohibits the keeping of cats and dogs on the land other than “assistance animals” as defined by the Companion Animals Act 1998.
- b) Limits the number of dwellings to one per house site with a total maximum of 12 dwellings for the entire property.

Evidence is to be provided to council that a restriction via a Section 88E instrument is in place prior to issue of the occupation certificate.

**42. Compliance with bushfire conditions**

Documentary evidence from a suitably qualified professional is to be submitted demonstrating that the bush fire conditions of this Notice of Determination have been complied with.

**The following conditions are to be complied with at all times**

**43. No native vegetation removal**

This development consent does not authorize any native tree to be ringbarked, cut down, lopped, removed or damaged, or caused to be ringbarked, cut down, lopped, removed or damaged in contravention of Byron Development Control Plan 2014 and Development Control Plan 2010 as applicable to the land.

**44. Ecological restoration works**

Ecological restoration work must be undertaken and continued until the performance criteria have been achieved in accordance with the approved *Flora and Fauna Assessment and Vegetation Management Plan for a Rural Landsharing Community at Lot 52 DP 1035034 84 Blindmouth Road, Main Arm* dated January 2020 for a minimum period of five years, during which annual monitoring reports must be submitted to Council for approval.

**45. Native vegetation is not permitted to be cleared under Schedule 5A and/or Division 5 of the Local Land Services Act 2013**

Clearing of native vegetation that would be authorised under Schedule 5A and Division 5 of the *Local Land Services Act 2013* (LLS Act) is not permitted to be carried out without development consent under part 4 of the *Environmental Planning and Assessment Act 1979*.

In accordance with the Objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Section 1.3(e) of that Act the purpose of this condition is “to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats”.

Section 60Q(2) of the LLS Act provides that “Schedule 5A does not permit clearing or any other



activity —

- a) without an approval or other authority required by or under another Act or another Part of this Act (or in anticipation of the grant of any such approval or other authority), or
- b) in contravention of any provision of or made under (or in contravention of any agreement made under) another Act or another Part of this Act.”

Similarly, Section 60S(4) of the LLS Act provides that “A land management (native vegetation) code does not permit clearing or any other activity —

- a) Without an approval or other authority required by or under another Act or another Part of this Act, or
- b) In contravention of any provision of or made under another Act or another Part of this Act”

As this condition is imposed under section 4.17 of the EP&A Act, sections 60Q and 60S of the LLS Act apply and the clearing of native vegetation under Schedule 5A and Division 5 of the LLS Act is not permitted.

**46. Must not interfere with the amenity of the neighbourhood**

The use of the development must not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, dust, wastewater or otherwise. In particular:

- a) Any complaints to Council about ‘offensive’ noise will be dealt with under the provisions of the Protection of the Environment Operations Act 1997.
- b) Only clean and unpolluted water is permitted to be discharged to Councils’ stormwater drainage system or any waters.
- c) All wastes shall be contained within appropriate containers fitted with a tight-fitting vermin-proof lid.
- d) All waste storage and sewage facilities shall be serviced and maintained to ensure that all relevant environment protection standards are satisfied.

Goods deliveries shall be restricted to daytime operating hours.

**47. Bushfire Protection**

All recommended bushfire protection measures are to be maintained.

**48. Development Approval**

Separate development approval shall be obtained before the construction of each new dwelling.

**49. Implementation of the Rural Land Sharing Management Plan**

All activity will be in accordance with a Final Rural Land Sharing Management Plan and are to be complied with at all times.

## **SCHEDULE 2. PRESCRIBED CONDITIONS**

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**The prescribed conditions in accordance with Division 8A of the Environmental Planning and Assessment Regulation apply as are of relevance to this application:**

- |            |  |
|------------|--|
| Clause 98  | Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989 |
| Clause 98A | Erection of signs  |
| Clause 98B | Notification of Home Building Act 1989 requirements  |
| Clause 98E | Condition relating to shoring and adequacy of adjoining property                                       |

Refer to the NSW State legislation for full text of the clauses under Division 8A of the [Environmental Planning and Assessment Regulation 2000](http://www.legislation.nsw.gov.au). This can be accessed at <http://www.legislation.nsw.gov.au>.

## SCHEDULE 3. REASONS FOR DECISION, HOW COMMUNITY VIEWS WERE ADDRESSED

*Note: From July 1 2018, Council's are required to give and publicly notify reasons for a range of planning decisions where they are deciding if development should proceed to help community members to see how their views have been taken into account and improve accountability to stakeholders. A statement of reasons for the determination of this application is provided below.*

Statement of Reasons
The proposed development complies with the provisions of Byron Local Environmental Plan 1988.
The proposed development complies with the provisions of Byron Local Environmental Plan 2014.
The proposed development complies with relevant State Environmental Planning Policies
The proposed development complies with relevant provisions of Development Control Plan 2014
The proposed development complies with relevant provisions of Development Control Plan 2010
The proposed development complies with Environmental Planning & Assessment Regulation 2000 considerations.
The proposed development will not have significant adverse impact on the natural, built or social environment or economic impacts on the locality.
The proposed development is considered suitable for the proposed site.
The development application was notified/advertised in accordance with Council's Community Participation Plan. Issues raised in the submissions have been addressed during assessment of the application.
The proposed development is unlikely to prejudice or compromise the public interest.

## SCHEDULE 4. NOTES

### Construction Certificate required:

This development consent is issued under the Environmental Planning and Assessment Act 1979 and does not relate to structural aspects or specifications of the building under the Building Code of Australia. All buildings and alterations require the issue of a Construction Certificate prior to works commencing. Application forms are available from the customer services counter or Council's website [www.byron.nsw.gov.au](http://www.byron.nsw.gov.au)

### Principal Certifying Authority:

Work must not commence until the applicant has:-

- appointed a Principal Certifying Authority (if the Council is not the PCA); and
- given Council at least two days notice of the intention to commence the erection of the building. Notice must be given by using the prescribed 'Form 7'.
- notified the Principal Certifying Authority of the Compliance with Part 6 of the Home Building Act 1989.

### Occupation Certificate required:

The building must not be occupied until the Principal Certifying Authority has issued an Occupation Certificate.

### Protection of the Environment Operations Act 1997:

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

### Penalties apply for failure to comply with development consents

Failure to comply with conditions of development consent may lead to an on the spot fine being issued pursuant to section 4.2(1) of the Environmental Planning & Assessment Act 1979 or prosecution pursuant to section 9.50 of the Environmental Planning & Assessment Act 1979.

### Plumbing Standards and requirements.

All Plumbing, Water Supply, Sewerage and Stormwater Works shall be installed in accordance with the Local Government Act 1993, Plumbers Code of Australia and AS/NZS 3500 Parts 0-5, the approved plans (any notations on those plans) and the approved specifications. Any plumbing inspections required under a Section 68 Approval are to occur in accordance with that approval.

**Relics Provisions- Advice**

Attention is directed to the NSW Heritage Act 1977 and the provisions of the Act in relation to the exposure of relics. The Act requires that if:

- a) a relic is suspected, or there are reasonable grounds to suspect a relic in ground, that is likely to be disturbed damaged or destroyed by excavation; and/or
- b) any relic is discovered in the course of excavation that will be disturbed, damaged or destroyed by further excavation;

Those responsible for the discovery must notify nominated management personnel who will in turn notify the Heritage Council of New South Wales or its delegate, the Office of Environment and Heritage, NSW Heritage Branch, and suspend work that might have the effect of disturbing, damaging or destroying such relic until the requirements of the NSW Heritage Council have been satisfied (ss139, 146).

**S7.11 Schedule of Development Contributions**

The following contributions are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and the **amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.** The current contribution rates are available from Council offices during office hours. **Payments will only be accepted by cash or bank cheque.**

<b>Section 7.11 contributions Schedule for Rural North Catchment</b>						
This schedule was calculated in spreadsheet #E2021/47539 as a specialized calculation to distribute the lot credit equitably over each dwelling site						
Schedule valid until			<b>24/04/2021</b>	<b>After this date contact Council for CPI update.</b>		
Local Open Space & Recreation	(OS-RN)	12.00	SDU @	\$ -	=	\$ -
LGA Wide Open Space & Recreation	(OS-SW)	12.00	SDU @	\$ 705.64	=	\$ 8,467.68
LGA wide Community Facilities	(CF-SW)	12.00	SDU @	\$ 1,033.50	=	\$ 12,402.00
Local Community Facilities	(CF-RN)	12.00	SDU @	\$ -	=	\$ -
Bikeways & Footpaths	#N/A	12.00	SDU @	\$ -	=	\$ -
Shire Wide Bikeways & Footpaths	(CW-SW)	12.00	SDU @	\$ 75.81	=	\$ 909.72
Urban Roads	#N/A	12.00	SDU @	\$ -	=	\$ -
LGA Wide Roads	(R-SW)	12.00	SDU @	\$ 213.53	=	\$ 2,562.36
Rural Roads	(R-RN)	12.00	SDU @	\$ 13,933.56	=	\$ 167,202.72
Administration Levy	(OF-SW)	12.00	SDU @	\$ 1,067.35	=	\$ 12,808.20
<b>Total</b>				<b>\$ 17,029.39</b>	<b>=</b>	<b>\$ 204,352.68</b>

**4. DISCLOSURE OF POLITICAL DONATIONS AND GIFTS**

Has a Disclosure Statement been received in relation to this application	No
Have staff received a 'gift' from anyone involved in this application that needs to be disclosed. Where the answer is yes, the application is to be determined by the Director or Manager of the Planning, Development and Environment Division.	No

Provide Disclosure Statement register details here: Not applicable