

DA10.2017.399.2 - MODIFIED CONDITIONS OF CONSENT:

Amend Conditions 2, 4, 18, 21 and 22 to read

2. Number of Market Stalls Permitted

When the Byron Farmers Market is in operation on Market Area B a maximum of 80 stalls are permitted.

When Markets are in operation on Market Area A, a maximum of 90 stalls are permitted.

Any other Markets on Market Area B, a maximum of 55 stalls are permitted

4. Restricted hours of operation

Markets are not permitted to operate:

- a) While the Cavanbah Centre, associated sport facilities, sports ovals or primitive camping are in use. Nor are the markets permitted to operate within an hour of the Cavanbah Centre, associated sport facilities, sports ovals or primitive camping beginning or finishing operation.
- b) At any time that coincides with the Byron Bay Community Markets and Byron Farmers Market, unless the Cavanbah Centre is being used for that market.

18. Traffic Management Plan

- a) Consent from Council must be obtained for a Traffic Management Plan pursuant to Section 138 of the Roads Act 1993 for any works within the road reserve including temporary traffic management signage. The plans and specifications are to include the measures to be employed to control traffic during the operation of the markets and for one hour either side of the hours of operation. The traffic control 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 plan must be prepared by a suitably qualified and RMS accredited Work Site Traffic Controller

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 the activities occurring at the Cavanbah Centre.

- b) For traffic management within the site only, a traffic control plan to be prepared to direct traffic and parking and to separate pedestrians and cyclists from motorists. The traffic control plan must be prepared by a suitably qualified and RMS accredited Work Site Traffic Controller

21. Certificate of Compliance (Rous Water)

Obtain a Certificate of Compliance from Rous Water confirming that all water supply works to be constructed for Rous Water and all Developer Charges payable to Rous Water have been provided to Rous Water prior to the use of the site as a camping ground.

Note: Rous Water is the Water Supply provider for the location of the subject development. The applicant must organise the provision of a water service to the development with Rous Water and provide a Certificate of Compliance from Rous Water to this Council.

22. Certificate of Compliance – Water Management Act 2000

Payment of developer charges to Byron Shire Council for water supply and sewerage in relation prior to the use of the site for a camping ground.

A copy of the Certificate of Compliance under Section 307 of the Water Management Act 2000 is to be obtained from Byron Shire Council prior to the issue of a Subdivision Certificate.

Application forms are available from Council's administration building or online at http://www.byron.nsw.gov.au/files/Forms/Section_305_Certificate.pdf to be submitted for a Certificate of Compliance.

Developer charges will be calculated in accordance with the Development Servicing Plan applicable at the date of payment. A check must be made with Council to ascertain the current rates by contacting Council's Principal Engineer Systems Planning, Utilities on 02 6685 9305. Applicable charges can be found on Council's website: http://www.byron.nsw.gov.au/files/pages/developer-contributions-plans/current_section_64_contribution_rates_water_amp_sewer.pdf

The contributions payable will be adjusted in accordance with relevant plan and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.