

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:
D02	Site	Angelica Projects	25.05.2020
D03	Immediate Site Plan	Angelica Projects	25.05.2020
D04	Immediate Site Plan	Angelica Projects	25.05.2020
D05	Main House Plan	Angelica Projects	25.05.2020
D06	Expanded House Plan	Angelica Projects	25.05.2020
D10	Elevations E + W	Angelica Projects	25.05.2020
D11	Elevations N + S	Angelica Projects	25.05.2020
D13	Door + Window Schedule	Angelica Projects	25.05.2020
D14	Door + Window Schedule	Angelica Projects	25.05.2020

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. Staged Development

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

Stage 1 – Main dwelling with 2 bedrooms, 2 bathrooms, kitchen, laundry and car port.

Stage 2 – Expanded outbuilding with 1 bedroom, 1 bathroom and separate living area.

Where conditions are required to be satisfied prior to a particular event, those conditions are the conditions relevant to the works being carried out in the stage.

The relevant conditions are the conditions deemed necessary, by the Principal Certifying Authority (PCA) appointed for the development, or, where pursuant to the issue of a Construction Certificate, the relevant consent authority.

3. Support for neighbouring buildings

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made or builder must:

- a. Inform the neighbouring property owner immediately.
- b. Engage a structural engineer to determine any remedial works that may need to be undertaken.
- c. Preserve and protect the adjoining building from damage.
- d. If necessary, underpin and support the building in an approved manner.

4. 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 2** of this consent.

Concurrent Approvals

The following approvals are provided under Section 4.12 of Environmental Planning and Assessment Act, subject to the conditions contained in **Schedule 3** of this Notice of Determination:

Concurrent Approvals under Section 68 of the Local Government Act 1993

[Part C - Management of waste

C5 Installing, constructing or altering a waste treatment device or a human waste storage facility or a drain connected to any such device or facility

These works must be carried out to the satisfaction of Byron Shire Council and can not be assessed for the purpose of compliance, or otherwise deemed acceptable by a private certifier.

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

1. **Plans of retaining walls and drainage**

The application for a Construction Certificate is to include plans and specifications that indicate retaining walls or other approved methods of preventing movement of the soil, where any excavation or filled area exceeds 600mm in height. Adequate provision must be made for drainage.

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

2. **Consent required for Works within 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:

a) **Driveway**

A driveway in accordance with Council's Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings.

3. **Access & Parking**

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

The access, parking and manoeuvring for the site is to comply with the requirements of AS 2890.1-2004: Parking facilities, Part 1: Off-street car parking. Plans are to include, but not be limited to, the following items:

- a) minimum 150mm compacted pavement, sealed for grades greater than 12%;
- b) site conditions affecting the access;
- c) existing and design levels;
- d) longitudinal and cross sections; and
- e) drainage details.

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

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

4. **Compliance with BASIX Certificate requirements**

The development is to comply with Basix Certificate No. 1096839S, dated 09 June 2020.

The commitments indicated in the Certificate are to be indicated on the plans submitted for approval of the Construction Certificate.

The plans submitted must clearly indicate all windows numbered or identified in a manner that is consistent with the identification on the Basix Certificate.

Minor changes to the measures may be undertaken without the issue of any amendment under Section 4.55 of the Act, provided that the changes do not affect the form, shape or size of the building.

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

5. **Building materials and colours to be specified**

The application for a Construction Certificate is to include plans and specifications that indicate the proposed building materials and colours consistent with the provisions of Development Control Plan 2014 – Chapter D2.2.3 - Character and Visual Impact. Please note that colours must be non-reflective earth tone colours and that the use of white and near white colours is not permissible

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

6. **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. 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.

7. **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 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.

8. **Site Waste Minimisation and Management**

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

9. **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

10. **Erosion and Sediment measures**

Erosion and sedimentation controls are to be in place in accordance with the *Guidelines for Erosion & Sediment Control on Building Sites*. A copy may be downloaded from Council's web site at [Guidelines for Erosion and Sediment Control on Building Sites](#). Particular attention is to be given to the provision of the following sediment and erosion control measures:

- a. Temporary driveway from the edge of road to the building site;
- b. Temporary downpipes immediately installed after the roof has been erected;
- c. Silt fence or sediment barrier.

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

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

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).

11. **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.

12. **Rural House numbering**

The Rural Address for this property is 13 Byron Creek Road COOPERS SHOOT NSW 2479. This number must be displayed at the main driveway entrance approved for your property, in accordance with the "Rural Property Address Guidelines"

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

13. **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.

14. **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.

15. 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.

16. Inspection for on-site sewage management

All plumbing and drainage works is to be installed by a suitably qualified person. The plumber must adhere to the requirements of the NSW Code of Practice and AS/NZ 3500. The plumber is to arrange for the following inspections to be undertaken:

- a. Internal drainage prior to covering of the works.
- b. External drainage prior to the covering of works.
- c. Irrigation installation prior to the covering of works.
- d. Final

17. 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.

18. 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.

19. 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>

20. 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.

21. 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.

22. 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 DECC Waste Classification Guidelines \(2008\)](#).

23. Muted bushland tones external finishes

To ensure the development is compatible with the surrounding environment, colours and finishes are

to be muted bushland tones. In this regard white, light or bright colours are not permissible.

24. 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 occupation of the building

25. 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 Council's road/footpath reserve.

26. On-site Sewage Management system must be completed

The on-site sewage management system is to be constructed in accordance with approved plans and in accordance with current specifications and standards. The system is not to be used and/or operated until a Council Officer has inspected the system and authorised its use.

27. Approval to Operate required

In accordance with the Local Government Act, an Approval to Operate the onsite sewage management system must be obtained from Council. Forms may be downloaded from Council's website with '<http://www.byron.nsw.gov.au/on-site-sewage>'.

28. 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."

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 prior to the issue of an occupation certificate.

30. 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.

The following conditions are to be complied with at all times

31. Approved use

Dual Occupancy (Detached) – Use of the development is approved for a dual occupancy

(detached). Any activity other than that defined as dual occupancy (detached) must not be carried out unless development consent is sought.

Note. “dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.”, and

dwelling means “a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile”.

The dual occupancy (detached) is not approved as short term rental accommodation, tourist and visitor accommodation or to be “holiday let”.

32. **Only one kitchen and one laundry per dwelling**

There must be no more than one kitchen and one laundry provided per approved dwelling.

The outbuilding must not contain facilities (e.g. kitchen, sink or the like) that would enable the preparation of food or beverages.

33. **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 2. 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

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. LOCAL GOVERNMENT ACT 1993 SECTION 68 CONDITIONS OF APPROVAL

- It is the applicant’s responsibility to obtain consent for any building or subdivision works. This consent does not imply approval of any future building or subdivision works.
- Consent will be required to connect all plumbing and drainage associated with future building works to the approved sewage management facility.
- Unless tree removal is depicted on the approved plans or identified in the application, this approval does not give consent to the removal of trees or vegetation protected by the Byron Shire Council Tree Preservation Order.

1. The applicant shall install a Sewage Management Facility comprising the following:

Treatment 1	AWTS
Disposal Type	2 x pump dosed ETA beds at 2m x 11m x 450m

Note: All Waste Treatment Devices must be accredited by NSW Health. Tanks must bear the standard

mark (AS1546-1990).

2. The proposed wastewater system shall be constructed generally in accordance with:
 - a) This approval: 70.2020.296.1
 - b) NSW Environment and Health Protection Guidelines;
 - c) Council specifications **attached**;
 - d) Waste water report E2020/71985
 - e) Plans E2020/71987
3. **Prior to work commencing** on construction of the on-site sewage management system the following is required:
 - a) A **detailed design of the irrigation system** including specifications of pump sizes, valves and pipe-work shall be submitted to, and approved by, Council. The design must ensure the even distribution of effluent over the disposal area and include the location of surface drains and swales for diverting stormwater away from the irrigation area.
 - b) Details of water conservation measures are to be installed - the licensed plumber is to certify the installation of these measures prior to final inspection being conducted by Council.
 - c) A licensed plumber is to be engaged to carry out the work. The plumber is to obtain a permit from Byron Council prior to commencing any work, application form is **attached**. If there is more than 1 plumber carrying out works then separate permits will have to be lodged stating specifically the works that are to be carried out.
4. **Hydraulic loading**
The proposed on-site sewage management system has been designed for treatment of a wastewater loading of no more than 460 litres per day.
5. **Hazardous chemicals**
No hazardous chemicals to be used in volumes likely to impact the health of the system including highly acidic or alkaline substances, harsh cleaning and disinfectant chemicals, oils or other matter.
6. **Protection of disposal area**
The disposal irrigation area is to be fenced to exclude people, traffic and unauthorised use for storage etc. and have signs indicating "effluent irrigation area do not access" in obvious locations and large lettering legible from 10 meters away.
7. **Installation of system**
The on-site sewage management system is to be installed by a licensed tradesman in accordance with approved plans, specifications and conditions of approval and the requirements of the NSW Code of practice and AS/NZS 3500 must be adhered to.
8. **User manual**
A user operation and maintenance manual shall be provided on completion of the system and prior to commissioning.
9. **Prior to use**
The sewage management system shall not be used until such time as it is completed, inspected and approval for use issued by Council. The owner is required to maintain the system in accordance with the approved plans, specifications and conditions of approval.
10. **Inspections prior to use**
The applicant / licensee is to provide 24 hours notice and attend the site for the following inspections, prior to covering of work. Inspections will be carried out at a mutually convenient time for any works that fall under the following descriptions for inspections. (If there are no applicable works, for example, a new water supply with no sewer services, then an inspection for "external drainage" will not be required)

Typical inspections that must be booked in include but are not limited to the following:

a) **Structures (dwellings, sheds, studios etc up to the connection point of the Onsite Sewer Management System) -**

- Internal Drainage External Drainage
- Sewer connection to the OSMS
- Water Rough In (including any in ground water supply lines from water tanks or other buildings);
- Stack work/elevated drainage;
- Final- all work completed.

b) **Onsite Sewer management Systems -**

- External Drainage (between components of the systems, for example, between Septic tanks and ETA beds)
- Pump lines between system components (for example; sewer pump lines must be inspected prior to covering)
- ETA Beds or trenches prior to back fill.
- Final - all work completed.

11. **Works as Executed (WAE) diagrams and Sewer Services Diagrams (SSD)**

Due to NSW Fair Trading Requirements a licensee is required to provide to Council and owner of the property a Compliance Certificate and Sewer Services Diagram (SSD) and Works as Executed (WAE) prior to booking a final inspection.

A note on diagrams-

SSD is development drainage 'up to the boundary shaft or Inspection Opening', while a WAE is the 'OSMS up to the boundary shaft or Inspection opening'. See link below for further information.

http://www.fairtrading.nsw.gov.au/ftw/Tradespeople/Plumbers_and_drainers/Plumbing_and_drainage_inspections/Plumbing_inspection_documents.page?#sewer_service_diagram

With regards to WAE diagrams, they require additional detail to that ordinarily expected with SSD. See below

- a) Plans shall be done in BLACK PEN only, using a ruler. No freehand.
- b) The plan must have dimensions and volumes for all components, Septic, Trenches etc.
- c) The plan must include distance measurements to the nearest boundary and the location of the tank and trenches relative to the house (or other such building) i.e. the plans shall include the outline of the buildings and boundaries.
- d) Plan must show locations of all Inspection openings to surface.
- e) Trenches shall show internal pipe layout
- f) Plans shall accurately reflect the installation and be to the nominated scale in order to assess buffer offsets.

AOS-AWTS

AERATED WASTEWATER TREATMENT SYSTEM

SPECIFICATION

OPERATIONAL REQUIREMENTS

The aerated wastewater treatment system (commonly referred to as AWTS), is a complex sewage treatment system designed to provide a high standard of biological activity and disinfection of the final treated effluent.

AWTS are reliant upon pumps and air injecting blowers to maintain the sewage treatment processes. As the mechanical components are an expensive and important part of the process, both the NSW Health accreditation and Council's approval required at least quarterly (every 3 months) servicing by an accredited service agent.

As with septic tanks, it is important that users are careful about what is put into the system and that the system is not repeatedly overloaded with water above the capacity of the system design.

1. Minimise water usage in the building to reduce the volume of wastewater (hydraulic load) required to be stored and treated by the system. Overloading the system should be avoided.
2. Minimise biological and chemical substances entering the system by choosing to use a kitchen sink strainer, and minimising the use of laundry and general cleaning chemicals. Biologically harmful chemicals such as

bleach and disinfectants should be used sparingly in any fixtures connected to the system.

3. Do not discharge grease, oil, paint, pesticides, chemicals or medications. The system does not have the complexity to properly decompose large quantities or complex organic compounds arising from such sources. The best option is to prevent such products from entering the system. Insoluble plastics and materials should not be added to the system.

MAINTENANCE REQUIREMENTS

- 1) Each three (3) monthly service shall include a part check on all mechanical, electrical and functioning parts of the aerated septic treatment system including:
 - α) Disinfection;
 - β) Replenishment of the disinfectant;
 - χ) All pumps;
 - δ) The air blower, fan or air venturi;
 - ε) The alarm system;
 - φ) The effluent disposal area, including the subsurface irrigation or ETA beds;
 - γ) The slime growth on the filter media;
 - η) The operation of the sludge return system.
- 2) An annual inspection is to include a check on sludge accumulation in the septic tank (primary treatment tank) and the clarifier where appropriate.
- 3) The following field tests shall be performed at every service:
 - α) pH from a sample taken from the irrigation chamber;
 - β) Dissolved oxygen from a sample taken from the final aeration or stilling chamber although recommended is OPTIONAL.
- 4) For systems which utilise the sewerage treatment principle of activated sludge or contact aeration an additional field test shall be performed at least annually to determine if the accumulated sludge is bulking and as an indication that the aeration compartments/s require desludging. The sludge bulking test is commonly referred to as an SV30 test.
- 5) A service report sheet shall be completed for every service. Every service report shall be in triplicate and is to specify ALL service items and test results, the amount of chlorine compound provided, the date of service, and the technician's initials. The triplicate shall be given or left for the owner, the duplicate forwarded to Council and the original to be retained by the applicant.
- 6) Each service agent is to provide a registered business office, which, if unattended during office hours, is provided with a telephone answering device or service. A means of reporting a malfunction or breakdown of the aerated septic treatment system outside normal business hours shall be available.
- 7) In the event of a breakdown or malfunction, the service agent shall be capable of effecting repairs within twenty four (24) hours to ensure continued operation of the aerated septic tank system. This would necessitate the provision and replacement of adequate spare parts and temporary replacement blowers and irrigation pumps where repairs cannot be completed on site.
- 8) Check for system failures which are generally indicated by:
 - (a) Plumbing fixtures and fitting not draining properly indicate a damaged or blocked pipe or possible septic tank failure.
 - (b) Surcharge of effluent at ground level either around the tank, or down the slope at the land application area/s.
 - (c) Foul odour emanating from the tank or land application area/s.
Call a licensed plumber if you have concerns that your system is failing.

AOS-ETA

EVAPOTRANSPIRATION/ABSORPTION BEDS

OPERATION REQUIREMENTS

The evapotranspiration area (ETA) has been designed and constructed to have a limited hydraulic capacity. Where usage exceeds design capacity a public health risk or environmental harm may occur.

Effluent from the approved wastewater treatment system is designed to be evenly dispersed into each ETA field, ensuring the maximum opportunity for effluent to be taken up by the environment. The ETA provides the best opportunity for plant nutrient uptake and evaporation / transpiration.

ETA should be completely flat and level.

The characteristics of the natural soil are an important part of the functioning of ETA. In our climate of regular and heavy rainfall, ETA can be damaged by surface water flows. Diversion drainage or berms should be maintained to prevent 'water logging' of the ETA. Roof waters and rain water tank overflows should be piped away from the ETA.

ETA should be operated and maintained strictly in accordance with manufacturer's instructions and regular maintenance and attention is required. Effluent from the approved treatment system shall be dispersed into each ETA bed field.

There are minimal maintenance requirements for ETA. The area should be protected from vehicle traffic, heavy stock grazing and large tree / root invasion. The best environment to support long term success of any ETA is a well maintained surface with even plant coverage and maximum sun. Bare or wet areas within such an area might indicate a point of failure.

MAINTENANCE REQUIREMENTS

1. The system operator should maintain the ETA in regard to adequate cover, elimination of weeds, maintenance of plants and shrubs. **If surcharging** effluent is observed or other signs of field malfunction are found, the system operator should contact their service provider or a licensed plumbing contractor to investigate.
NOTE: Any alteration, extension or construction associated with your on-site sewage management system requires the prior approval of Council.
2. At least once each year a service should be carried out by a service provider of licensed plumbing contractor particularly for service of any associated pressure dosing systems.
3. A service report sheet shall be completed for every service. Operators should maintain records of all service inspections and pumpouts performed whilst the sewage management facility continues to operate. **Each year a copy of the service report should be provided to Council.**
4. Check for system failures which are generally indicated by:
 - a. Effluent on the surface of the land application area.
 - b. Surge of effluent from the land application area. Dead vegetation or excessively luxuriant growth of vegetation leading away from the land application area/s.
 - c. Foul odours emanating from the land application area.
 - d. Overflow at the septic tank or household plumbing fixtures.

AOS-PW

PUMP WELL - PUMP TO IRRIGATION

OPERATION REQUIREMENTS

All wastewater treatment systems have a limited hydraulic capacity. Where usage exceeds design capacity a public health risk or environmental harm may occur.

The pump well was designed with sufficient capacity to ensure that if the pump line is blocked or the pump has failed, that the wastewater will not immediately overflow. A warning alarm or light should be maintained to indicate when a problem exists. Do not disconnect this alarm, as the replacement of damaged pump and components could be very expensive. The alarm is an early warning device to protect you and your system. When the warning device activates, cease all discharges of household wastewater to the system until the cause is investigated.

The electricity connections to the pump need to be maintained for reliable operation of the pump well. Any works

on electrical components must be undertaken by a qualified electrical contractor.

The location of 'in-line' filters needs to be regularly checked. If a filter becomes blocked, and this blockage is not rectified, the pump will fail and treated effluent may overflow from the pump well. The on-site sewage management system cannot be used until the pump is functioning correctly. Council cautions anyone who removes required filters and fails to replace them as required. 'In-line' filters are a critical component to ensure that parts of pipework and irrigation system do not become blocked and ultimately fail completely. Replacement of sub-surface irrigation areas can be expensive, if the pipes become blocked and cease to function.

MAINTENANCE REQUIREMENTS

1. A qualified service provider should routinely check the pump well tank, pump operation and warning device at least every three months. System failures are generally indicated by:
 - a. Activation of the warning device / alarm.
 - b. Surcharge of effluent from the septic or pump well tanks or household drainage fittings.
 - c. Foul odours emanating from the tank or disposal system.
 - d. Excessive sludge levels in the septic tank and overflow of solids into the pump well.
2. The land application area should be checked at the same time as the pump well operation, to ensure that the connecting pipework is functioning as required for the sewage management facility. Blocked pipes will cause the pump to overload and ultimately fail.
3. Owner/occupants should maintain records of all service inspections and pump-outs performed whilst the sewage management facility continues to operate.

These conditions have been imposed to ensure the effective operation of the sewage management facility for the protection of public health and the environment surrounding the installation site.

The application is determined in accordance with the above recommendation under delegated authority.

SCHEDULE 4. 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 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 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 5. 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

Principal Certifying Authority:

Work must not commence until the applicant has:-

- a. appointed a Principal Certifying Authority (if the Council is not the PCA); and
- b. 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'.
- c. 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.**

This schedule was calculated in spreadsheet #E2015/28112						
1 bedroom units =	0	@	0.55 SDU	=		0
2 bedroom units =	0	@	0.75 SDU	=		0
3 bedroom units/dwellings =	1	@	1 SDU	=		1
Number of allotments =	1	@	1	=		1
Less Site Credits =	1	@	-1	=		-1
Total SDU				=		1
Schedule valid until			28/10/2020	After this date contact Council for CPI update.		
Local Open Space & Recreation	(OS-RS)	1.00	SDU @ \$	-	=	\$ -
LGA Wide Open Space & Recreation	(OS-SW)	1.00	SDU @ \$	765.88	=	\$ 765.88
LGA wide Community Facilities	(CF-SW)	1.00	SDU @ \$	1,121.71	=	\$ 1,121.71
Local Community Facilities	(CF-RS)	1.00	SDU @ \$	-	=	\$ -
Bikeways & Footpaths	#N/A	1.00	SDU @ \$	-	=	\$ -
Shire Wide Bikeways & Footpaths	(CW-SW)	1.00	SDU @ \$	82.28	=	\$ 82.28
Urban Roads	#N/A	1.00	SDU @ \$	-	=	\$ -
LGA Wide Roads	(R-SW)	1.00	SDU @ \$	231.75	=	\$ 231.75
Rural Roads	(R-RS)	1.00	SDU @ \$	15,122.97	=	\$ 15,122.97
Administration Levy	(OF-SW)	1.00	SDU @ \$	1,158.46	=	\$ 1,158.46
Total				=		\$ 18,483.05