

CONDITIONS OF CONSENT:

SCHEDULE 1 DEFERRED CONSENT CONDITION PURSUANT TO SECTION 4.16(3)

The following conditions concerns matters as to which Council must be satisfied before the consent can be issued:

1. Deferred commencement – Building Information Certificate

A Building Information Certificate is required to be issued by Council for the commercial shed. Prior to issue of the Building Information Certificate the applicant is to demonstrate to Council's satisfaction with evidence in the form of detailed report/s from suitably qualified and experienced professionals the constructed works satisfies

1. A land survey from a registered surveyor is required with the Building Information Certificate application identifying all structures located upon the subject property.
2. The following Performance Provisions of the Building Code of Australia.
3. Any recommended works identified in this report/s or identified by Council must be completed prior to issue of the Building Information Certificate;

Performance Requirement of the Building Code of Australia

- Section B – Structure
- Section C - Fire resistance
- Section D - Access and egress
- Section E - Services and equipment
- Section F – Health and amenity

2. Deferred Commencement - Removal of Illegal Fill Materials on Site

This consent does not operate until Council is satisfied that suitable arrangements can be made for management for the complete removal of illegal fill materials on-site.

To satisfy Council in this matter the applicant must submit a management plan for the removal of fill materials. The management plan shall include the following

- a) erosion & sediment control plan in accordance with NSW Blue Book:
- b) construction management plan to ensure any noise & dust generated from the site is controlled in accordance with the requirements of that plan: and
- c) traffic management plan to maintain traffic safety & efficiency in Myocum Road.

Construction and Traffic Management Plan detailing the scheduling of construction traffic for the full duration of site and construction activities. The plan must take into consideration periods of high local traffic flows (eg. school bus times) and the protection of the residential amenity in the immediate neighbourhood. Further, a Traffic Guidance Scheme (TGS) must be prepared by a person accredited to prepare TGS's which must detail the road work signs, and alteration to traffic lanes which may be required over the duration of the construction activities.

In satisfying Council as to the above, the management plans must be prepared by a suitably qualified professional with sufficient experience in Erosion & Sediment Control, Construction and Traffic Management before the commencement of the construction activity.

Evidence of compliance with the above condition(s) by way of a detailed survey of the affected area of the site by a registered land surveyor, sufficient to satisfy the Council as to those matters, must be provided within 12 months of this notice. If satisfactory evidence is

produced in accordance with this requirement, the Council will give notice to the applicant of the date from which the consent operates.

If 12 months of this notice has passed and the illegal fill material has not been completely removed, the Consent lapses.

3. Deferred Commencement - Removal of Unauthorised Signs

All signage that is installed on the site is to be removed, unless it can be demonstrated that signs are 'Exempt development' under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Separate development consent is to be obtained for any signage, where statutorily required.

4. Deferred Commencement - Removal of Plant and Equipment

All plant and equipment associated with concrete works are to be removed from the site. This includes the batching plant, concrete agitator trucks and any associated equipment. Council officers are to inspect the site to verify compliance.

Note: Fees apply to site inspections listed within Council's Fees & Charges.

Any other plant, equipment or structures that are not Exempt development' under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are also to be removed.

5. Deferred Commencement - Landscaping

All proposed site landscaping depicted in the Indicative Landscape Plan prepared by Town Planning Studio Pty Ltd, dated 09/02/2022 is to be planted and established to Councils satisfaction.

SCHEDULE 2 CONDITIONS OF CONSENT

Parameters of consent

1. Development is to be in accordance with approved plans

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Rev	Plan Title	Drawn by	Dated
20406_DA-C01	2	Site Aerial Overview Plan and Erosion Sediment Plan - A	Greg Alderson & Associates	20/10/2020
20406_DA-C02	2	Site Aerial Overview Plan and Erosion Sediment Plan - B	Greg Alderson & Associates	20/10/2020
FSB-200405085543		Floor Plan	unknown	19/05/2020
FSB-200405085543		End Elevations	unknown	19/05/2020

FSB-200405085543		Side Elevations	unknown	19/05/2020
FSB-200405085543		End Frame Elevations	unknown	19/05/2020
FSB-200405085543		Side Frame Elevations	unknown	19/05/2020
FSB-200405085543		Cross Section	unknown	19/05/2020
19043-180810SN01	0	Unisex Toilet Facility	unknown	14/08/2018
01	A	Indicative Landscape Plan	Town Planning Studio Pty Ltd	09/02/2022
20406_VEH-C01	0	Driveway Layout	Greg Alderson & Associates	13/07/2021

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.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

2. Use of the site – landscaping material supplies only

The development is to be carried out strictly as a 'defined landscape material supplies' business only which is: **landscaping material supplies** means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

3. Concrete batching not approved

Concrete batching and any other activity related to the process of concrete batching on site is not approved under this consent.

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

4. Access and facilities for disabled

The application for a Construction Certificate is to include plans and specifications that indicate access and facilities for persons with access disabilities to and within

the development in accordance with AS 1428.1 - Design for Access and Mobility and Part D3 of the Building Code of Australia.

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

5. Existing building to be brought into compliance with fire safety provisions

In accordance with Clause 94 of Environmental Planning & Assessment Regulation 2000, the existing commercial shed is to be brought into full compliance with the fire protection and structural provisions of the Building Code of Australia.

6. Environmental Management Plan – Construction/Operation

Environmental Management Plan (EMP) must be submitted to Council for approval prior to any works commencing. The EMP must be prepared by a suitably qualified professional and contain details of measures to be undertaken to ensure that construction and operation of the development do not result in any on and off-site impacts that could interfere with neighbourhood amenity by reason of noise, vibration, smell, fumes, smoke, dust, wastewater or otherwise. All works must be in accordance with NSW WorkCover Authority.

The EMP must be approved as part of the application for a construction certificate for building works.

7. Water - Section 68 approval required

An Approval under Section 68 of the Local Government Act 1993 to carry out water supply work must be obtained.

8. On-site sewage management facility Section 68 approval required

An approval under Section 68 of the Local Government Act 1993 for on-site effluent disposal must be obtained from Council prior to issue of a Construction Certificate. Such approval must be issued after the date of this consent.

The application for Section 68 approval must be accompanied by a report prepared by a suitably qualified professional with demonstrated experience in effluent disposal matters, which addresses the site-specific design of sewage management in accordance with the requirements of the NSW Local Government Act, and Approvals Regulation and Guidelines approved by the Director General.

9. 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)

10. **Stormwater Drainage – Connection to Public or Inter-allotment Drainage**

The application for a Construction Certificate is to include plans and specifications for stormwater drainage in accordance with the relevant Australian Standard. All stormwater drainage for the development must be conveyed by a gravity system in accordance with the approved plans

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

All stormwater drainage systems within the lot and the connection to a public or an inter-allotment drainage system must:

- (a) comply with any requirements for the disposal of stormwater drainage contained in Council's Development Control Plan, Stormwater Guideline and Local Approvals Policy; and
- (b) unless exempt from obtaining an approval under section 68 of the Local Government Act 1993 by a Local Approvals Policy, an approval must be obtained under that Act prior to issue of a Construction Certificate

11. **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 (Myocum Rd)	A driveway in accordance with Council's standard "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings" and approved plans.
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The approved plan 20406_VEH-C01 by Greg Alderson & Associates must be amended by deleting the proposed widening of the driveway in Myocum Rod.

12. **Traffic Guidance Scheme (TGS)**

Prior to issue of the construction certificate, consent from Council must be obtained for a Traffic Guidance Scheme (TGS) 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. The TGS is to be designed in accordance with the requirements of the current version of the Transport for NSW Traffic Control at Work Sites Technical Manual.

The plan shall 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 TGS must be prepared by a suitably qualified Transport for NSW accredited person.

13. Flood Planning Level

The plans and specifications to accompany the construction certificate application are to indicate a minimum habitable floor level that is at, or up to 0.3m above, the flood planning level unless a greater floor level has been shown on the plans approved by the development consent.

The plans and specifications to accompany the construction certificate application are to also indicate:

- a. a minimum floor level of 3.49m A.H.D for non-habitable building or room (eg. Shed, carport, garage, laundry, shelter, etc.); and
- b. the use of flood compatible materials and services below the flood planning level in accordance with the requirements of Council's Development Control Plan 2014 – Chapter C2 – Areas Affected by Flood.

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

14. Bond required to guarantee against damage to public land

A bond of \$10,000 is to be paid to Council as guarantee against damage to surrounding public land and infrastructure during construction of the proposed development. Evidence is to be provided to Council indicating the pre development condition of the surrounding public land and infrastructure. Such evidence must include photographs. The proponent will be held responsible for the repair of any damage to roads, kerb and gutters, footpaths, driveway crossovers or other assets.

Such bond will be held until Council is satisfied that the infrastructure is maintained/repared to pre development conditions and that no further work is to be carried out that may result in damage to Council's roads, footpaths etc.

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

15. 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.

16. Environmental Management Plan (EMP)

All controls and measures must be in place in accordance with approved EMP. The applicant is required to ensure that the construction management and all construction staff are made aware of their responsibility to abide by the plan.

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

17. 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 Saturdays and Sundays adjacent to Public Holidays and Public Holidays and the Construction Industry Awarded Rostered Days Off (RDO) adjacent to Public Holidays.

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

18. 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.

19. Environmental Management Plan (EMP) must be implemented

All controls and measures must be implemented and maintained in accordance with approved EMP. The applicant is required to ensure that the construction management and all construction staff are made aware of their responsibility to abide by the plan.

20. 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.

21. Stormwater drainage work

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

22. **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.

23. **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.

24. **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.

25. **Removal of demolition and other wastes**

All wastes, including asbestos and lead-contaminated wastes, associated with these works are to be handled and disposed of in accordance with the requirements of the Work Cover Authority. The applicant/owner is to produce documentary evidence that this condition has been met. Wastes must be disposed of at a Licenced Waste Facility. All wastes removed from the site must be managed and disposed of in accordance with the NSW EPA Waste Classification Guidelines (2014) <https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/waste-classification-guidelines>

26. **All excavated soils to be disposed of off-site**

All excavated soils to be disposed of off-site and in accordance with NSW EPA *Waste Classification Guidelines* (2014) and approved environmental management plans.

27. **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>

The following conditions are to be complied with prior to occupation of the building

28. **Works to be completed prior to issue of an 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, 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.

29. **Access and parking areas to be completed**

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

30. **Floor Levels – Certification for Flooding**

Prior to the issue of any Occupation Certificate, a certificate from a registered surveyor must be submitted to the Principal Certifying Authority confirming the height of habitable and non-habitable floors. An Occupation Certificate must not be issued unless the floor levels are at or above the relevant flood planning levels. A copy of the floor level certification from the registered surveyor must also be submitted to Council for the attention of Council's Drainage and Flood Engineer.

31. **Stormwater drainage work**

Stormwater drainage for the development must be constructed in accordance with the approved plans and specification prior to issue of an occupation certificate.

32. **Building Information Certificate**

A building information certificate is required to be issued for the shed prior to the use of these buildings.

33. **Fire Safety Certificate**

The Principal Certifying Authority is to be furnished with a fire safety certificate signed by the owner(s) of the property. The certificate is to indicate that all fire safety measures required to be installed in the building as indicated below have been installed and meet relevant Australian Standards for design & installation. Forms are available on Council's website. Minor changes to the schedule may be undertaken as part of the certification process without the issue of any amendment under Section 4.55 of the Act.



FIRE SAFETY SCHEDULE

Clause 168 of the Environmental Planning and Assessment Regulation 2000

Premises: 320 McAuleys Lane MYOCUM
Development Consent No.: 10.2020.568.1
Construction Certificate No.: Not applicable

The following essential fire safety measures shall be implemented in the whole of the building premises and each of the fire safety measures must satisfy the standard of performance listed in the schedule which, for the purposes of Clause 168 of the Environmental Planning and Assessment Regulation 2000, is deemed to be the current fire safety schedule for the building.

SCHEDULE – Base Building BCA Year 2019
Type of Construction C
Compartment/s Size <100m2
RIS = 1

NOTES
 * Indicates whether the measure is new (N), Existing (E) or Modified (M)
 **Date (DD-MM-YYYY) measure was assessed by a properly qualified person

(Copy and Past to a Fire Safety Certificate / Statement as needed in the future)

Item No.	Essential Fire and Other Safety Measures	Status*	Standard of Performance	Nature of Inspection or Test & Frequency AS1851	Date**	Pass/Fail
General						
1.	Portable fire extinguishers	N	BCA E1.6 AS 2444 – 2001			

TABLE 1.13(A)
ROUTINE SERVICE FREQUENCIES FOR EACH SECTION

AS 1851 Section	Frequency						
	Monthly	Three monthly	Six monthly	Yearly	Five yearly	Five yearly (once only)	Five yearly (twice only)
7. Automatic fire sprinkler systems	✓	✓	✓	✓	✓	✓	✓
8. Fire pumps	✓	✓	✓	✓	✓	✓	✓
4. Fire alarm systems	✓*			✓	✓		
10. Fire alarm control panel		✓	✓	✓			
9. Fire detection and alarm systems	✓	✓	✓	✓	✓		
6. Special hazard systems	✓	✓	✓	✓	✓		
5. Fire doors for fire containment				✓	✓		
3. Fire doors with smoke seals				✓	✓		
11. Fire blankets				✓	✓		
12. Portable fire and smoke extract systems		✓**	✓	✓			
13. Fire and smoke control features of mechanical services	✓	✓	✓	✓	✓		
14. Emergency planning facilities	✓	✓	✓	✓			

*Where paragraphs are listed
 **Where paragraphs are listed and listed
 NOTE: The responsibility may rest in making monthly activities at a weekly frequency.

TABLE 1.13(B)
FREQUENCY TOLERANCES

Frequency	Tolerance (d)
Monthly	2 working days
Three monthly	10 working days
Six monthly	1 month
Yearly	2 months
Five yearly	3 months
Five yearly (once only)	4 months
Five yearly (twice only)	4 months
Five yearly	4 months

NOTE: The tolerance schedule is not intended to require additional maintenance activities to be carried out (e.g. six monthly routine control set at five or seven monthly intervals).

The following conditions are to be complied with at all times

34. Hours of operation

Operations, including deliveries, must not unreasonably interfere with the amenity of the neighbourhood. In particular operational noise, including deliveries, when audible from adjoining residential premises, can only occur:

- a. Monday to Friday, from 7 am to 5 pm.
- b. Saturday from 8 am to 2 pm.

Operations are not permitted on Sundays or Public Holidays.

35. **Environmental Management Plan (EMP) must be implemented**

All controls and measures must be implemented and maintained in accordance with approved EMP. The applicant is required to ensure that all staff are made aware of their responsibility to abide by the plan.

36. **Storage of Material**

All landscape material (other than packaged material) is to be stored in the approved containment bays. There is to be no stockpiling of this material on the site outside of the containment bays.

37. **Site Landscaping**

The approved landscaping is to be retained on site and maintained to Councils satisfaction at all times.

38. **Imported Landscape Materials**

All landscape material imported to the site for the purpose of the development must be from a clean source. Documentation must accompany the material certifying it as clean or virgin material. A copy of the certification must be provided to Council prior to this material being imported.

39. **Landscape material volumes**

Material stocks held on site must not exceed the volumes capable of being retained within the design parameters of containment bay areas depicted on approved Site Aerial Overview Plan and Erosion Sediment Plan - A, Dwg No. 20466_DA-C01 (Revision 2) prepared by Greg Aldersons & Associates dated 20/10/2020.

Landscape materials are not to be stockpiles outside of the containment bays.

40. **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) All guests and staff must be made aware that they must keep noise levels down to maintain neighbourhood amenity.
- c) Only clean and unpolluted water is permitted to be discharged to Councils' stormwater drainage system or any waters.

- d) All wastes shall be contained within appropriate containers fitted with a tight-fitting vermin-proof lid.
- e) All waste storage and sewage facilities shall be serviced and maintained to ensure that all relevant environment protection standards are satisfied.
- f) Goods deliveries shall be restricted to daytime operating hours from 7am to 5pm.

41. Site Waste Minimisation and Management

All works must comply with the objectives of waste minimisation and waste management of Part B8.1.2 of DCP 2014.

SCHEDULE 3 PRESCRIBED CONDITIONS

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 <http://www.legislation.nsw.gov.au/-/view/regulation/2000/557/part6/div9>
- 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 4 REASONS FOR DECISION, HOW COMMUNITY VIEWS WERE ADDRESSED

Statement of Reasons

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 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 the Byron Shire Community Participation Plan. Issues raised in the submission have been addressed during assessment of the application.
The proposed development is unlikely to prejudice or compromise the public interest.

How community views were addressed

The DA was advertised in accordance with the Byron Shire Community Participation Plan. The submission received was considered on merit and addressed during assessment of the application.
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To view the considerations, please contact Council to view a copy of the assessment report relating to this DA.

SCHEDULE 5

NOTES

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).

Enclosed public places (smoke-free environment)

Environment Act 2000 and the Smoke-Free Environment Regulation 2000 and the guidelines in the Regulation for determining what an enclosed public place is. Enquiries may be directed to the NSW Department of Health. The legislation may be viewed on:

<http://www.legislation.nsw.gov.au/maintop/scanact/inforce/NONE/0>