TOWN PLANNING REPORT

Application under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 to modify Development Consent No. 10.2010.547.3

Original Consent:

Subdivision (Community Title) to create three (3) neighbourhood lots and one (1) neighbourhood property

Proposed Modification:

Modify conditions of consent including reference to a plan showing a new alignment for the proposed sewer connection line, removal of the requirement for a sewer easement, clarification of the maintenance responsibilities for the sewer line and amendment to the timing of submission of an acoustic report

Lot 10 DP 1200712
No. 111 Bangalow Road, Byron Bay

JOE DAVIDSON
TOWN PLANNING STUDIO

18 August 2022
Revision A

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1.0 Details of Modification of Development Consent

In accordance with Clause 100 of the Environmental Planning and Assessment Regulation 2021, the following information is provided to meet the *'Content of modification application'*:

(1) A modification application must contain the following information:

(a) the name and address of the applicant,

Town Planning Studio Pty Ltd / Joe Davidson

PO Box 238, Brunswick Heads NSW 2483

(b) a description of the development that will be carried out under the development consent,

The original development consent described the proposal as:

Subdivision (Community Title) to create three (3) neighbourhood lots and one (1) neighbourhood property

(c) the address and folio identifier of the land on which the development will be carried out,

Lot 10 DP 1200712

No. 111 Bangalow Road, Byron Bay

(d) a description of the modification to the development consent, including the name, number and date of plans that have changed, to enable the consent authority to compare the development with the development originally approved,

It is proposed to modify specific conditions within the development consent that has been issued by Byron Shire Council. The modified conditions are detailed as follows:

CONDITION 1 - Approved Plans - Substitute drawing

It is proposed to substitute Drawing C1A Issue E, with a revised plan, Drawing C1A Issue G, as attached to this report. This modified plan has been prepared after attempts to locate the required sewer connection line through the adjacent Byron Bay Golf Club land failed. It is now proposed to run the sewer connection line within the road reserves adjacent to Bangalow Road and Broken Head Road per the attached plan.

CONDITION 39(b) - S88 Sewer Easement – Delete condition

It is proposed to delete this condition as the modified sewer connection arrangements do not require locating the rising line within the Golf Course land. Consequently, this condition is not relevant.

CONDITION 40 iii. – Maintenance of Sewer Connection Line – Additional condition

It is proposed to add a condition to the development consent requiring the Neighbourhood Association to be responsible for the maintenance/repair/replacement of the rising line located within the road reserves adjacent to Bangalow Road and Broken Head Road in-perpetuity.

CONDITION 33 - Acoustic Report – Delete condition and replace with item in Section 88B Instrument

This Condition currently requires an amended acoustic report to recommend noise attenuation measures for any future dwelling/s on the subject allotments to ensure compliance with the internal noise criterion (AS 2107:2000). However, it is appropriate that the amended noise assessment and recommendations for noise attenuation are specific to the individual dwelling designs that are being prepared for each neighbourhood lot within the community title subdivision. It is therefore requested that Condition 33 is deleted and that the following item is added to Condition 39:

e) Restriction on use.

A restriction on use on the title lots 2 to 4 pursuant to Section 88B of the *Conveyancing Act 1919* that "*No Development Consent shall be granted for the construction of a dwelling on the lot burdened unless the proprietor has provided an acoustic report to recommend noise attenuation measures for such dwelling to ensure compliance with the internal noise criterion (AS/NZS 2107:2000 Acoustics – Recommended Design Sound Level and Reverberation Times for Building Interiors) can be achieved.*

The revised plan for which consent is sought is detailed below:

Plan	Name	Author	Date
C1A Issue G	Precinct Plan – Sewer Connection	Philip Wallace Consulting Engineers	02-2022

(e) whether the modification is intended to:

(i) merely correct a minor error, misdescription or miscalculation, or

(ii) have another effect specified in the modification application,

The proposed application is intended to make modifications to the conditions of the development consent and the alignment of the sewer connection line.

(f) a description of the expected impacts of the modification,

It is not anticipated that the modifications will result in significant adverse impacts on the natural or built environments. Refer to Section 2.0 of this Town Planning Report for further comments.

(g) an undertaking that the modified development will remain substantially the same as the development originally approved,

The proposed modifications seek to make changes to the conditions of the development consent and the pathway of the proposed sewer connection. The approved community title subdivision layout remains unchanged. The completed development will remain substantially the same as that to which consent has been granted.

(h) for a modification application that is accompanied by a biodiversity development assessment report - the biodiversity credits information,

Not applicable.

(i) if the applicant is not the owner of the land—a statement that the owner consents to the making of the modification application,

The landowners have provided consent to the lodgement of the Section 4.55 Application in this regard.

(j) whether the modification application is being made to—

(i) the Court under the Act, section 4.55, or

(ii) the consent authority under the Act, section 4.56.

The modification application is being made to the consent authority under Section 4.55 of the Environmental Planning and Assessment Act 1979. The application does not relate to a development consent that was issued by the Court.

(2) Subsection (1)(i) does not apply if the consent of the owner is not required under section 98.

Noted.

(3) If a modification application under the Act, section 4.55(1A) or (2) relates to BASIX development, or BASIX optional development if the development application was accompanied by a BASIX certificate, the application must be accompanied by—

(a) the BASIX certificate, or

(b) a new BASIX certificate if the current BASIX certificate is no longer consistent with the development.

Noted.

(4) In this section—

biodiversity credits information, in relation to a modification application, means the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under a biodiversity development assessment report if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016.

Noted.

2.0 Discussion of Modification of Development Consent

Development Consent No. 10.2010.547.1 granted approval to subdivide the subject property into three community title lots (with one neighbourhood property lot). An application for a Subdivision Works Certificate was recently submitted in relation to this approval. During the preparation of the Subdivision Works Certificate application it was noted that a number of conditions of consent require modification. The most significant of these relates to the endorsement of a revised plan which realigns the proposed sewer connection line from a path through the adjacent golf course to the road reserves adjacent to Bangalow Road and Broken Head Road.

The proposed sewer connection line will be located within the verge on the southern side of Bangalow Road and the western side of Broken Head Road from the entry to the development site through to the entry to the Byron Bay Golf Club. The new line will connect to Byron Shire Council's existing gravity sewer within the Broken Head Road Reserve.

It is proposed to install the new sewer line using a small trencher to a depth of 600mm. The line will be located approximately 500mm – 1000mm from the northern and eastern boundaries of the golf course land. The location of the property boundaries will be verified by survey. No tree removal is proposed within this route. Should any tree large roots be encountered, the proponent will apply under-boring and/or vacuum excavation construction methods to avoid root damage.

A review of State Government mapping confirms that the route of the proposed works is not identified as being littoral rainforest, coastal wetland or impacting high biodiversity value vegetation. On this basis, no significant adverse impacts on the natural environment are anticipated to arise from the modification.

The proposed changes to various conditions of consent do not raise any environmental impacts.

3.0 Conclusion

This Town Planning Report summarises the proposed modifications to an approved development within the site. As the approved subdivision layout remains unchanged, it is confirmed that the proposal results in a development that is substantially the same as that already approved.

It is submitted that adequate information has been provided to assess the proposal as a modification to a development consent. However, please advise the Applicant should further information be required to address any issues that may arise during assessment.

. . . . . .

Joe Davidson MPIA
Director - Town Planning Studio Pty Ltd

ANNEXURE A

Development Consent No. 10.2010.547.3 and Approved Plans

BSC File No: 267455D x 10.2010.547.3/#A2021/45229
Contact: Mr I C Holland

3 December 2021

NOTICE OF DETERMINATION
OF AN APPLICATION TO MODIFY A DEVELOPMENT CONSENT
Under Section 4.55 of the Environmental Planning and Assessment Act 1979

Application No - 10.2010.547.3

Mr P J Wallace
Unit 2
1 Keats Street
BYRON BAY NSW 2481

Email: pwallace1@optusnet.com.au

Proposed modification description:	Modify Lot Sizes and Access Design
Property description:	LOT: 10 DP: 1200712
	111 Bangalow Road BYRON BAY
DA No.:	10.2010.547.1
Determination:	Approved subject to the following conditions
Date determined:	29 November 2021

Amended conditions

Modify conditions 1, 2, 3, 8, 10, 13, 39 and 40 to read as follows:

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:
C1, Issue E	Site Plan	Philip Wallace Consulting Engineers	10-21
C1A, Issue E	Precinct Plan – Sewer Connection	Philip Wallace Consulting Engineers	10-21
C2, Issue E	Lot Layout Plan	Philip Wallace Consulting Engineers	10-21
C3, Issue E	Entry Layout Plan	Philip Wallace Consulting Engineers	10-21
C4, Issue E	Trees to be Removed	Philip Wallace Consulting Engineers	10-21
C5, Issue E	Bangalow Road Upgrade	Philip Wallace Consulting Engineers	10-21
C8, Issue E	Boundary Study	Philip Wallace Consulting Engineers	10-21

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) Integrated Development Approval

This development consent includes an Integrated development approval under Sections 4.46 and 4.47 of the Environmental Planning and Assessment Act 1979, being an authorisation under section 100B of the *Rural Fires Act 1997* in respect of bush fire safety of subdivision of land that could lawfully be used for residential purposes, and is subject to the General Terms of Approval from the NSW Rural Fire Service dated 10 August 2011 and 8 November 2021 contained in **Schedule 1** of this Notice of Determination.

3) Internal road layout

The route of the internal road providing access to each of the neighbourhood lots is to be generally in accordance with route shown on the approved plans (Reference C2 and C3 Issue E, dated 10-21) prepared by Philip Wallace Consulting Engineers.

8) Water and Sewerage - Section 68 approval

An approval is to be obtained under Section 68 of the *Local Government Act 1993* to carry out sewerage works and water supply works, if required.

Sewerage and water mains are to be extended to service all residential allotments in the subdivision. All Council gravity sewerage mains are to be a minimum 150mm diameter and water mains are a minimum 100mm diameter.

Sewerage and water supply works are to comply with Council's latest Standards and Policies including but not limited to:

- Development Design and Construction Manuals, Northern Rivers Local Government, 2009;
- Development Servicing Plan for Water Supply Services, Byron Shire Council, 2011;
- Development Servicing Plan for Sewerage Services, Byron Shire Council, 2011;
- Fire Flow Design Guidelines, Water Directorate, 2011;
- Water and Sewer Equivalent Tenement Policy (13/005), Byron Shire Council, 2013;
- Pressure Sewerage Policy (12/014), Byron Shire Council, 2012.
- Private Sewer Pump Station Policy (12/015), Byron Shire Council, 2012.

10) Engineering Construction Plans

Engineering construction plans and specifications must accompany the Subdivision Works Certificate application demonstrating compliance with Council's standards for the required engineering works.

Each set of drawings must be accompanied by a Certification Report which must be signed by a suitably qualified Civil Engineer or Registered Surveyor. The Certification Report will comprise the certificate and check lists set out in Annexure DQS-A of the Northern Rivers Local Government Development & Design Manuals.

The information shown on the drawings must be logically collected on discrete sheets generally in accordance with Annexure DQS-B and the Sample Drawings of the Northern Rivers Local Government Development & Designs (NRLG). The drawings are to provide for the following works:

a) Full Width Road Construction
Full width road and drainage construction for all proposed roads on the approved plan. The design and construction must also include the following but not limited to:

i. Provide two (2) passing bays, twenty (20) metres long by six (6) metres carriageway width. The first passing bay must be located within fifty-five (55) metres of the front boundary and the second passing bay located between Lot 2 and Lot 3. The design of the passing bays must investigate vertical and horizontal alignments to demonstrate compliance with the sight distance requirements in AUSTROADS.

ii. The gradient of the turnaround area must meet the gradient requirement in Chapter D1 of NRLG. Generally, the gradient must not exceed 5%.

b) Intersection Works at Bangalow Road
Full width road and associated drainage construction including any necessary relocation of services in Bangalow Road generally in accordance with Plan C5, Issue E, dated 10-21 by Philip Wallace Consulting Engineers. All associated costs shall be borne by the applicant.

c) Driveways
Sealed driveways, in accordance with Council's rural driveway standards, from the edge of the bitumen to 3 metres within the property boundary to each of the proposed new allotments.

d) Service Conduits
Service conduits to each of the proposed new allotments laid in strict accordance with the service authorities' requirements.

e) Stripping and Stockpiling
Stripping and stockpiling of existing topsoil on site, prior to commencement of earthworks, and the subsequent re-spreading of this material together with enough imported topsoil to provide a minimum thickness of 80mm over the allotments and footpaths and public reserves, upon completion of the development works.

13) Traffic Management Plan (TMP)
The plans and specifications to accompany the Subdivision Works Certificate application are to include a Traffic Management Plan (TMP) to include the measures to be employed to control traffic (inclusive of construction vehicles) during construction of the development. The TMP 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 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 TMP and associated traffic guidance scheme/s must be prepared by a suitably qualified Transport for NSW accredited person.

39) Section 88B Instrument

A Section 88B Instrument and one (1) copy are to be submitted with the application for a subdivision certificate. The final plan of subdivision and accompanying Section 88B Instrument are to provide for:

a) Dwelling Envelope

Restrictions to limit the erection of dwellings to the nominated dwelling envelope.

b) Sewer Easements

The creation of suitable easements for drainage of sewage for proposed community title lots over the Byron Bay Golf Course title/s.

c) Restricting Development – On-site Stormwater Detention

Restricting residential development of proposed lots 2 to 4 until the proprietor has constructed or made provision for the construction of an on-site stormwater detention system for a minimum of 4000 litres to the requirements of Byron Shire Council.

d) Restriction on use.

A restriction on use on the title lots 2 to 4 pursuant to Section 88B of the *Conveyancing Act 1919* that "*No dwelling shall be erected or placed on the lot burdened unless the proprietor has first constructed the aerated wastewater treatment system (AWTS) for the lot and connected the AWTS to Council's sewerage system. The design, construction and/or provision of the system shall be to the requirements and satisfaction of Byron Shire Council*".

40) Management Statements

The management and neighbourhood statements and a copy are to be submitted with the application for a subdivision certificate.

i. Statutory easements pursuant to s.36 *Community Land Development Act 1989* must be created as necessary over the services (water, sewer, telephone, power, stormwater). The management statement must include by-laws for the maintenance of the private accessway and infrastructure.

ii. The management statement must include by-laws for the maintenance of all private on-site detention tanks, aerated wastewater treatment systems on each lot and the private pump station including, but not limited to, scheduling, reporting, cost sharing arrangements and risk management.

Insert the following condition in the appropriate order:

39A) Section 88E restriction to be placed on Community Title lots

Documentary evidence is to be provided to the Principal Certifying Authority that a restriction-as-to-user, pursuant to the provisions of Section 88E of the *Conveyancing Act 1919*, has been placed on all Community Title lots, to provide for the Private Sewer Pump Station required on the lot, stating:

> *No dwelling shall be erected or placed on the lot burdened unless the proprietor has first constructed a private sewage pumping system to connect to the Council's sewerage system.*
>
> *Landowners are solely responsible for installation, maintenance, electricity usage costs and repair and replacement of all sewerage infrastructure contained within the land parcel.*
>
> *The design, construction and/or provision of the system shall be to the requirements and satisfaction of Byron Shire Council.*

Note: Documents requiring the endorsement of Council associated with the creation or cancellation of easements, restrictions, covenants are subject to fees listed within Council's Fees & Charges.

Insert the following heading and condition in the appropriate order:

The following conditions are to be complied with at all times

55) Private pump station/s

The owner/s is solely responsible for the operation, maintenance and repair of private sewer pump station subject to the following specific requirements:

- Power Operation - Owners/residents are not permitted to interfere with the electrical operation of the pump station. Council requires the pump station to be wired into the common switchboard in such a manner so as not to interfere with the normal electrical operation of the property, nor be accessible by the residents.
- Maintenance – Owners are to enter a contract for the maintenance of the private sewer pump station with a suitably qualified person in accordance with the manufacturer's specification. Pump wells must be checked by the service provider as part of the 6 monthly maintenance inspections. This bi-annual maintenance shall include servicing of pumps and electrical components, and a check that the level switches are correctly set and operating.
- Records – Owners are to keep records of maintenance and repair of the private sewer pump station. These records need to be supplied to Council on an annual basis and/or on request.

Note: The private pump station will be included in a register to provide accountability for the operation and maintenance of the pump station and to assist in any compliance action that may be required in the circumstance that unsatisfactory operation and maintenance regimes arise.

Insert the Schedule 1 following the Conditions of Consent as follows:

SCHEDULE 1. INTEGRATED DEVELOPMENT GENRL TERMS OF APPROVAL

This response is to be deemed a bush fire safety authority as required under section 100B of the Rural Fires Act 1997' and is issued subject to the following numbered conditions:

1. The amelioration works recommended on the edge of Fairway 16, north east of Lots 2 and 3, shall maintain a managed understorey.

Water and Utilites

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. The internal access road shall comply with section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.

- A complying turning circle or suitably designed turning head is required at the end of the road.
- A through road is not required. A perimeter road is not required.

General Advice — consent authority to note

Any future development application lodged within this subdivision under section 79BA of the 'Environmental Planning & Assessment Act 1979' will be subject to requirements as set out in 'Planning for Bush Fire Protection 2006'.

The proposed building envelopes, dwelling envelopes, and asset protection zones as shown on the plan of subdivision are not approved by this Bush Fire Safety Authority.

A 20 metre minimum APZ will be required to the north, west and south west of any future dwelling within the subdivision.

NSW RURAL FIRE SERVICE

Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Your reference: (CNR-28693) 10.2010.547.3
Our reference: DA-2010-06789-S4.55-1

ATTENTION: Ivan Holland

Date: Monday 8 November 2021

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
111 Bangalow Road BYRON BAY NSW 2481, 10//DP1200712

I refer to your correspondence dated 22/09/2021 seeking general terms of approval for the above Integrated Development in accordance with s4.55 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

General Conditions

1. The development proposal is to comply with the subdivision layout identified on the drawing; prepared by Philip Wallace, titled "BOUNDARY STUDY" and dated 08-21, except where modified by the following.

General Advice – Consent Authority to Note

- The Rural Fire Service has no objection to the proposed changes subject to compliance with the conditions outlined in the Bush Fire Safety Authority dated 10 August 2011 and assessed under D10/2010 (RFS file No.), save for the following point that relates to turning heads.
- The turning head required at the dead-ended road, and noted in the BFSA (issued 10/08/2011) at Condition 3, should comply with the requirements of Appendix 3 of PBP 2019.
- This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 10 July 2012.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated .

Postal address
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

For any queries regarding this correspondence, please contact Bradford Sellings on 1300 NSW RFS.

Yours sincerely,

Alan Bawden
Supervisor Development Assessment & Plan
Built & Natural Environment

NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
111 Bangalow Road BYRON BAY NSW 2481, 10//DP1200712
RFS Reference: DA-2010-06789-S4.55-1
Your Reference: (CNR-28693) 10.2010.547.3

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority supersedes the previous Bush Fire Safety Authority (none) issued on and confirms that, subject to the attached reissued General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997.*

Alan Bawden
Supervisor Development Assessment & Plan
Built & Natural Environment

Monday 8 November 2021

Insert the following under Notes:

Essential Energy general comments
Essential Energy makes the following general comments:

- As part of the subdivision, an easement/s are/is created for any existing electrical infrastructure. The easement/s is/are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
- Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 *Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*.
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW)*.
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the C*ode of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets*.

Delete the following from Notes:

General Advice - NSW R**ural Fire Service**
Any future development application lodged within this subdivision under section 79BA of the 'Environmental Planning & Assessment Act *1979'* will be subject to requirements as set out in 'Planning for Bush Fire Protection 2006'.
The proposed building envelopes, dwelling envelopes, and asset protection zones as shown on the plan of subdivision are not approved by this Bush Fire Safety Authority. A 20 metre minimum APZ will be required to the north, west and south west of any future dwelling within the subdivision.

STATEMENT OF REASONS

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	
S.4.55	The proposed modifications were minor and substantially the same as the original development approval with no detrimental environmental impacts.
DA	The development application was notified/advertised in accordance with Development Control Plan 2014. No submissions were received by Council on the application.
DA	The proposed development is unlikely to prejudice or compromise the public interest.

How community views were addressed	
2	The DA was notified/advertised in accordance with Development Control Plan 2014. No submissions were received.

Enclosed for your information is the amended plan (where applicable) and consent.

Please note that modification of this consent under Section 4.55 of the Environmental Planning and Assessment Act may require amendment to any Construction Certificate for this development (if a Construction Certificate has been previously issued). It is recommended that you check with your Principal Certifying Authority.

Right of Review

You may request Council to review its decision under Section 8.2 of the *Environmental Planning and Assessment Act 1979*.

Right of Appeal

If you are dissatisfied with this decision, Section 8.9 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court.

Yours sincerely

Mr I C Holland
Senior Planner

Encl. Modified Consent No. 10.2010.547.1

Schedule 2 – Amended conditions of development consent

AMENDED CONSENT 29 November 2021

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

issued under the

Environmental Planning and Assessment Act, 1979 Section 81(1)(a)

Development Application No. 10.2010.547.1

SJ Connelly Pty Limited
PO Box 538
LENNOX HEAD NSW 2478

Land to be developed:	LOT: 6 DP: 593474 **62 Broken Head Road BYRON BAY**
Development	**Subdivision (Community Title) to create three (3) neighbourhood lots and one (1) neighbourhood property**
Determination	**Consent granted subject to the attached schedule of conditions**
Date determined:	23 September 2011
Consent to operate from	23 September 2011
Consent to lapse on:	23 September 2016
Other approvals:	Not applicable

Schedule of Conditions

IMPORTANT INFORMATION

It is the responsibility of the applicant, landowner, builder, and any other contractors or agents involved with the development to read and understand all conditions of consent prior to commencing work.

The Environmental Planning and Assessment Act 1979 require you to:

1. Obtain a ***Construction Certificate*** prior to the commencement of any **building works** as required by conditions of this consent. An application may be lodged with Council, or you may apply to a private accredited certifier for a Construction Certificate. An accredited certifier **must obtain Council's approval** to certain conditions of this development consent, where indicated before issuing the Construction Certificate. Additional fees are payable for this application.
2. Nominate a ***Principal Certifying Authority*** (PCA) which may be either Council or an accredited certifier and notify Council of that appointment. You **cannot lawfully** commence works without complying with this requirement.
3. Give Council at least two days notice of your intention to commence the erection of a building **before** commencing construction works. You cannot lawfully commence works without complying with this requirement.
4. Obtain an ***Occupation Certificate*** before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

CONDITIONS OF CONSENT:

Parameters of this 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:
C1, Issue E	Site Plan	Philip Wallace Consulting Engineers	10-21
C1A, Issue E	Precinct Plan – Sewer Connection	Philip Wallace Consulting Engineers	10-21
C2, Issue E	Lot Layout Plan	Philip Wallace Consulting Engineers	10-21
C3, Issue E	Entry Layout Plan	Philip Wallace Consulting Engineers	10-21
C4, Issue E	Trees to be Removed	Philip Wallace Consulting Engineers	10-21
C5, Issue E	Bangalow Road Upgrade	Philip Wallace Consulting Engineers	10-21
C8, Issue E	Boundary Study	Philip Wallace Consulting Engineers	10-21

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.

Enclosed for your information is the amended plan (where applicable) and consent.

2) Integrated Development Approval

This development consent includes an Integrated development approval under Sections 4.46 and 4.47 of the Environmental Planning and Assessment Act 1979, being an authorisation under section 100B of the *Rural Fires Act 1997* in respect of bush fire safety of subdivision of land that could lawfully be used for residential purposes, and is subject to the General Terms of Approval from the NSW Rural Fire Service dated 10 August 2011 and 8 November 2021 contained in **Schedule 1** of this Notice of Determination.

3) Internal road layout

The route of the internal road providing access to each of the neighbourhood lots is to be generally in accordance with route shown on the approved plans (Reference C2 and C3 Issue E, dated 10-21) prepared by Philip Wallace Consulting Engineers.

4) Vegetation Management

Vegetation is to be managed in accordance with the approved Vegetation Management Plan.

5) Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

(a) that the work must be carried out in accordance with the requirements of the Building Code of Australia ,

(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

(2) This clause does not apply:

(a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or

(b) to the erection of a temporary building.

(3) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

6) Erection of signs

(1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

(2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

(a) showing the name, address and telephone number of the principal certifying authority for the work, and

(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the work site is prohibited.

(3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.

(6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of $1,100).

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

7) Vegetation Management Plan

Preparation of a detailed Vegetation Management Plan by a suitably qualified ecologist and submitted to Council's ecologist for approval. The plan must include but not be limited to:

a) A site plan showing the location of Lots, access road, proposed building envelopes and asset protection zones.

b) A site plan showing vegetation types, areas of major weed infestations and proposed management units.

c) Mapped details of trees to be removed and retained and measures for protecting retained vegetation during construction.

d) Baseline vegetation data from no less than 4 fixed point monitoring sites.

e) Weed control and regeneration techniques.

f) Measures to manage vegetation in asset protection zones throughout Lot 1.

g) Implementation program include details of primary weed control that is to occur prior to subdivision certificate.

h) Measurable performance indicators.

i) Monitoring and evaluation.

j) Requirement to report to council on progress after 1, 3 and 5 years.

k) Plant species list.

l) Monitoring proforma.

8) Water and Sewerage - Section 68 approval required

An approval is to be obtained under Section 68 of the *Local Government Act 1993* to carry out sewerage works and water supply works, if required.

Sewerage and water mains are to be extended to service all residential allotments in the subdivision. All Council gravity sewerage mains are to be a minimum 150mm diameter and water mains are a minimum 100mm diameter.

Sewerage and water supply works are to comply with Council's latest Standards and Policies including but not limited to:

- Development Design and Construction Manuals, Northern Rivers Local Government, 2009;
- Development Servicing Plan for Water Supply Services, Byron Shire Council, 2011;
- Development Servicing Plan for Sewerage Services, Byron Shire Council, 2011;
- Fire Flow Design Guidelines, Water Directorate, 2011;
- Water and Sewer Equivalent Tenement Policy (13/005), Byron Shire Council, 2013;
- Pressure Sewerage Policy (12/014), Byron Shire Council, 2012.
- Private Sewer Pump Station Policy (12/015), Byron Shire Council, 2012.

9) Sewerage and Water Mains

An approval is to be obtained under Section 68 of the Local Government Act 1993 to carry out water supply and sewerage works. Sewerage and water mains are to be extended to service all residential allotments in the subdivision.

10) Engineering Construction Plans

Engineering construction plans and specifications must accompany the Subdivision Works Certificate application demonstrating compliance with Council's standards for the required engineering works.

Each set of drawings must be accompanied by a Certification Report which must be signed by a suitably qualified Civil Engineer or Registered Surveyor. The Certification Report will comprise the certificate and check lists set out in Annexure DQS-A of the Northern Rivers Local Government Development & Design Manuals.

The information shown on the drawings must be logically collected on discrete sheets generally in accordance with Annexure DQS-B and the Sample Drawings of the Northern Rivers Local Government Development & Designs (NRLG). The drawings are to provide for the following works:

a) Full Width Road Construction
Full width road and drainage construction for all proposed roads on the approved plan. The design and construction must also include the following but not limited to:

i. Provide two (2) passing bays, twenty (20) metres long by six (6) metres carriageway width. The first passing bay must be located within fifty-five (55) metres of the front boundary and the second passing bay located between Lot 2 and Lot 3. The design of the passing bays must investigate vertical and horizontal alignments to demonstrate compliance with the sight distance requirements in AUSTROADS.

ii. The gradient of the turnaround area must meet the gradient requirement in Chapter D1 of NRLG. Generally, the gradient must not exceed 5%.

b) Intersection Works at Bangalow Road
Full width road and associated drainage construction including any necessary relocation of services in Bangalow Road generally in accordance with Plan C5, Issue E, dated 10-21 by Philip Wallace Consulting Engineers. All associated costs shall be borne by the applicant.

c) Driveways
Sealed driveways, in accordance with Council's rural driveway standards, from the edge of the bitumen to 3 metres within the property boundary to each of the proposed new allotments.

d) Service Conduits
Service conduits to each of the proposed new allotments laid in strict accordance with the service authorities' requirements.

e) Stripping and Stockpiling
Stripping and stockpiling of existing topsoil on site, prior to commencement of earthworks, and the subsequent re-spreading of this material together with enough imported topsoil to provide a minimum thickness of 80mm over the allotments and footpaths and public reserves, upon completion of the development works.

11) Sewerage and Water Mains

An approval is to be obtained under Section 68 of the Local Government Act 1993 to carry out water supply and sewerage works. Sewerage and water mains are to be extended to service all residential allotments in the subdivision.

12) Erosion and Sedimentation Control Plan

The plans and specifications to accompany the construction certificate application are to include a sediment and erosion control plan to indicate the measures to be employed to control erosion and loss of sediment from the site. The sediment and erosion control plan is to be designed in accordance with the requirements of the NSW Department of Housing Manual (1989), Managing Urban Stormwater, Soils and Construction.

A suitably experienced person must prepare the sediment and erosion control plan. Suitably experienced people include those certified by:

- The Institution of Engineers, Australia, for engineering and hydrology matters.
- The International Erosion Control Association for soil conservation matters.
- The Australian Society of Soil Science for collection or analysis of soil data.

The plan must incorporate (without being limited to) information on general site management, material handling practices, soil stabilisation, water control, sediment control, wind erosion control and access measures.

13) Traffic Control Plan

The plans and specifications to accompany the Subdivision Works Certificate application are to include a Traffic Management Plan (TMP) to include the measures to be employed to control traffic (inclusive of construction vehicles) during construction of the development. The TMP 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 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 TMP and associated traffic guidance scheme/s must be prepared by a suitably qualified Transport for NSW accredited person.

14) Bond required to guarantee against damage to public land

A bond of $5000 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/repaired 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 commencement of subdivision works

15) Erosion & sediment measures

Erosion and sedimentation controls are to be in place in accordance with the *Guidelines for Erosion & Sediment Control on Building Sites*. A summary of these guidelines is attached. A full copy may be downloaded from Council's web site at www.byron.nsw.gov.au.

16) Written Notification

Written notification of intention to commence works must be forwarded to the Council seven (7) days prior to work commencing. Notification is to include contact details of the supervising engineer and site contractor.

17) Public Liability Insurance

The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of $10 million. Council is to be nominated as an interested party on the policy.

18) Erosion and sediment measures

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

Additionally the enclosed sign, to promote the awareness of the importance of maintenance of sediment and erosion controls, is to be clearly displayed on the most prominent sediment fence or erosion control device for the duration of the project. No soil or fill material is to be placed within the dripline of a tree so as to cause changes in surface level by more than 50mm from the existing level and such soil is not to be compacted. Such soil fill must not be finer than that being covered in situ, e.g. clay must not be placed over loam soil.

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

19) Plumbing Standards and requirements.

All Plumbing, Water Supply and Sewerage Works shall be installed and operated in accordance with the Local Government Act 1993, the NSW Code of Practice for Plumbing and Drainage and AS/NZS 3500 Parts 0-5, the approved plans (any notations on those plans) and the approved specifications.

Your Plumber must obtain a **Plumbing Permit** at least **two (2) working days prior to commencing work.** Please forward the **enclosed** Application for a Plumbing Permit to your plumber to complete and to return to Council prior to commencement of work or Refer to http://www.byron.nsw.gov.au/files/Forms/Plumbing_Drainage_Permit.pdf.

The following INSPECTIONS are required:

a) Internal Drainage;

b) External Drainage;

c) Water Rough In;

d) Stackwork; (where applicable);

e) Final.

The following conditions are to be complied with during construction

20) Construction times

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

a) Monday to Friday, from 7 am to 6 pm.

b) Saturday, from 8 am to 1 pm.

c) No construction work to take place on Sundays or Public Holidays.

21) 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.

22) 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.

23) 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.

24) 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).

25) Fencing to protect trees

Trees to be retained are to be protected by a fence so as to minimise disturbance to existing ground conditions within the dripline of the trees. The fence is to be constructed:

a) with a minimum height of 1.2 metres,

b) outside the dripline of the tree,

c) of steel star pickets at a maximum distance of 2metres between pickets,

d) using a minimum of 3 strands of steel wire,

e) to enclose the tree, and

f) with orange barrier mesh, or similar, attached to the outside of the fence and continuing around its perimeter

The fence is to be maintained for the duration of the site clearing, preparation and construction works.

26) Placement of services near trees

All care is to be taken to manually excavate around or under any lateral structural support roots of any tree so as minimum root disturbance where services are to be laid within the dripline of a tree.

27) No filling around trees

No soil or fill material is to be placed within the dripline of a tree so as to cause changes in surface level by more than 50mm from the existing level and such soil is not to be compacted. Such soil/fill must be finer than that being covered in situ, e.g. clay must not be placed over loam soil.

28) Public safety requirements

All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. Council is not held responsible for any negligence caused by the undertaking of the works.

29) Council Specification

All works to be constructed to at least the minimum requirements of the "Northern Rivers Local Government Design and Construction Manual"

30) Approved Plans to remain on site

A copy of the approved Construction Certificate including plans, details and specifications must remain at the site at all times during the construction of the subdivision.

The following conditions are to be complied with prior to issue of a Subdivision Certificate

31) Subdivision Certificate application required

An application for a Subdivision Certificate must be made on the approved form. The Subdivision Certificate fees, in accordance with Council's adopted schedule of fees and charges, must accompany such application.

32) Plan of Subdivision

An Administration Sheet (Original plus one copy) and four copies of the plan of subdivision, in accordance with the approved, are to be submitted with the application for a subdivision certificate. The location of all buildings and/or other permanent improvements including fences and internal access driveways/roads must be indicated on 1 of the copies.

33) Amended Acoustic Report

An amended acoustic report is required to recommend noise attenuation measures for any future dwelling/s on the subject allotments to ensure compliance with the internal noise criterion (AS/NZS 2107:2000 Acoustics – Recommended Design Sound Level and Reverberation Times for Building Interiors) can be achieved. An amended noise assessment is to be undertaken during the cooler months of the year when insect/cicada noise is less prominent and is to consider road traffic noise impacts from Bangalow Road and offsite commercial noise impacts from the Byron Bay Golf Club and Golf Course. The amended acoustic assessment prepared by a suitably qualified person is required to be completed and submitted to Council prior to issue of the Subdivision Certificate.

34) Recommended noise attenuation measures to be incorporated in the Neighbourhood Management Statement

The recommendations of the amended acoustic report are required to be included within Neighbourhood Management Statement to require any future Development Application or Complying Development Certificate application for a dwelling on the allotments is to incorporate the recommended acoustic measures.

35) Vegetation Management Plan

The primary weed control works on the neighbourhood lot (Lot 1) have been completed to Council's satisfaction and in accordance with the implementation schedule for Year 1 as detailed in the Vegetation Management Plan.

36) Golf ball hazard reduction measures

The recommended amelioration procedures contained within Section 4 of the report titled *'Report Re: Byron Bay Golf Club Ltd Lot 6 DP 593474 62 Broken Head Road Byron Bay. Prepared by T A Russell and G B Steel. Date: January 2011'* are to be implemented prior to issue of the Subdivision Certificate.

37) Amelioration works to golf course design

Prior to the issue of a subdivision certificate, changes to the golf course layout and amelioration works must be completed as described in the report titled *'Report Re Byron Bay Golf Club Ltd Lot 6 DP 593474 62 Broken Head Road Byron Bay. Prepared by T A Russell and G B Steel. January 2011'.*

38) Road Widening

The location of the existing road formation and fences in relation to the property boundaries are to be shown on a survey plan to be submitted to Council. Any encroachments onto the property are to be dedicated as "Road Widening" at no cost to Council.

39) Section 88B Instrument

A Section 88B Instrument and one (1) copy are to be submitted with the application for a subdivision certificate. The final plan of subdivision and accompanying Section 88B Instrument are to provide for:

a) Dwelling Envelope

Restrictions to limit the erection of dwellings to the nominated dwelling envelope.

b) Sewer Easements

The creation of suitable easements for drainage of sewage for proposed community title lots over the Byron Bay Golf Course title/s.

c) Restricting Development – On-site Stormwater Detention

Restricting residential development of proposed lots 2 to 4 until the proprietor has constructed or made provision for the construction of an on-site stormwater detention system for a minimum of 4000 litres to the requirements of Byron Shire Council.

d) Restriction on use.

A restriction on use on the title lots 2 to 4 pursuant to Section 88B of the *Conveyancing Act 1919* that "*No dwelling shall be erected or placed on the lot burdened unless the proprietor has first constructed the aerated wastewater treatment system (AWTS) for the lot and connected the AWTS to Council's sewerage system. The design, construction and/or provision of the system shall be to the requirements and satisfaction of Byron Shire Council*".

39A) Section 88E restriction to be placed on Community Title lots

Documentary evidence is to be provided to the Principal Certifying Authority that a restriction-as-to-user, pursuant to the provisions of Section 88E of the *Conveyancing Act 1919*, has been placed on all Community Title lots, to provide for the Private Sewer Pump Station required on the lot, stating:

> *No dwelling shall be erected or placed on the lot burdened unless the proprietor has first constructed a private sewage pumping system to connect to the Council's sewerage system.*
>
> *Landowners are solely responsible for installation, maintenance, electricity usage costs and repair and replacement of all sewerage infrastructure contained within the land parcel.*
>
> *The design, construction and/or provision of the system shall be to the requirements and satisfaction of Byron Shire Council.*

Note: Documents requiring the endorsement of Council associated with the creation or cancellation of easements, restrictions, covenants are subject to fees listed within Council's Fees & Charges.

40) Management Statements

The management and neighbourhood statements and a copy are to be submitted with the application for a subdivision certificate.

i. Statutory easements pursuant to s.36 *Community Land Development Act 1989* must be created as necessary over the services (water, sewer, telephone, power, stormwater). The management statement must include by-laws for the maintenance of the private accessway and infrastructure.

ii. The management statement must include by-laws for the maintenance of all private on-site detention tanks, aerated wastewater treatment systems on each lot and the private pump

station including, but not limited to, scheduling, reporting, cost sharing arrangements and risk management.

41) Completion of All Works

All roads, drainage and civil works, required by this development consent and Construction Certificate, are to be completed.

42) Certificates for engineering works

The submission of all test certificates, owners manuals, warranties and operating instructions for civil works, mechanical and/or electrical plant, together with a certificate from a suitably qualified engineer certifying that all works have been constructed in accordance with the approved plans and Council's current "Northern Rivers Local Government Design and Construction Manuals and Specifications".

43) Works-As-Executed Plans

Works-as-executed plans, being both hard copy and electronic format, certified by a suitably qualified engineer or a registered surveyor, are to be submitted with the application for a subdivision certificate. In the case where development involves filling of flood prone land, an additional copy of the works-as-executed plan relating to earthworks and final plan of subdivision must be submitted detailing the 1% flooding contour.

44) Certificate for services within easements

The submission of a certificate from a registered surveyor certifying that all pipelines, structures, access driveways and/or services are located wholly within the relevant easements.

45) Electricity Supply Certificate

Written evidence from an electricity supply authority is to be submitted with the application for a subdivision certificate stating that satisfactory arrangements have been made for the provision of underground electricity supply throughout the subdivision.

46) Telephone Supply Certificate

Written evidence from Telstra is to be submitted with the application for a subdivision certificate stating that satisfactory arrangements have been made for the provision of underground telephone supply throughout the subdivision.

47) Certificate of Compliance – Water Management Act 2000

Water and sewer services are to be provided to the land in accordance with an approval granted under Section 68 of the Local Government Act 1993. Delete if no works required

Payment of developer charges to Byron Shire Council for water supply and sewerage.Delete if no charges applicable

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.

48) Certificate of Compliance - Water Management Act 2000

Obtain a Certificate of Compliance from Rous Water confirming that all money payable to Rous Water in respect to the load the development imposes on the Regional Bulk Water Supply has been paid.

Note: Byron Shire Council acts as Rous Water's agent in this matter and will issue a Certificate of Compliance on behalf of Rous Water upon payment of the Rous Water Development Servicing Charge to this Council. The charge is calculated as the Rous Water Development Servicing Charge per Equivalent Tenement current at the time of payment multiplied by the assessed number of ET's for the development for water supply purposes.

49) Geotechnical Report (Lot Classification)

A certificate from a practicing Geotechnical Engineer must be provided in conjunction with a Lot Classification Report prepared in accordance with Australian Standard AS2870.1. Such certificate must certify that all vacant allotments have a building site of adequate size and shape on each lot that is not subject to slip or subsidence.

50) Developer Contributions to be paid

Contributions set out in the attached Schedule are to be paid to Council. Contributions are levied in accordance with the Byron Shire Council Section 94 Development Contribution Plan 2005 dated June 2005 and Byron Shire Council Section 94 Development Contribution Plan 2005 Amendment No. 1 dated 20 July 2005 for Community Facilities, Open Space, Roads, Car Parking, Cycleways, Civic & Urban Improvements, Shire Support Facilities and Administration. The Plan may be viewed during office hours at the Council Offices located at Station Street, Mullumbimby.

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.

Payments will only be accepted by cash or bank cheque.

51) Maintenance Bond

A maintenance bond of 5% **(minimum bond amount of $1,000.00)** of the value of the works constructed is to be lodged with Council. A copy of the contract construction cost of the subdivision works is to be submitted with the bond. The maintenance period is 6 months in accordance with Council's current Design & Construction Manuals and will commence from the date of issue of the **Subdivision Certificate**. The security may be provided, at the applicant's choice, by way of cash bond or a satisfactory bank guarantee. An application in writing for the release of the bond must be made at the satisfactory completion of the maintenance period.

52) Record of Infrastructure

A record of infrastructure coming into Council ownership, upon registration of the final plan of subdivision, is to be submitted to Council. The information is to be submitted in the form of Council's Standard Form titled "Asset Creation Record". This form is available from Council's Local Approvals Section.

53) CCTV Inspection and Report

A Closed Circuit T.V. ('CCTV') Inspection and Report, certified by a qualified engineer, is to be submitted with the application for a Subdivision Certificate for the following works:

a) Sewerage Reticulation.

b) Stormwater Drainage.

54) Compliance with bushfire conditions under Section 100B of Rural Fires Act 1997

Documentary evidence from a suitably qualified professional is to be submitted to the PCA demonstrating that the bushfire conditions as issued under Section 100B of the Rural Fires Act 1997 have been complied with.

The following conditions are to be complied with at all times

55) Private pump station/s

The owner/s is solely responsible for the operation, maintenance and repair of private sewer pump station subject to the following specific requirements:

- Power Operation - Owners/residents are not permitted to interfere with the electrical operation of the pump station. Council requires the pump station to be wired into the common switchboard in such a manner so as not to interfere with the normal electrical operation of the property, nor be accessible by the residents.

- Maintenance – Owners are to enter a contract for the maintenance of the private sewer pump station with a suitably qualified person in accordance with the manufacturer's specification. Pump wells must be checked by the service provider as part of the 6 monthly maintenance inspections. This bi-annual maintenance shall include servicing of pumps and electrical components, and a check that the level switches are correctly set and operating.
- Records – Owners are to keep records of maintenance and repair of the private sewer pump station. These records need to be supplied to Council on an annual basis and/or on request.

Note: The private pump station will be included in a register to provide accountability for the operation and maintenance of the pump station and to assist in any compliance action that may be required in the circumstance that unsatisfactory operation and maintenance regimes arise.

SCHEDULE 1. INTEGRATED DEVELOPMENT GENRL TERMS OF APPROVAL

This response is to be deemed a bush fire safety authority as required under section 100B of the Rural Fires Act 1997' and is issued subject to the following numbered conditions:

1. The amelioration works recommended on the edge of Fairway 16, north east of Lots 2 and 3, shall maintain a managed understorey.

Water and Utilites

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. The internal access road shall comply with section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.

- A complying turning circle or suitably designed turning head is required at the end of the road.
- A through road is not required. A perimeter road is not required.

General Advice — consent authority to note

Any future development application lodged within this subdivision under section 79BA of the 'Environmental Planning & Assessment Act 1979' will be subject to requirements as set out in 'Planning for Bush Fire Protection 2006'.

The proposed building envelopes, dwelling envelopes, and asset protection zones as shown on the plan of subdivision are not approved by this Bush Fire Safety Authority.

A 20 metre minimum APZ will be required to the north, west and south west of any future dwelling within the subdivision.

NSW RURAL FIRE SERVICE

Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Your reference: (CNR-28693) 10.2010.547.3
Our reference: DA-2010-06789-S4.55-1

ATTENTION: Ivan Holland

Date: Monday 8 November 2021

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
111 Bangalow Road BYRON BAY NSW 2481, 10//DP1200712

I refer to your correspondence dated 22/09/2021 seeking general terms of approval for the above Integrated Development in accordance with s4.55 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

General Conditions

1. The development proposal is to comply with the subdivision layout identified on the drawing; prepared by Philip Wallace, titled "BOUNDARY STUDY" and dated 08-21, except where modified by the following.

General Advice – Consent Authority to Note

- The Rural Fire Service has no objection to the proposed changes subject to compliance with the conditions outlined in the Bush Fire Safety Authority dated 10 August 2011 and assessed under D10/2010 (RFS file No.), save for the following point that relates to turning heads.
- The turning head required at the dead-ended road, and noted in the BFSA (issued 10/08/2011) at Condition 3, should comply with the requirements of Appendix 3 of PBP 2019.
- This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 10 July 2012.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated .

Postal address
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

For any queries regarding this correspondence, please contact Bradford Sellings on 1300 NSW RFS.

Yours sincerely,

Alan Bawden
Supervisor Development Assessment & Plan
Built & Natural Environment

NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
111 Bangalow Road BYRON BAY NSW 2481, 10//DP1200712
RFS Reference: DA-2010-06789-S4.55-1
Your Reference: (CNR-28693) 10.2010.547.3

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority supersedes the previous Bush Fire Safety Authority (none) issued on and confirms that, subject to the attached reissued General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997.*

Alan Bawden
Supervisor Development Assessment & Plan
Built & Natural Environment

Monday 8 November 2021

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

Essential Energy general comments
Essential Energy makes the following general comments:

- As part of the subdivision, an easement/s are/is created for any existing electrical infrastructure. The easement/s is/are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
- Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 *Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*.
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW)*.
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the C*ode of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets*.

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.

RESIDENTIAL DEVELOPMENT						
SCHEDULE OF CONTRIBUTIONS PURSUANT TO SECTION 94 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979						
	(Office Use Only)					
Community and Cultural Facilities	(CF-BB)	3.00	SDU @	$995.99	=	$2,987.97
" - Shire Wide	(CF-SW)	3.00	SDU @	$526.29	=	$1,578.88
Open Space	(OS-BB)	3.00	SDU @	$6,267.75	=	$18,803.25
" - Shire Wide	(OS-SW)	3.00	SDU @	$2,651.44	=	$7,954.33
Roads	(R-BB)	27.00	trips @	$717.91	=	$19,383.65
Cycleways	(CW-BB)	3.00	SDU @	$771.20	=	$2,313.60
Civic & Urban Improvements	(IM-BB)	3.00	SDU @	$1,585.57	=	$4,756.71
Rural Fire Service	-				=	
Surf Lifesaving	(SL-BB)	3.00	SDU @	$25.81	=	$77.42
Administration	(OF-SW)	3.00	SDU @	$714.73	=	$2,144.18
				Total	=	$60,000.00

Certificate of Compliance – Water Management Act 2000
A Certificate of Compliance will be issued on completion of construction of water management works to serve the development and/or on payment of developer charges for water and sewer as calculated in accordance with Byron Shire Council and Rous Water Development Servicing Plans.

Note*: Copies of the application forms for Certificates of Compliance are available on Council's website www.byron.nsw.gov.au or from Council's Administration Office. Copies of Byron Shire Council's Development Servicing Plans are available at Council's Administration Office.*

The following charges are indicative only. 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.

INDICATIVE CHARGES PURSUANT TO THE WATER MANAGEMENT ACT, 2000						
Water	(S64W Other)	3.00	ET @	$1,283.78	=	$3,851.35
Bulk Water	(BW-BB)	3.00	ET @	$8,377.00	=	$25,131.00
Sewer	(S64S Other)	3.00	ET @	$9,732.66	=	$29,197.97
				Total	**=**	**$58,180.32**

Civil Works
The civil works shall be designed and constructed in accordance with Council's Engineering Standard current at the time of submission of Engineering Plans for approval by Council. Approval of Engineering Plans will be current for a period of two years after which time Council may require the alteration to the Engineering Design to comply with standard current at that date.

Reasons

- To comply with the provisions of Byron L.E.P. 1988.
- To preserve the environment and existing or likely future amenity of the neighbourhood.
- To protect the environment.
- To preserve the amenity of the area.
- To ensure adequacy of services to the development.
- To ensure public health and safety.
- To ensure compliance with Section 68 of the Local Government Act 1993.
- To comply with the requirements of the document Planning for Bushfire Protection 2006.

Are you dissatisfied with conditions of consent

If you are unhappy with conditions of consent discuss your concerns with the officer who dealt with your application. You may submit an application to Council to modify the consent under Section 96 of the Environmental Planning & Assessment Act, 1979.

You will need to provide reasons why the conditions should be changed or deleted. You may lodge a Section 96 application at any time after the notice of determination. If you are not happy with Council's decision on your request for modification, then you may appeal to the Land & Environment Council within six (6) months of the notification by Council.

Right of Review

You may request Council to review its decision under Section 82A of the Environmental Planning and Assessment Act, 1979. Such a request must be made within six (6) months of the date of the determination, or if there is an appeal to the Land and Environment Court, up to the time when the court hands down its decision. In reviewing its decision Council is able to consider alterations to the above plans, provided that the Development Application remains substantially the same as the one for which the consent was originally sought, and the changes are publicly notified.

NOTE: This clause does not relate to Integrated Development Applications, applications determined by the Joint Regional Planning Panel or applications previously considered under Section 82A of the Environmental Planning and Assessment Act 1979.

Right of Appeal
If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Signed on behalf of the Consent Authority

Yours faithfully

Mr I C Holland
Senior Planner

BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021

N

BANGALOW RD

UNDERGROUND POLY RISING LINE TO BROKEN HEAD ROAD

LOT AREA SCHEDULE				
	LOT AREAS			
LOT	APPROVED	PROPOSED	DIFFERENCE	% DIFFERENCE
	m2	m2	m2	%
1	16,063	16,170	107	1%
2	2,955	2,930	-25	-1%
3	2,579	2,500	-79	-3%
4	2,000	1,997	-3	-0%
TOTAL	**23,597**	**23,597**	**0**	

KEY

- MAXIMUM BUILDING ENVELOPE
- E2 ZONING LINE
- LAND USE ZONING - R5
- SURVEYED TREE LINE
- LINE OF INNER APZ
- NEW PRIVATE PUMP STATION CONCRETE TANK WITH DUAL PUMPS
- DN75 PN16 POLY RISING LINE IN GROUND 600 MINIMUM COVER

LOT 1

LOT 2

LOT 3

LOT 4

PUMP STATION

R5 LAND USE ZONING LINE

R5 LAND USE ZONING LINE

TURNING & PARKING

WIDENING OF BANGALOW RD
SEE SHEET C5

6m WIDE ACCESS DRIVE

EXISTING ACCESS TRACK
TO BE RETAINED

FULL SITE PLAN 1:500

DRAWING					SHEET No.
SITE PLAN					C1
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	A2	as shown	10-21	E	S4.55

COMMUNITY TITLE SUBDIVISION
111 BANGALOW RD - BYRON BAY

PHILIP WALLACE Consulting Engineers
2 / 1 Keats St. Byron Bay 2481
email: pwallace1@optusnet.com.au
Ph. 6685 7228

BANGALOW ROAD

N

GOLF COURSE

NEW 5KL PRIVATE PUMP STATION
WITH DUAL PUMPS

RISING LINE ROUTE TO BE
DETERMINED WITH GOLF
CLUB CONSENT

DN75 PN16 POLY RISING LINE
600 BELOW GROUND THRU
GOLF COURSE - 980m LONG
IN 2m WIDE EASEMENT

BROKEN HEAD ROAD

GOLF COURSE

CONNECT TO COUNCILS GRAVITY SEWER
SEE DETAIL FOR PROPOSED SETUP
TO CONNECT TO COUNCIL ASSET

BOUNDARY KIT INSIDE BOUNDARY
LOCATION TO BE DETERMINED

PRECINCT PLAN 1:2500

BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021

DRAWING					SHEET No.
PRECINCT PLAN - SEWER CONNECTION					C1A
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	A2	as shown	10-21	E	S4.55

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30500 33000 30500

RISING LINE TO COUNCILS SEWER ASSETS

SERVICES & ACCESS EASEMENT

5000 10000

E2 ZONING LINE

APZ

NEW PRIVATE PUMP STATION

AWTS AWTS AWTS

EXISTING TREE LINE
BY SURVEY

LOT 1

LOT 2
2,930m2
(2955m2)

LOT 3
2,490m2
(2579m2)

LOT 4
1,997m2
(2000m2)

MAXIMUM BUILDING FOOTPRINT

MAXIMUM BUILDING FOOTPRINT

MAXIMUM BUILDING FOOTPRINT

20500 10000 2500 4000 5000 2500

LOT 3 LOT 4

TURNING HEAD
FOR RFS FIRE
TRUCK AND SMALL
RIGID VEHICLE

62764

BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021

KEY

LOT 2
2360m2
(2579m2)

LOT AREAS AS SHOWN
LOT AREAS AS APPROVED SHOWN IN RED

BUILDING FOOTPRINT

E2 ZONING LINE

SURVEYED TREE LINE

LOT AREA SCHEDULE				
	LOT AREAS			
LOT	APPROVED	PROPOSED	DIFFERENCE	% DIFFERENCE
	m2	m2	m2	%
1	16,063	16,170	107	1%
2	2,955	2,930	-25	-1%
3	2,579	2,500	-79	-3%
4	2,000	1,997	-3	-0%
TOTAL	23,597	23,597	0	

PLAN OF NEW LOTS 1:250

DRAWING	LOT LAYOUT PLAN					SHEET No.
						C2
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR	
21-11	A2	as shown	10-21	E	S4.55	

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BANGALOW RD

CAR TURNING AREA

13000

4500

GRAVEL SHOULDER

NEW PAVEMENT EDGE RESTRAINT

NEW AC10 ACCESS DRIVE

NEW KERB & GUTTER

NEW CONCRETE PAVEMENT

LINE OF EXISTING GRAVEL ACCESS TO PROPOERTY

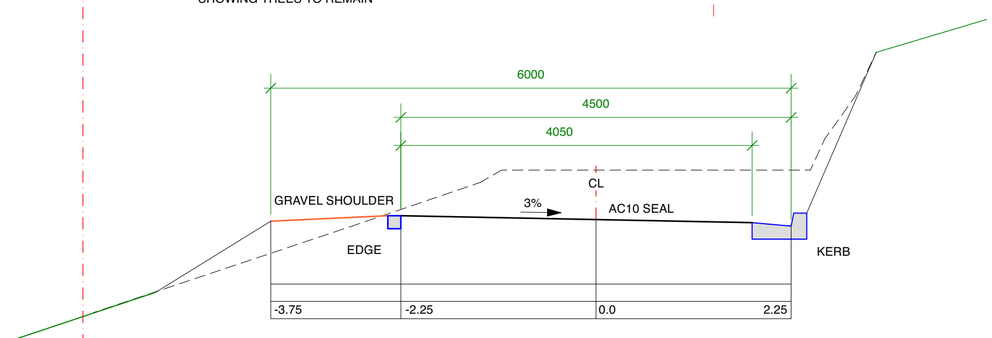
5500

BDY

GRAVEL TURNING AREA

PLAN OF NEW ENTRY 1:200

SHOWING TREES TO REMAIN



TYPICAL ACCESS FORMATION 1:50

DETAIL OF NEW ENTRY 1:100

BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021

DRAWING	ENTRY LAYOUT PLAN				SHEET No. C3
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	A2	as shown	10-21	E	S4.55

COMMUNITY TITLE SUBDIVISION
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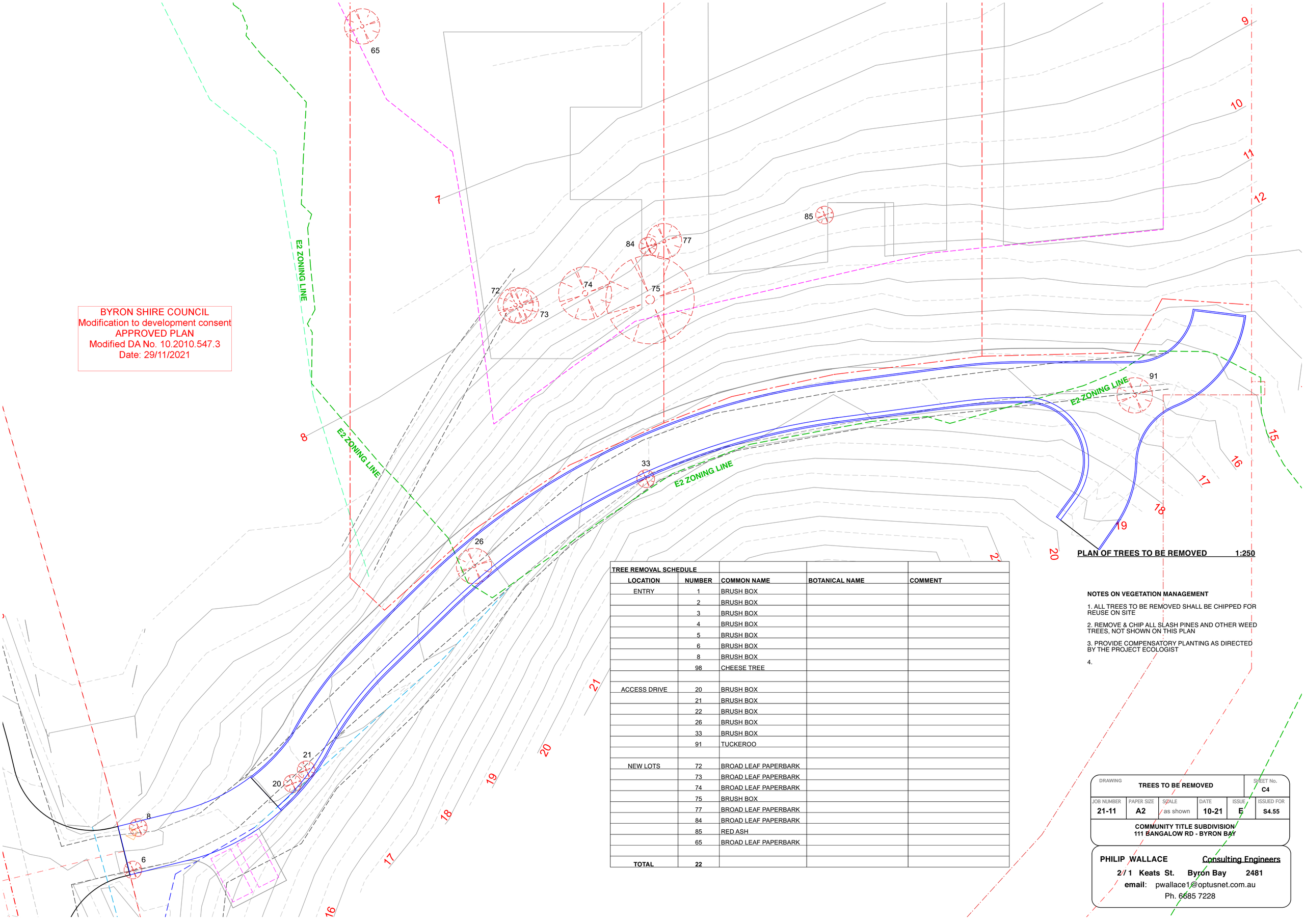
BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021



TREE REMOVAL SCHEDULE				
LOCATION	**NUMBER**	**COMMON NAME**	**BOTANICAL NAME**	**COMMENT**
ENTRY	1	BRUSH BOX		
	2	BRUSH BOX		
	3	BRUSH BOX		
	4	BRUSH BOX		
	5	BRUSH BOX		
	6	BRUSH BOX		
	8	BRUSH BOX		
	98	CHEESE TREE		
ACCESS DRIVE	20	BRUSH BOX		
	21	BRUSH BOX		
	22	BRUSH BOX		
	26	BRUSH BOX		
	33	BRUSH BOX		
	91	TUCKEROO		
NEW LOTS	72	BROAD LEAF PAPERBARK		
	73	BROAD LEAF PAPERBARK		
	74	BROAD LEAF PAPERBARK		
	75	BRUSH BOX		
	77	BROAD LEAF PAPERBARK		
	84	BROAD LEAF PAPERBARK		
	85	RED ASH		
	65	BROAD LEAF PAPERBARK		
TOTAL	**22**			

PLAN OF TREES TO BE REMOVED 1:250

NOTES ON VEGETATION MANAGEMENT

1. ALL TREES TO BE REMOVED SHALL BE CHIPPED FOR REUSE ON SITE

2. REMOVE & CHIP ALL SLASH PINES AND OTHER WEED TREES, NOT SHOWN ON THIS PLAN

3. PROVIDE COMPENSATORY PLANTING AS DIRECTED BY THE PROJECT ECOLOGIST

4.

DRAWING					SHEET No.
TREES TO BE REMOVED					C4
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	A2	as shown	10-21	E	S4.55

COMMUNITY TITLE SUBDIVISION
111 BANGALOW RD - BYRON BAY

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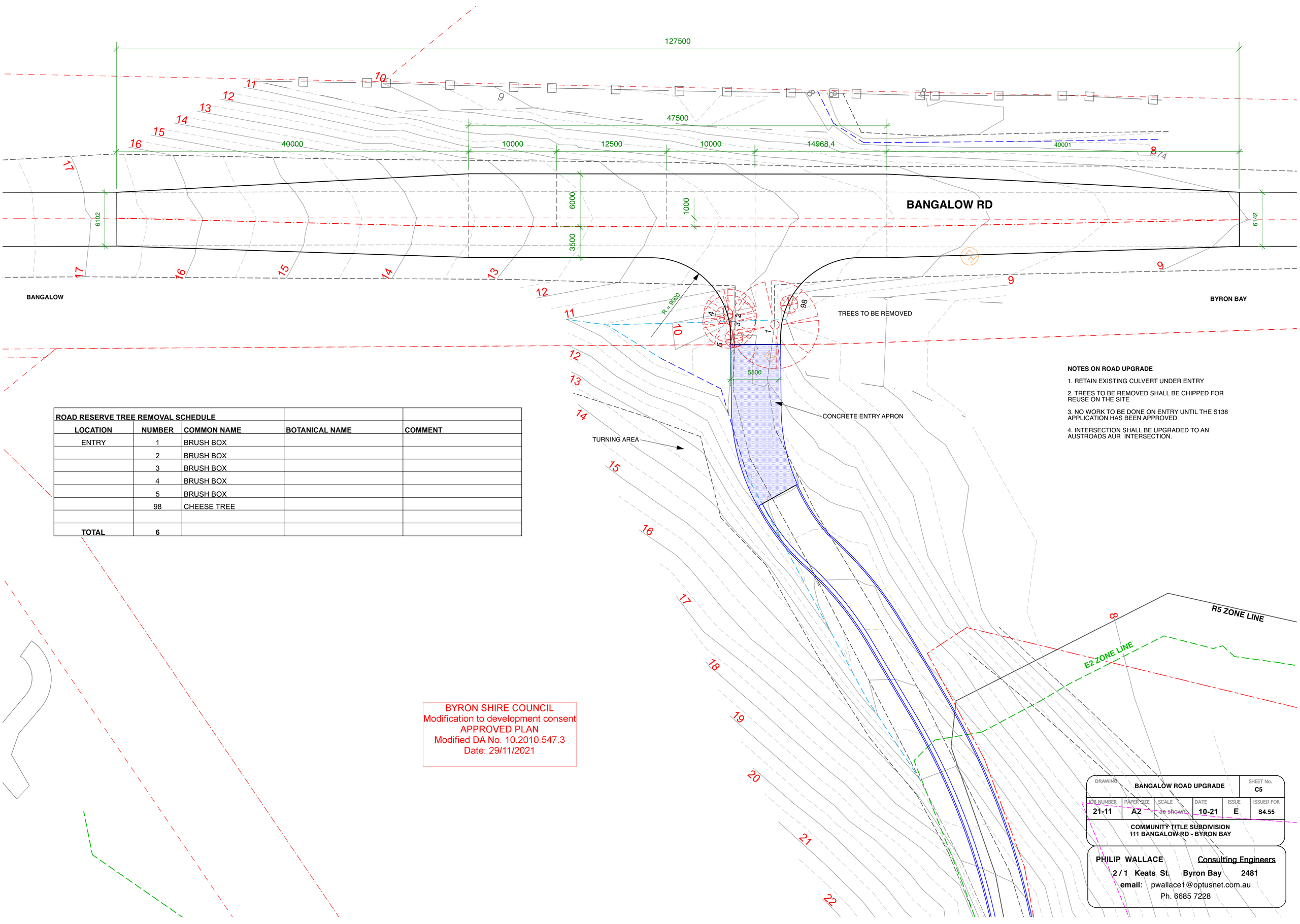

ROAD RESERVE TREE REMOVAL SCHEDULE				
LOCATION	**NUMBER**	**COMMON NAME**	**BOTANICAL NAME**	**COMMENT**
ENTRY	1	BRUSH BOX		
	2	BRUSH BOX		
	3	BRUSH BOX		
	4	BRUSH BOX		
	5	BRUSH BOX		
	98	CHEESE TREE		
TOTAL	**6**			

BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021

NOTES ON ROAD UPGRADE

1. RETAIN EXISTING CULVERT UNDER ENTRY
2. TREES TO BE REMOVED SHALL BE CHIPPED FOR REUSE ON THE SITE
3. NO WORK TO BE DONE ON ENTRY UNTIL THE S138 APPLICATION HAS BEEN APPROVED
4. INTERSECTION SHALL BE UPGRADED TO AN AUSTROADS AUR INTERSECTION.

DRAWING	BANGALOW ROAD UPGRADE				SHEET No.
					C5
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	A2	as shown	10-21	E	S4.55

COMMUNITY TITLE SUBDIVISION
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BYRON SHIRE COUNCIL
Modification to development consent
APPROVED PLAN
Modified DA No. 10.2010.547.3
Date: 29/11/2021

LOT AREA SCHEDULE				
	LOT AREAS			
LOT	APPROVED	PROPOSED	DIFFERENCE	% DIFFERENCE
	m2	m2	m2	%
1	16,063	16,170	107	1%
2	2,955	2,930	-25	-1%
3	2,579	2,500	-79	-3%
4	2,000	1,997	-3	-0%
TOTAL	**23,597**	**23,597**	**0**	

N

BANGALOW RD

1C2

LOT 1

R5 ZONE BOUNDARY

FUTURE E2 ZONE LINE

R5 ZONE BOUNDARY

LOT 2

R5

LOT 3

LOT 4

NEW INTERNAL ACCESS ROAD

1C2

LOT 1

TURNING AREA

R5 ZONE BOUNDARY

RE2

EASEMENTS E F & H

NOTES

1. ZONE BOUNDARIES DERIVED FROM COUNCILS GIS MAPPING SYSTEM - VARIOUS LEP'S

2. LAND USE ZONING LINE AS SHOWN ON 2014 LEP PLANNING MAP IS ABOUT 9m WIDE WHEN PLOTTED ACCURATELY. THE LINE REPRESENTED HERE IS THE CENTRE OF THIS ZONE AREA AND ACCURATE TO 0.5m

3.THE PLAN OF SUBDIVISION OF THIS DP SHOWS A SITE AREA OF 2.3Ha. THE ACTUAL SITE AREA IS CALCULATED AT 2.135Ha BASED ON THE PLAN AREA OF THE PROPERTY.

KEY TO BOUNDARIES

- R5 - LAND USE ZONING - 2014 LEP
- RE2 - LAND USE ZONING - 2014 LEP
- DM ZONE - 1(c2) SMALL HOLDINGS - 1988 LEP
- FUTURE E2 ZONING LINE
- SURVEYED TREE LINE
- NEW LOT BOUNDARIES

BOUNDARY & ZONING PLAN 1:500

DRAWING					SHEET No.
BOUNDARY STUDY					C8
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	A2	as shown	10-21	E	S4.55

COMMUNITY TITLE SUBDIVISION
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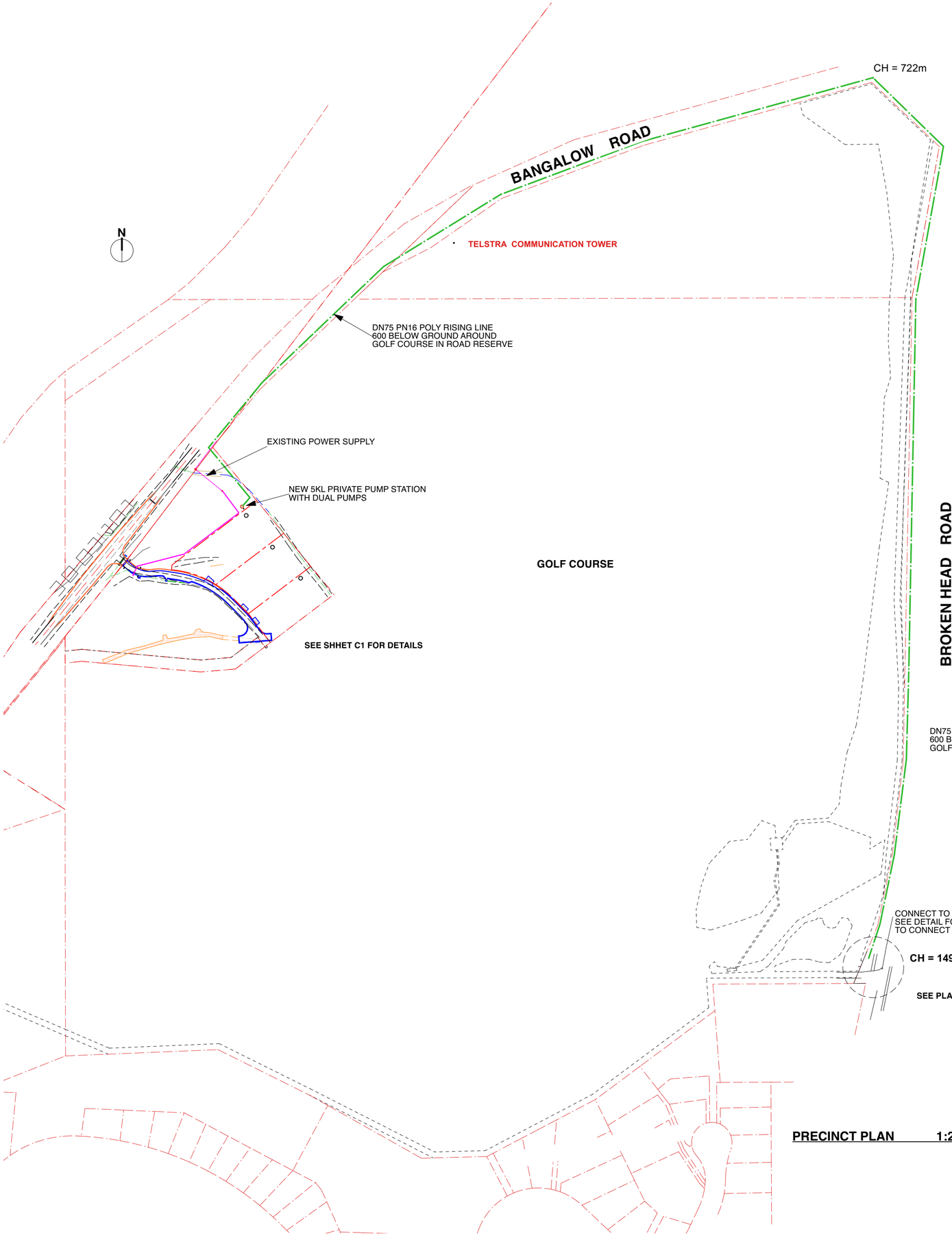
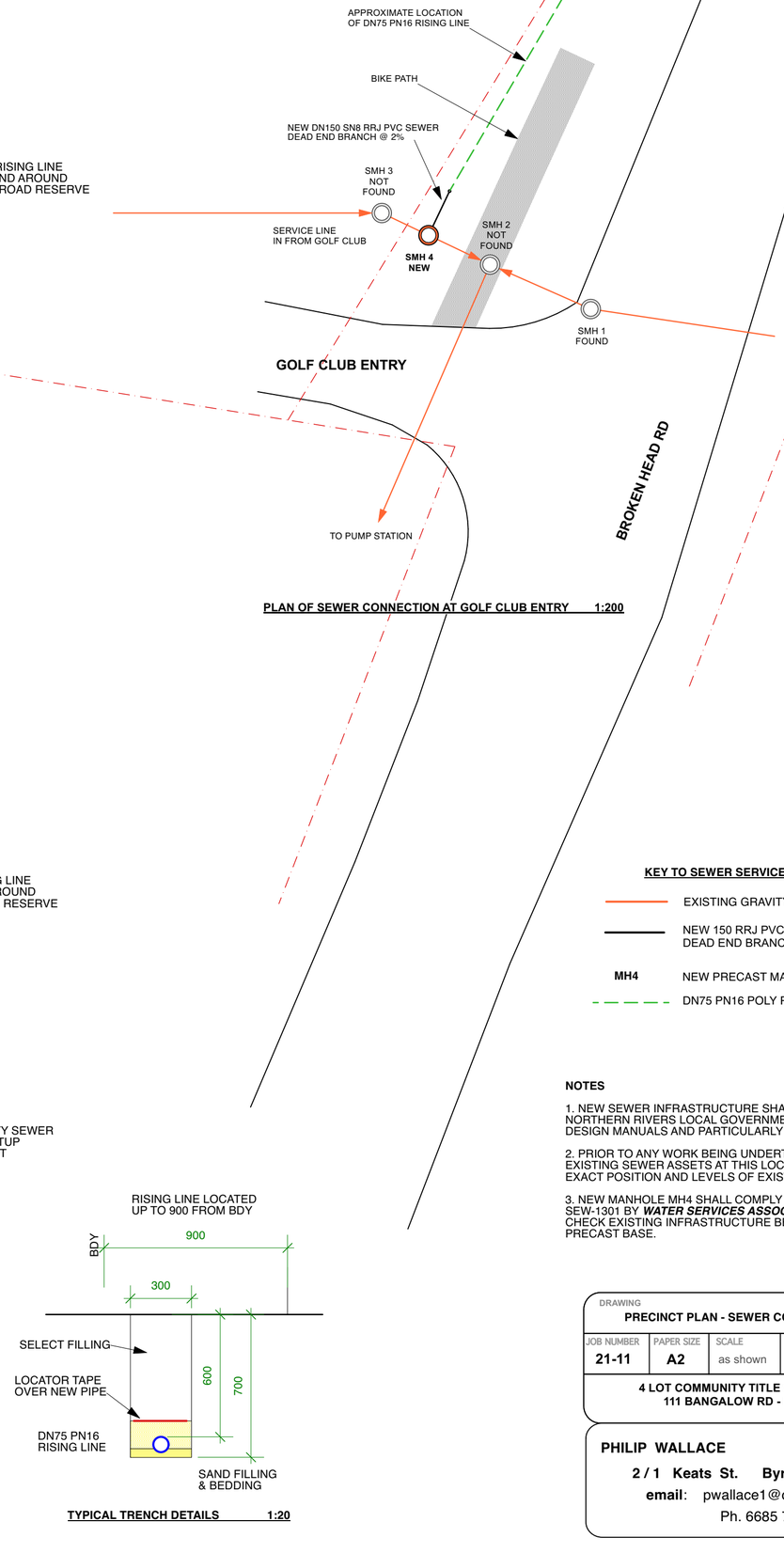
ANNEXURE B

Proposed Sewer Connection Plan



PRECINCT PLAN 1:2500



PLAN OF SEWER CONNECTION AT GOLF CLUB ENTRY 1:200

TYPICAL TRENCH DETAILS 1:20

KEY TO SEWER SERVICES

- EXISTING GRAVITY SEWER TRUNK MAIN
- NEW 150 RRJ PVC SEWER GRAVITY MAIN DEAD END BRANCH LINE
- MH4 — NEW PRECAST MANHOLE BY HUMES LTD
- DN75 PN16 POLY RISING LINE

NOTES

1. NEW SEWER INFRASTRUCTURE SHALL COMPLY WITH NORTHERN RIVERS LOCAL GOVERNMENT DEVELOPMENT AND DESIGN MANUALS AND PARTICULARLY PARTS D11 & D12

2. PRIOR TO ANY WORK BEING UNDERTAKEN INVESTIGATE THE EXISTING SEWER ASSETS AT THIS LOCATION TO DETERMING EXACT POSITION AND LEVELS OF EXISTING

3. NEW MANHOLE MH4 SHALL COMPLY WITH DRAWING SEW-1301 BY ***WATER SERVICES ASSOCIATION of AUSTRALIA*** CHECK EXISTING INFRASTRUCTURE BEFORE ORDERING PRECAST BASE.

DRAWING					SHEET No.
PRECINCT PLAN - SEWER CONNECTION					**C1A**
JOB NUMBER	PAPER SIZE	SCALE	DATE	ISSUE	ISSUED FOR
21-11	**A2**	as shown	**06-22**	**G**	**CC**

4 LOT COMMUNITY TITLE SUBDIVISION AT
111 BANGALOW RD - BYRON BAY

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