

enquiries refer
Peter Drew
In reply please quote
DA: 2020/242



Planners North
PO Box 538
LENNOX HEAD 2478

Notice to Applicant of Determination of a Development Application

Issued under Section 4.18(1)(a) of the Environmental Planning and Assessment Act 1979

Development Application No: DA 2020/242

Applicant: Planners North

Subject Land: Lot: 234 DP: 1266854,
The Coast Road SKENNARS HEAD

Development Proposal: Two-storey Multi Dwelling Housing Development comprising the erection and Strata Title subdivision of 44 dwellings and associated works (on approved Lot 443 in DA 2017/244)

Development Type: Integrated Development

Determination: The development application has been determined by Ballina Shire Council on February 2021 by way of **the grant of consent subject to the conditions specified in this notice:**

This consent operates from: 25 March 2021

GENERAL**1. Approved Plans**

Development being carried out generally in accordance with the plans and associated documentation lodged by, or on behalf of, the applicant, including:

Plans prepared by Arcadia Studio		
Drawing No.	Drawing Title	Dated
DA 0010	Design Statement	27 Nov 2019
DA 0013	Material - Colour	27/11/19
DA 0020	Superlots	27/11/19
DA-443_2002 Rev B	Strata Plan	26 March 2020
DA-443_2100 Rev B	Ground Floor Plan	26 March 2020
DA-443_2101 Rev B	Plans Level 1	26 March 2020
DA-443_2102 Rev B	Roof Plans	26 March 2020
DA-443_3000 Rev B	Elevation N2 S2 + East	26 March 2020
DA-443_3001 Rev B	Elevations N1 S1 + West	26 March 2020
DA-443_4000 Rev B	Section A B + C	26 March 2020
DA-443_5000 Rev B	3d Views – Lot 5	26 March 2020
DA-443_6000	Bushfire Attach Level Superlot 443 – BAL Info	26 March 2020
DA-443_8001	Development Summary Site Coverage	26 March 2020
DA-443_8002	Building Height + Envelopes – A + C	5/2/20
DA-443_8003	Building Height + Envelopes – A + C	5/2/20
DA-443_8004	GFA – B	5/2/20
DA-443_8005	Articulation Zone – D + E	5/2/20
DA-443_8006	Articulation Zone – D + E	5/2/20
DA-443_8007	Private Open Space – G + 1	5/2/20
DA-443_8008	Private Open Space – G + 1	5/2/20
DA-443_8009	Landscape Area + Vehicles – G + H	5/2/20
DA-443_8010	Solar Access - J	5/2/20
DA-443_8011	Solar Access - J	5/2/20
DA-443_8012	Fences - K	5/2/20
DA-443_8013	Roof Pitch - K	5/2/20
DA-443_8014	Adaptive Housing – M + N + O	5/2/20
DA 9002_D	Type AA – Ground Floor	25/11/20
DA 9003_D	Type AA – Level 1	25/11/20
DA 9004_D	Type AA – Roof Plan	25/11/20
DA 9007_D	Type CC	25/11/20
DA 9008_D	Type DD	25/11/20
DA 9009_D	Type U2	25/11/20
DA 90011_D	Type U	25/11/20
DA 9015_D	Type Z3a – Ground Floor	25/11/20
DA 9016_D	Type Z3a – First Floor	25/11/20
DA 9017_D	Type Z3a – Roof Plan	25/11/20
DA 9018_D	Type Z4 – Roof Plan	25/11/20
DA 9019_D	Type Z4	25/11/20
DA 9020_D	Type P	25/11/20
DA 9021_D	Type S4	25/11/20

DA 9030_D	Type AA Ground Floor	25/11/20
DA 9033_D	Type Z4 - Preferred	25/11/20
DA 9034_D	Type Z4 - Adaptable	25/11/20
DA-443_7001	House Lots 01-02-03	3/2/20
DA-443_7002	House Lots 04 + 05	3/2/20
DA-443_7003	House Lots 06	3/2/20
DA-443_7004	House Lots 07-08	3/2/20
DA-443_7005	House Lots 09 + 10 + 11	3/2/20
DA-443_7006	House Lots 12 + 13-14	3/2/20
DA-443_7007	House Lots 15-16 + 17	3/2/20
DA-443_7008	House Lots 18 + 19 + 20	3/2/20
DA-443_7009	House Lots 21 + 22	3/2/20
DA-443_7010	House Lots 23 + 24	3/2/20
DA-443_7011	House Lots 25 + 26	3/2/20
DA-443_7012	House Lots 27 + 28	3/2/20
DA-443_7013	House Lots 29 + 30	3/2/20
DA-443_7014	House Lots 31	3/2/20
DA-443_7015	House Lots 32 + 33	3/2/20
DA-443_7016	House Lots 34 + 35	3/2/20
DA-443_7017	House Lots 36 + 37	3/2/20
DA-443_7018	House Lots 38-39	3/2/20
DA-443_7019	House Lots 40 + 41 + 42	3/2/20
DA-443_7020	House Lots 43-44	3/2/20
DA-443_8014_B	Adaptive Housing – M + N + O	3/2/20
Plan 3.1	Development Proposal	-
DA443_2100 Rev B	Superlot 443 – Ground Floor (Showing Staging)	26 Mar 2020
Landscape Plans prepared by Landsite		
SK01 A	Landscape Concept Plan	03-04-2020
SK02 A	Individual House Type Concepts	03-04-2020
SK03 A	Individual House Type Concepts	03-04-2020
SK04 A	Landscape Concept Elevations	03-04-2020
SK05 A	Landscape Concept Elevations	03-04-2020
SK06 A	Landscape Concept Planting Palette	03-04-2020
SK07 A	Landscape Concept Planting Palette	03-04-2020

except as modified in red or by any condition in this consent.

2. Commencement of occupation or use

Occupation or use of the (premises/site) for the purposes authorised by this consent shall not commence until all conditions of this consent of relevance to that stage have been complied with and a final occupation certificate has been issued by the Principal Certifier, unless alternative arrangements have been made with Council.

3. Construction certificate to be consistent with DA

Any Construction Certificate issued in association with this development must ensure that any certified plans are consistent (in terms of site layout, site levels, building location, size, internal/external design, external configuration and appearance) with the approved Development Application plans.

4. NCC compliance

The building work is to comply with the requirements of the *National Construction Code* and relevant Australian Standards.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (Building)

The following conditions in this section of the consent must be complied with prior to the issue of any Construction Certificate relating to the approved development.

5. Issue of Construction Certificate

The erection of a building under the terms and conditions of this Development Consent must not be commenced until:

- (a) Detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) The Council; or
 - (ii) An accredited certifier; and
- (b) The person having the benefit of the development consent has appointed a Principal Certifier has notified the Council (if Council is not the principal certifier) of the appointment; and
- (c) The person having the benefit of the development consent has given at least two (2) days notice to the Council of the person's intention to commence the erection of the building.

6. Section 68 Application

Prior to issue of the first Construction Certificate an application is to be lodged with Council under Section 68 of the Local Government Act for all water, sewer, stormwater and any proposed fire service installations. Hydraulic details of all water, sewer, stormwater and fire service installations are to be submitted to Council and approved prior to the issue of a construction certificate. The plans are to be designed in accordance with AS3500 and NSW Code of Practice and other relevant Australian Standards regarding any essential fire services.

7. Fire Safety Schedule

- a. Prior to the issuing of the first Construction Certificate, either the Council or an appropriately accredited certifier shall issue a Fire Safety Schedule for the proposed development. In accordance with Clause 168(1), *Environmental Planning and Assessment Regulation 2000* a Fire Safety Schedule must specify the fire safety measures (both current existing and proposed to be installed) that should be implemented in the building premises.
- b. The Fire Safety Schedule must deal with the whole of the building and not only to the part of the building to which this consent applies as provided for in Clause 168(3), *Environmental Planning and Assessment Regulation 2000*.
- c. It is an offence to fail to provide a Fire Safety Schedule in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.

8. Long Service Levy

In accordance with Section 109F of the EP & A Act (Section 109 F) a Construction Certificate will not be issued with respect to the plans and specifications for construction works until any long service levy payable under section 34 of the Building and Construction Industry Long Service Payments Act 1986 has been paid. Currently this rate is 0.35% of the cost of the construction works costing \$25,000 or more. Works less than \$25,000 are not subject to the levy.

9. Developer Contributions

Prior to issue of a Construction Certificate where building work is proposed, payment to Council of non-refundable monetary contributions shall be made towards the provision of public services, infrastructure and amenities, which are required as a result of the development in accordance with the following contribution plans prepared under Section 7.11 of the Environmental Planning & Assessment Act, 1979:

Contribution Plan/Development Servicing Plan	Adopted
Cumbalum Urban Release Area Precinct A Contributions Plan 2015	26 February 2015
Ballina Shire Roads Contribution Plan Version 4.1	26 July 2018
Ballina Shire Open Spaces and Community Facilities Contributions Plan 2016	1 January 2017
Ballina Shire Carparking Contributions Plan 2014	14 May 2014
Ballina Shire Heavy Haulage Contribution Plan	24 October 2019

The Contribution Plans provide for the indexing of contribution amounts and are also subject to amendment. The contribution rates payable will be the rates that are applicable at the time payment is made. Copies of the Contribution Plans may be viewed at Council's Customer Service Centre, Cherry Street, Ballina or on Council's website www.ballina.nsw.gov.au.

The Contribution amounts applicable at the time this consent is issued are as per Schedule 1 (**attached**).

10. Developer Charges

Prior to issue of a Construction Certificate where building work is proposed, payment to council of non-refundable monetary charges shall be made towards the provision of bulk water supply, water reticulation and sewer infrastructure which are required as a result of the development in accordance with the charges set by Ballina Shire Council and Rous Water as water supply authorities under the Water Management Act 2000. The amount payable will be the assessed additional equivalent tenements generated by the development multiplied by the charge applicable at the time of payment.

Certificates of Compliance pursuant to Section 306 of the Water Management Act 2000 shall be deemed to have been issued where the required charges have been paid and all construction works required by the water supply authority for the development have been completed.

The charges are currently guided by the following development servicing plans:

Water Supply Authority	Contribution Plan/Development Servicing Plan	Adopted
Ballina Shire Council	Ballina Shire Council Water Supply Infrastructure Development Servicing Plans	27 February 2015
Ballina Shire Council	Ballina Shire Council Sewerage Infrastructure Development Servicing Plans	27 February 2015
Rous Water	Development Servicing Plan for Bulk Water Supply	15 June 2016

The Development Servicing Plans provide for the indexing of charges and are also subject to amendment and replacement. The charges payable are the charges set by the water supply authorities at the time payment is made. Copies of the Development Servicing Plans may be viewed at Council's Customer Service Centre, Cherry Street, Ballina or on Council's website www.ballina.nsw.gov.au.

It should be noted that Ballina Shire Council acts as Rous Water's agent in the collection of Rous Water Bulk Water Supply Charge for developments that are connected to the Ballina Shire water supply.

The charges applicable at the time this consent is issued are included in Schedule 1 (**attached**).

11. Civil works

Prior to the issue of the Construction Certificate, engineering design drawings shall be submitted to and approved by Council for civil works required by this consent. These drawings shall also include associated works required under Section 138 of the Roads Act 1993 and Section 68 of the Local Government Act for the following civil works. Details are to be in accordance with the current Northern Rivers Local Government Development Design and Construction Manuals and/or in accordance with other design requirements from Austroads, Australian Standards and/or Roads & Maritime Services where specified.

- **Footpath and gutter crossing** - provision of a footpath and gutter crossing for the development. Details are to be in accordance with Standard Drawing R05 and R06 of Northern Rivers Local Government Development Design and Construction Manuals. Details are to be submitted to and approved by Council prior to the issue of the Construction Certificate.

12. Car parking & vehicular access

The development shall provide 88 parking spaces and six visitor parking spaces on-site. The design of all car parking and vehicular accesses are to be in accordance with the Australian Standard AS/NZS 2890.1:2004. Design plans are to be certified by a suitably qualified professional and approved by the Principal Certifier prior to issue of the Construction Certificate.

13. Flooding and Stormwater

Stormwater controls shall be provided on site in accordance with the Water Sensitive Design requirements of Council's Combined Development Control Plan Chapter 2 – Section 3.9 – Stormwater Management. The detailed design shall demonstrate that the street network downstream of the nominated discharge location can accommodate the developments stormwater flows. The design is to include the shaping of driveways and paved areas to drain to landscaped/vegetated areas. Overland flow paths must be incorporated into the design directing overflows to the street or public drainage systems. Overland flow paths must not be impeded by structures or landscaping. A Stormwater Management Plan and detailed design, prepared by a suitably qualified hydraulics consultant and/or Engineer, must be submitted to and approved by the Principal Certifier prior to the issue of the Construction Certificate.

14. Water meters (residential developments with 3 units or more)

Each tenancy is to be fitted with a water meter of a minimum size of 20mm depending on the nature and size of the development. Prior to the issue of the Construction Certificate, the applicant is required to submit an "Application for a Water Service" to Council, along with a site plan clearly showing the location of the required meter/s.

For multiple unit developments where it is impractical for separate metering to be provided at the boundary due to the number of meters required or the logistics of the installation, Council shall require installation of remote read meters. This includes a master meter, repeater and sub meters on each tenancy.

The repeater shall be housed in an IP 68 rated weather proof enclosure with a GPO inside. The enclosure shall be located adjacent to the properties electrical power board. All sub meters and components of the remote metering system shall be installed by the applicant's plumbers in accordance with Council's Water Metering Policy.

15. Civil Inspection Fee, Section 138 Approval Fee & Construction Bond

Prior to the issue of a Construction Certificate, a Section 138 application is to be made as well as the following fees and bond are to be paid to Council which includes the amount of Goods and Services Tax payable. The fees and bond are subject to review and may vary from the time of consent till time of payment see Councils schedule of Fees and Charges for the current rates:

- Section 138 Fee
- Civil Inspection Fee
- Civil Construction Bond: Equal to 5% of the estimated cost of civil works (min \$1,000)

The Civil Construction Bond is taken and may be used by Council to cover the cost of any damage to Council's assets (e.g. sewer systems, footpaths, kerb and guttering etc) arising from private development work. The bond will be refunded upon completion of the development should no such damage occur.

16. Construction Environmental Management Plan

A Construction Environmental Management Plan (CEMP) must be submitted to and be approved by the Principal Certifier prior to the issue of a Subdivision Works or Construction Certificate. A copy of the CEMP must also be submitted to Council prior to the issue of a Construction Certificate. The CEMP must address, but not be limited to the following matters:

- Hours of work
- Contact details of site manager
- Complaints management register
- Location of existing services
- Traffic Management (Vehicles, pedestrians and cyclists)
- Flora & fauna management
- Construction staging plan (where the works will be completed in stages)
- Restoration of damage to public assets
- Noise and vibration
- Dust - Air quality management plan (include escalation protocols and triggers)
- Materials storage and waste management including classification and disposal/reuse location of any fill material to leave the development site
- Soil & water management (including erosion and sediment control)

- An unexpected finds protocol to appropriately manage unexpected potential contamination issues encountered during works.

The CEMP shall be prepared in accordance with the *Guidelines for the Preparation of Environmental Management Plans* (DIPNR, 2004).

The required Air Quality/Dust Management Plan must form part of the CEMP. This Plan must show the locations of all potentially affected properties and residences on a map and provide details of air quality control measures to be undertaken during construction, including:

- Potential sources and impacts of dust.
- Air and dust management objectives consistent with relevant legislation, guidelines and standards.
- A monitoring program to assess compliance with the identified objectives.
- Mitigation measures to be implemented, including measures during weather conditions where high dust episodes are likely (such as strong winds in dry weather).
- A progressive stabilisation/rehabilitation strategy for disturbed surfaces with the aim of minimising exposed surfaces.
- Contingency plans to be implemented in the event of non-compliances and/or complaints about dust.
- Procedures for regularly reviewing the effectiveness of the Air Quality/Dust Management Plan.

17. Adaptable Housing – Dwellings 443-03, 443-14, 443-16, 443-26 and 443-28

Construction Certificate plans and specifications for Dwellings 443-03, 443-14, 443-16, 443-26 and 443-28 are to detail compliance with the Australian Adaptable Housing Standard (AS 4299-1995), and shall incorporate the additional detail outlined in the Capability Statement prepared by National Access Accessibility Consultant and dated 30 November 2020 (Council Record Number 20/93040), and details outlined in the Adaptable Housing Design Audit prepared by National Access Accessibility Consultant Reference 20078 and dated 24 March 2020 (Council Record Number 20/29974).

18. Water connection (standard)

The applicant shall be responsible for all costs associated with the connection of Council's drinking and recycled reticulated water supply systems to each lot in the development in accordance with the Northern Rivers Local Government Development Design & Construction Manuals. Design plans are to be submitted to and approved by Council prior to issue of the Construction Certificate.

Note – Connection to the existing live water main must be completed by Council. An application for water service shall be submitted to Council, with associated design plans, to cost and complete the works.

19. Bushfire Protection

Construction Certificate plans shall include details demonstrating compliance with the requirements the Bushfire Safety Authority (refer to Schedule 2).

20. Issue of Subdivision for Approved Lot 443

The Plan of Subdivision for approved Lot 443 under DA 2017/244 is to be issued with a Subdivision Certificate and lodged with NSW Land Registry Services, prior to the issue of any Construction Certificate relating to this consent. Evidence of receipt of lodgement with the NSW Land Registry Services is to be provided to the Principal Certifier.

PRIOR TO CONSTRUCTION WORK COMMENCING

The following conditions in this section of the consent must be complied with prior to commencement of construction works relating to the approved development.

21. Notice of Commencement and Appointment of Principal Certifier

Where Council is not nominated as the Principal Certifier, the person having the benefit of this development consent is to submit to Council the following information:

- Written notification of the name and details of the Principal Certifier; and
- The date of commencement and details of the Development Consent and associated Construction Certificate.

The above information is to be submitted at least two days prior to the commencement of any works, in accordance with the requirements of Section 81A(2) of the Environmental Planning & Assessment Act 1979 (as amended).

22. Erection of Signs

- (1) 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 Certifier 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.
- (2) 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.
- (3) 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.
- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with Section 109R of the Act, to comply with the technical provision of the NSW Government's building laws.

23. Builder's toilet

A suitable builder's toilet is to be provided on-site before building work commences. Such facility is to either connect to Council's sewer or a suitable approved chemical closet is to be provided.

24. Survey Peg-out

A survey peg-out is to be carried out by a surveyor to establish the correct position of the boundaries of the allotment before any building work commences, unless all the existing survey pegs can be located. The building is to be located clear of Council easements and sewer mains.

25. Notice of commencement of civil works

Prior to the commencement of construction, the contractor must submit a completed copy of the "Notice of Commencement of Civil Development Work" form and a copy of their \$20M Public Liability Insurance Policy to Council. Copies of the form are available from Council's website.

26. Traffic control

All traffic control shall be in accordance with the Roads and Maritime Services "Traffic Control at Work Sites Manual". A Traffic Control Plan must be prepared and submitted to Council by a person holding a current "Design & inspect Traffic Control Plan" qualification. The traffic control plan must be certified and include the designers Name & Certificate Number. Details are to be submitted to Council prior to the commencement of construction.

DURING CONSTRUCTION

The following conditions in this section of the consent must be complied with during the course of carrying out the construction works relating to the approved development.

27. No storage of materials on Council land

There shall be no storage of building materials, plant or equipment on the road, footway or reserve areas without the prior written consent of Council.

28. Floor Levels

A Registered Surveyor's certificate is to be submitted to the Principal Certifier at each floor level of construction of the buildings (prior to the pouring of concrete) verifying that the finished floor levels are in accordance with the approved plans.

29. Construction

The hours of operation for any noise generating construction activity (including the delivery of materials to and from the site) on the proposed development are to be limited to within the following times:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm

No noise generating construction activities are to take place on Sundays or public holidays.

30. Dust Control

The construction site must not emit objectionable or offensive dust to the extent that the discharge causes an adverse effect at or beyond the boundary of the construction site.

31. Resource Recovery Exemption

Any material that is the subject of a resource recovery exemption and order received at the development site shall be accompanied by documentation as to the material's compliance with the exemption and order conditions and shall be provided to the Principal Certifier or the Council upon request.

32. Mosquito Management

All stormwater management devices/infrastructure must be constructed and installed to ensure they do not hold water in excess of 48hrs after inflows have ceased to prevent mosquito breeding.

33. Potential Site Contamination

Any new information that becomes known during remediation, demolition or construction works which has the potential to alter previous conclusions about the site contamination must be immediately notified to the Council and the Principal Certifier.

34. Pollution Prevention

Clean up equipment including suitable absorbent material shall be stored on site to effectively deal with liquid contaminates, such as oils and chemical, leaks or spills during the construction period.

35. Pollution Prevention

In the event of a pollution incident on the premises, that has caused, is causing, or is likely to cause harm to the environment, the incident shall be reported in accordance with the requirements of section 148 of the Protection of the Environment Operations Act 1997.

36. Implementation of Construction Environmental Management Plan

The approved Construction Environmental Management Plan (CEMP) must be implemented for the duration of the construction works.

37. Noise Control

All work, including demolition, excavation and building work shall comply with Australian Standard AS 2436:2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* and *NSW Interim Construction Noise Guidelines* (DECC 2009).

38. Construction Traffic

All demolition and construction vehicles (including concrete agitator trucks) are not to arrive at the project site or surrounding residential areas prior to the approved start time of works for the day.

39. Erosion, Dust and Sediment Controls

Daily inspections of all erosion, dust and sediment controls must be carried out to ensure they are adequately maintained. Inspections of all such controls must also be carried out prior to the onset of heavy rain.

40. Construction Accessway

A single all weather accessway is to be provided on site that extends from the kerb to the building construction site. All construction vehicles are to enter and exit the site via this accessway so as to minimise erosion on site and prevent the movement of soil material onto surrounding roadways (if required provide a 'shake down' grid area for truck wheel washing). When necessary, roadways shall be swept and all drains and gutters cleaned of sediment material.

41. Erosion and Sediment Controls

Soil erosion and sediment control measures shall be designed, installed and maintained in accordance with *Managing Urban Stormwater – Soils and Construction*, LANDCOM, March 2004.

42. Erosion and Sediment Controls

To prevent the pollution of waterways, the applicant/builder is to ensure adequate sediment and erosion control measures are in place prior to the commencement of works. These are to be maintained during the construction of the project until the site has been stabilised by permanent vegetation cover or a hard surface. This is to include:

- The prevention of soil erosion and the transportation of sediment material into any roadway, natural or constructed drainage systems, watercourse and or adjoining land
- Service trenches being backfilled as soon as practical
- Downpipes being connected as soon as practical or the use of temporary downpipes
- Buffer vegetation zones being retained on sites that adjoin roadways, drainage systems and or watercourses
- Sediment and erosion control measures are to be maintained throughout the construction process and beyond by the owner, where necessary.

43. Dust Suppression

Dust shall be managed using water suppression such as water trucks, sprays, sprinklers, dust suppression material such as hydromulch, re-establishment of vegetation cover, stockpile management, covering loads, preventing spoil tracking onto roads and halting works on site in extreme wind events.

44. Export/Import of Waste

The export/import of waste (including fill or soil) to and from the site must be in accordance with:

- a) the provisions of the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the Environment Protection Authority 'Waste Classification Guidelines', which may require laboratory testing in accordance with NSW EPA and Council requirements; or
- b) current Resource Recovery Orders and Exemptions.

45. Civil Works

All civil construction works shall be completed in accordance with the minimum requirements of the Northern Rivers Local Government Development Construction Manuals (as current at the time of construction works commencing) and/or in accordance with other design requirements from Austroads, Australian Standards or Roads & Maritime Services where specified. Inspections and approval of the road, drainage, water & sewer works shall be required by Council's Engineer (or an approved certifying authority) in accordance with the Manual.

46. Traffic Control

All traffic control during construction shall be in accordance with the Roads and Maritime Services - Traffic Control at Work Sites Manual and the certified traffic control plan. At least one person at the site must be qualified to "Apply Traffic Control Plans" (Yellow Card).

47. Inspection (footpath and gutter crossing)

Council's Engineer must inspect and approve works associated with the construction of the footpath and gutter crossing for the development. Council's Engineer must be contacted on telephone 6686 4444 at the time of excavation and at least 24 hours prior to the concrete pour.

48. Damage to Council infrastructure

Damage to any grass verge, footpath, kerb and guttering, utility services or road within the road reserve as a result of construction works related to the development shall be immediately reinstated to a satisfactory and safe condition. Council's Engineer must be contacted on telephone 6686 4444 at the time any damage occurs to ensure appropriate reinstatement works are undertaken.

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

Unless otherwise stated all conditions referred to in other sections of this consent must be complied with together with the following conditions prior to occupation or use.

49. Occupation Certificate

An Occupation Certificate is to be obtained prior to commencement of use or occupation of the premises. Where Council is not the Principal Certifier the applicant shall ensure that a Certificate of Occupation prepared by the Principal Certifier is submitted to Council prior to occupation of the building.

50. Landscaping to accord with plan

All landscaping works shall be completed in accordance with the landscape plan approved as part of this development consent. The landscaping may be staged in accordance with the approved staging plan.

51. Clothes Lines

The primary clothes drying lines for each dwelling are not approved to be located within garages. In accordance with BASIX Certificate No. 1070227M private clothes drying lines shall be installed in an outdoor/unsheltered location within the private open space for each dwelling, prior to the issue of an Occupation Certificate. Clothes drying lines shall not be located in front courtyard areas unless adequately screened.

52. BASIX

The development is to be constructed in accordance with the BASIX design requirements as depicted in the submitted BASIX Certificate (Certificate No. 1070227M, or as amended) that has accompanied the development application. Certification from the relevant builder, owner builder and/or contractor, certifying that the development has been built in accordance with the submitted BASIX Certificate, is to be submitted to the Principal Certifier on completion of the building prior to occupation of the building.

53. Mosquito Management

In accordance with Ballina DCP 2012 Chapter 2 Part 3.6 'Mosquito Management' all windows, external doors and other openings must be provided with effective insect screening. All rainwater tanks including inlet and overflow must be fitted with screening to prevent mosquito breeding and insect entry. The screening and structures shall be maintained to continue to prevent entry of mosquitoes.

54. Waste Management

If waste collection from the private road is to be undertaken by Ballina Council the Owners Corporation must sign and finalise an agreement that effectively indemnifies Council against any claim for damage caused to property, road, vehicles, vegetation or any infrastructure resulting from accessing and collecting of bins on the private road prior to the issue of any Occupation Certificate.

55. Civil works

All civil works approved under Section 138 of the Roads Act 1993, are to be completed to the satisfaction of Council prior to issue of an Occupation Certificate. All works are to be completed in accordance with the Northern Rivers Local Government Development Design and Construction Manuals and the approved design.

56. Car parking (standard)

The construction of all car parking and vehicular accesses is to be in accordance with the approved Construction Plans and Australian Standard AS/NZS 2890.1: 2004. All works are to be certified by a suitably qualified consultant prior to issue of the Occupation Certificate.

57. Public Infrastructure

Public Infrastructure, such as kerb and guttering, footpath utility services or road works, damaged as a result of construction works related to the development shall be rectified and reinstated to the satisfaction of Council.

58. Fire Safety Certificate

- a) Prior to the issuing of an Occupation Certificate Certificate, the landowner shall provide Council with a Final Fire Safety Statement for the proposed development and shall certify that all essential (fire safety) services installed in the building have been inspected and tested by a competent fire safety practitioner and were found to have been designed and installed to be capable of operating to the minimum standard required by the Building Code of Australia.
- b) The Final Fire Safety Statement to which this consent applies must be in the approved form and be provided in accordance with Clause 171, *Environmental Planning and Assessment Regulation 2000*.
- c) It is an offence to fail to provide a Fire Safety Statement in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.

59. Car Parking

The construction of all car parking and vehicular accesses is to be in accordance with the approved Construction Plans and Australian Standard AS/NZS 2890.1: 2004. The car parking spaces for dwellings 443-03, 443-14, 443-16, 443-26 and 443-28 are to be in accordance with Australian Adaptable Housing Standard AS 4299-1995. All works are to be certified by a suitably qualified consultant prior to issue of the Occupation Certificate.

60. Adaptable Housing – Dwellings 443-03, 443-14, 443-16, 443-26 and 443-28

Certification from a suitably qualified access consultant confirming that Dwellings 443-03, 443-14, 443-16, 443-26 and 443-28 have been constructed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995) is to be submitted to the Principal Certifier prior to occupation of the dwelling.

61. Bushfire Protection

Prior to the issue of an occupation certificate for any stage of the development, the Developer must submit certification from a suitably qualified bushfire consultant demonstrating that the relevant conditions of the Bushfire Safety Authority issued under section 100B of the Rural Fires Act 1997 (refer to Schedule 2) have been addressed and complied with for the relevant stage.

62. Compliance with Conditions

All above conditions of consent are to be complied for the relevant stage(s) prior to the issue of any occupation certificate.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

The following conditions in this section of the consent must be complied with prior to the issue of a Subdivision Certificate relating to the approved development.

63. Application for Subdivision Certificate

An application for Subdivision Certificate accompanied by final plans of subdivision, together with the requisite processing fee, shall be submitted to Council for approval. In addition, a written statement confirming how each condition of consent has been complied with is also to accompany the Subdivision Certificate application.

64. Landscaping Completed Prior to Subdivision Certificate

Prior to the release of a Subdivision Certificate, the site is to be landscaped in accordance with the approved landscape plan.

65. Dual Water Supply

Prior to the issue of the Subdivision Certificate, all allotments created by this consent shall include the following positive covenants on the Section 88E(3) instrument:

- (i) No plumbing may be installed on the Lot burdened unless it has provision for recycled (non-potable) water service plumbing and facilities in accordance with Ballina Shire Council's Dual Water Supply Plumbing Policy or any superseding policy; and
- (ii) The registered proprietor may not complete any contract for sale of the Lot burdened until a Dual Water Supply Cross-Connection Audit Certificate of Compliance (as referred to in Ballina Shire Council's Dual Water Supply Plumbing Policy) in respect of the Lot burdened has been issued by Ballina Shire Council.

66. Street Identification – Residential Property

The buildings shall be provided with a street identification number and mailbox in accordance with the requirements of Australia Post, unless alternative postal box arrangements are made. Street numbers are determined by Council.

67. Stacked Parking

Car parking spaces located within rear courtyards of dwellings 443-18, 443-19, 443-20, 443-34 and 443-35 are to be shown as 'car parking' on the Strata Plan.

CONDITIONS OF USE/DURING OCCUPATION

The following conditions in this section of the consent are to be complied with in the day-to-day use or operation of the approved development.

68. Rooftop Terraces

Structures shall not be erected on rooftop terraces without prior approval of Council

69. Clothes lines

Clothes line facilities shall not be located in front yard area unless adequately screened.

70. Mosquito Management

In accordance with Ballina DCP 2012 Chapter 2 Part 3.6 'Mosquito Management' all windows, external doors and other openings must be provided with effective insect screening. All rainwater tanks including inlet and overflow must be fitted with screening to prevent mosquito breeding and insect entry. The screening and structures must be maintained to continue to prevent entry of mosquitoes.

71. Amenity

The use and occupation of the proposed development, including all plant and equipment installed thereon, and the undertaking of normal operational activities must not give rise to any offensive noise within the meaning of The Protection of the Environment Operations Act, 1997. Offensive Noise means noise:

1. That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances;
 - a. is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted;
 - b. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
2. That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

72. Amenity

The land use on site shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, odours, fumes, smoke, vapour, steam, dust, water, waste products and the like.

73. Backyard Burning Policy

In accordance with the Protection of the Environment Operations (Clean Air) Regulation 2010 and Council's Backyard Burning Policy no burning of vegetation or other waste material shall occur on site. All vegetation waste should be composted, reused or removed to a licenced waste management facility.

74. Stormwater Management

All stormwater management devices/infrastructure must be maintained to ensure they do not hold water in excess of 48hrs (except for rainwater tanks) and become a breeding site for mosquitoes.

75. Waste Disposal

Waste generated onsite shall be managed in accordance with Council's Waste Management for Multi-Unit Developments Policy.

76. Waste Collection

If Ballina Council provide waste collection from private property, vegetation in this area must be maintained by the Owners Corporation so as to not inhibit the collection of bins by Council vehicles. The Owners Corporation must adhere to Council's waste collection agreement and direction to prune vegetation to maintain serviceability as required.

77. Waste Collection

Appropriate access for Council's waste collection vehicles is required on collection day including the exclusion of any parked cars on/adjacent to the private property.

78. Annual Fire Safety Statement

- a) The owner of the building must provide Council with an **Annual Fire Safety Statement** at least once in each twelve months ***specified in the current Fire Safety Schedule and Fire Safety Certificate*** certifying that the essential and statutory fire safety measures in the building have been inspected and tested by a competent person and were found to have been designed, installed and capable of operating to the minimum standard required by the ***current*** Fire Safety Schedule.
- b) The Annual Fire Safety Statement must be in the approved form in accordance with Clause 175, Environmental Planning and Assessment Regulation 2000.
- c) A copy of the Annual Fire Safety Statement together with a copy of the ***current*** Fire Safety Schedule are to be forwarded to the Commissioner, NSW Fire Brigades, and a copy of the Fire Statement and Schedule, prominently displayed in the building.
- d) ***It is an offence to fail to provide an Annual Fire Safety Statement and to fail to prominently display the current Annual Fire Safety Statement and current Fire Safety Schedule within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.***

STATEMENT OF REASONS FOR DECISION AND IMPOSITION OF CONDITIONS

1. The subject development is permissible with consent in the R3 Medium Density Residential zone of the Ballina Local Environmental Plan 2012.
2. The subject development has been assessed against the relevant considerations under the Environmental Planning and Assessment Act 1979, including the provisions of all relevant Environmental Planning Instruments, the objectives of the Ballina Local Environmental Plan 2012 and the objectives of the R3 zone. It has been determined that the site is suitable for the subject development and that the development is unlikely to have a significant adverse impact on the natural and built environments and is unlikely to have a significant adverse economic or social impact on the locality.
3. The proposed variations to the Ballina Development Control Plan 2012 are justified and the development will achieve the objectives of the relevant standards.
4. The application was required to be placed on public exhibition in accordance with Environmental Planning and Assessment Act 1979 or Environmental Planning and Assessment Regulations 2000, an Environmental Planning Instrument or Local Exhibition Policy. Eight public submissions were received. The matters raised in the submissions were addressed in detail in the corresponding Council report and do not warrant refusal of the application.
5. The application has been determined by the elected Council.
6. The approval of the development is in the public interest.
7. The reasons for the conditions listed in this determination notice are:
 - To ensure compliance with the requirements of the Environmental Planning & Assessment Act, 1979;
 - To ensure compliance with the objectives of the Ballina Local Environmental Plan 2012;
 - To ensure an appropriate level of amenities and services is available;
 - To protect the existing and likely future amenity of the locality;
 - To maintain, as far as practicable, the public interest;
 - To ensure compliance with the Building Code of Australia and relevant Australian Standards;
 - To ensure satisfactory compliance with relevant Council plans, codes and policies.

ADVISORY MATTERS**Protection of the Environment**

The development is to be operated in accordance with the provisions of the Protection of the Environment and Operations Act 1997 as it applies to issues of air quality, noise generation, water and wastewater quality.

Noise Control

Use of the premises/services/equipment/ancillary fittings shall not give rise to an "offensive noise" as defined under the provisions of the Protection of the Environment & Operations Act 1997.

Wastewater Management Advice

All work carried out in connection with this approval must comply with any applicable standard established by the Local Government (Approvals) Regulation 1999, the Local Government (Water Services) Regulation 1999.

Advisory Note:

The applicant is advised to take care in ensuring that no damage is done to or unauthorised modifications are carried out on either Council's or any other organisation's underground infrastructure assets. Any Council sewer, stormwater or water main or other organisation owned electricity supply or telecommunication facility is not to be damaged or altered in any way without the necessary approvals being obtained beforehand from the relevant server.

You are advised to contact the following:

- **Council - for information on sewer, water supply & stormwater**
- **Rous Water - Water Supply for Rous Water Authority controlled areas**
- **"Dial Before You Dig" - for other service infrastructure**

The information relating to your property is to be obtained prior to any works commencing.

SCHEDULE 1 – Developer Contributions

Stage 1 – Eleven Dwellings (Dwellings 27 to 37)

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Ballina District Parks 2016	4302	equivalent residential allotment	\$1,165.00	8.5696	\$9,983.53
Ballina Playing Fields 2016	4303	equivalent residential allotment	\$2,625.00	8.5696	\$22,495.08
Regional Level Recreational Facilities (SHIRE) 2016	4304	equivalent residential allotment	\$1,906.00	8.5696	\$16,333.57
Ballina District Community Centres & Meeting Halls 2016	4305	equivalent residential allotment	\$1,135.00	8.5696	\$9,726.44
Regional Level Community Facilities (SHIRE) 2016	4306	equivalent residential allotment	\$1,118.00	8.5696	\$9,580.76
OS & CF Plan Administration (SHIRE) 2016	4307	equivalent residential allotment	\$113.00	8.5696	\$968.36
Roads Contribution Plan V4.1 (2018)	5206	equivalent residential allotment	\$12,704.00	8.4946	\$107,915.62
Roads Administration V4.1 (2018)	5207	equivalent residential allotment	\$190.00	8.4946	\$1,613.98
Skennars Head Wastewater Services (DSP Area B)	3010	equivalent tenement	\$5,301.00	9.2500	\$49,034.25
Skennars Head Water Supply (DSP Area B)	2009	equivalent tenement	\$3,463.00	7.0000	\$24,241.00
Rous Water 2016	5001	equivalent tenement	\$8,872.00	7.0000	\$62,104.00
TOTAL					\$313,996.59

Stage 2 – Twelve Dwellings (Dwellings 15 to 26)

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Ballina District Parks 2016	4302	equivalent residential allotment	\$1,165.00	9.8288	\$11,450.57
Ballina Playing Fields 2016	4303	equivalent residential allotment	\$2,625.00	9.8288	\$25,800.63
Regional Level Recreational Facilities (SHIRE) 2016	4304	equivalent residential allotment	\$1,906.00	9.8288	\$18,733.72
Ballina District Community Centres & Meeting Halls 2016	4305	equivalent residential allotment	\$1,135.00	9.8288	\$11,155.70
Regional Level Community Facilities (SHIRE) 2016	4306	equivalent residential allotment	\$1,118.00	9.8288	\$10,988.61
OS & CF Plan Administration (SHIRE) 2016	4307	equivalent residential allotment	\$113.00	9.8288	\$1,110.66
Roads Contribution Plan V4.1 (2018)	5206	equivalent residential allotment	\$12,704.00	9.7039	\$123,278.60
Roads Administration V4.1 (2018)	5207	equivalent residential allotment	\$190.00	9.7039	\$1,843.74
Skennars Head Wastewater Services (DSP Area B)	3010	equivalent tenement	\$5,301.00	10.7500	\$56,985.75
Skennars Head Water Supply (DSP Area B)	2009	equivalent tenement	\$3,463.00	8.6000	\$29,781.80
Rous Water 2016	5001	equivalent tenement	\$8,872.00	8.6000	\$76,299.20
TOTAL					\$367,428.98

Stage 3 – Seven Dwellings (Dwellings 38 to 44)

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Ballina District Parks 2016	4302	equivalent residential allotment	\$1,165.00	6.0312	\$7,026.30
Ballina Playing Fields 2016	4303	equivalent residential allotment	\$2,625.00	6.0312	\$15,831.80
Regional Level Recreational Facilities (SHIRE) 2016	4304	equivalent residential allotment	\$1,906.00	6.0312	\$11,495.40
Ballina District Community Centres & Meeting Halls 2016	4305	equivalent residential allotment	\$1,135.00	6.0312	\$6,845.37
Regional Level Community Facilities (SHIRE) 2016	4306	equivalent residential allotment	\$1,118.00	6.0312	\$6,742.84
OS & CF Plan Administration (SHIRE) 2016	4307	equivalent residential allotment	\$113.00	6.0312	\$681.52
Roads Contribution Plan V4.1 (2018)	5206	equivalent residential allotment	\$12,704.00	5.9812	\$75,985.23
Roads Administration V4.1 (2018)	5207	equivalent residential allotment	\$190.00	5.9812	\$1,136.43
Skennars Head Wastewater Services (DSP Area B)	3010	equivalent tenement	\$5,301.00	6.5000	\$34,456.50
Skennars Head Water Supply (DSP Area B)	2009	equivalent tenement	\$3,463.00	5.2000	\$18,007.60
Rous Water 2016	5001	equivalent tenement	\$8,872.00	5.2000	\$46,134.40
TOTAL					\$224,343.39

Stage 4 – Six Dwellings (Dwellings 09 to 14)

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Ballina District Parks 2016	4302	equivalent residential allotment	\$1,165.00	5.4015	\$6,292.79
Ballina Playing Fields 2016	4303	equivalent residential allotment	\$2,625.00	5.4015	\$14,179.02
Regional Level Recreational Facilities (SHIRE) 2016	4304	equivalent residential allotment	\$1,906.00	5.4015	\$10,295.32
Ballina District Community Centres & Meeting Halls 2016	4305	equivalent residential allotment	\$1,135.00	5.4015	\$6,130.74
Regional Level Community Facilities (SHIRE) 2016	4306	equivalent residential allotment	\$1,118.00	5.4015	\$6,038.91
OS & CF Plan Administration (SHIRE) 2016	4307	equivalent residential allotment	\$113.00	5.4015	\$610.37
Roads Contribution Plan V4.1 (2018)	5206	equivalent residential allotment	\$12,704.00	5.3766	\$68,303.74
Roads Administration V4.1 (2018)	5207	equivalent residential allotment	\$190.00	5.3766	\$1,021.55
Skennars Head Wastewater Services (DSP Area B)	3010	equivalent tenement	\$5,301.00	5.7500	\$30,480.75
Skennars Head Water Supply (DSP Area B)	2009	equivalent tenement	\$3,463.00	4.6000	\$15,929.80
Rous Water 2016	5001	equivalent tenement	\$8,872.00	4.6000	\$40,811.20
TOTAL					\$200,094.20

Stage 5 – Eight Dwellings (Dwellings 01 to 08)

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Contribution Units Payable	TOTAL COST
Ballina District Parks 2016	4302	equivalent residential allotment	\$1,165.00	7.3103	\$8,516.49
Ballina Playing Fields 2016	4303	equivalent residential allotment	\$2,625.00	7.3103	\$19,189.52
Regional Level Recreational Facilities (SHIRE) 2016	4304	equivalent residential allotment	\$1,906.00	7.3103	\$13,933.42
Ballina District Community Centres & Meeting Halls 2016	4305	equivalent residential allotment	\$1,135.00	7.3103	\$8,297.18
Regional Level Community Facilities (SHIRE) 2016	4306	equivalent residential allotment	\$1,118.00	7.3103	\$8,172.91
OS & CF Plan Administration (SHIRE) 2016	4307	equivalent residential allotment	\$113.00	7.3103	\$826.06
Roads Contribution Plan V4.1 (2018)	5206	equivalent residential allotment	\$12,704.00	7.2853	\$92,552.65
Roads Administration V4.1 (2018)	5207	equivalent residential allotment	\$190.00	7.2853	\$1,384.21
Skennars Head Wastewater Services (DSP Area B)	3010	equivalent tenement	\$5,301.00	7.7500	\$41,082.75
Skennars Head Water Supply (DSP Area B)	2009	equivalent tenement	\$3,463.00	6.2000	\$21,470.60
Rous Water 2016	5001	equivalent tenement	\$8,872.00	6.2000	\$55,006.40
TOTAL					\$270,432.20

SCHEDULE 2



NSW RURAL FIRE SERVICE

Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Your reference: (CNR-7722) DA 2020/242
Our reference: DA20200520001794-Original-1

ATTENTION: Mr Peter Drew

Date: Thursday 2 July 2020

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Strata Title Subdivision
The Coast Rd Skennars Head NSW 2478 AUS, 6//DP1225206

I refer to your correspondence dated 19/05/2020 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, 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 site plan submitted as Figure 4 of the 'Bushfire Assessment Report' prepared by Land & Fire Assessments Pty Ltd dated 14th February, 2020.

Asset Protection Zones

Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

2. At the commencement of building works or the issue of a subdivision certificate (whichever comes first), and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire site must be managed as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;

1

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

- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide grass should be kept to no more than 100 mm in height); and
- leaves and vegetation debris should be removed.

Construction Standards

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

3. New construction of dwellings located within 20-<28 metres of the vegetation located on the western side of the perimeter road to the west must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.

4. New construction of dwellings located within 28-<40 metres of the vegetation located on the western side of the perimeter road to the west must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.

5. New construction of dwellings located within 40-<100 metres of the vegetation located on the western side of the perimeter road to the west must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.

6. Fences and gates located within 100 metres of the vegetation located on the western side of the perimeter road to the west must comply with Section 7.6 of Planning for Bush Fire Protection 2019.

Note: the distance to the vegetation located on the western side of the perimeter road to the west includes the landscaped area as per the plan titled 'Skennars Head Expansion Area: Wetland interface, mosquito buffer/bushfire attack level zones' prepared by Landsite Pty Ltd (Ref: 1519, Rev. C), dated June 2018.

Access – Public Roads

Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

7. Access roads must comply with the requirements of Table 5.3b of Planning for Bush Fire Protection 2019.

Water and Utility Services

Intent of measures: 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.

8. The provision of water, electricity and gas must comply with Table 5.3c of Planning for Bush Fire Protection 2019.

General Advice – Consent Authority to Note

This Bush Fire Safety Authority has been issued on the basis of the standalone performance solution set out in the 'Bushfire Assessment Report' prepared by Land & Fire Assessments Pty Ltd dated 14th February, 2020.

For any queries regarding this correspondence, please contact Danette Cook on 1300 NSW RFS.

Yours sincerely,



Alan Bawden
Team Leader, Dev. Assessment & Planning
Planning and Environment Services



BUSH FIRE SAFETY AUTHORITY

Subdivision – Strata Title Subdivision
The Coast Rd Skennars Head NSW 2478 AUS, 6//DP1225206
RFS Reference: DA20200520001794-Original-1
Your Reference: (CNR-7722) DA 2020/242

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 confirms that, subject to the 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

Team Leader, Dev. Assessment & Planning
Planning and Environment Services

Thursday 2 July 2020

