

## Agency Draft Conditions of Approval

Ref	Condition	Comment
	<b>Great Lakes Council (GLC)</b>	
1.	<p>An operation and maintenance plan for the Water Sensitive Design Strategy is required to be submitted and approved by the certifying authority:</p> <p>a) details of the location and nature of stormwater management structures such as pits, pipes, inlet filters, water reuse tanks, bio-retention, swales and any other stormwater structures and drainage works</p> <p>b) an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures including the frequency of such activities</p> <p>c) the identification of the positions responsible for inspection and maintenance activities including a reporting protocol and checklists</p> <p>d) procedures for managing water quality emergencies including the identification of authorities to be notified.</p>	<p>No objection.</p> <p>Clarification required as to the timing of the WSDS lodgement.</p>
2.	Maintenance of stormwater treatment measures; the swale shall be maintained by the owner in perpetuity including approved plant species or grass within the swale.	No objection.
3.	All building work must be carried out in accordance with the requirements of the BCA as in force on the date the application for the relevant construction certificate or complying development certificate was made.	No objection.
4.	All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.	No objection.

5.	<p><u>PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE</u></p> <p><u>*The following conditions must be complied with prior to the issue of any Construction Certificate:</u></p> <p>Prior to the issue of a construction certificate, plans and specifications for the stormwater management system including a swale must be submitted to and approved by the Certifying Authority. The swale is to be 250 m long and 1m wide at the base, receiving overflow from the rainwater tank and other roof and hardstand areas. The swale must meet the following criteria:</p> <ul style="list-style-type: none"> <li>a) Be constructed on a minimum 1-5% grade</li> <li>b) Contain grass or native plants that tolerate wet and dry periods</li> <li>c) Contain rock protection or a stormwater pit at the rainwater overflow pipe to prevent erosion</li> </ul>	<p>Minor modification proposed.</p> <p>The stormwater management plan has modelled the vegetated infiltration swale with the following assumptions</p> <ul style="list-style-type: none"> <li>- the swale is 250 m long, 1 m wide, 3 m top</li> <li>- the swale has an average longitudinal grade of 0.5%</li> <li>- the swale will be vegetated with appropriate plant species to provide scour resistance, improve pollutant removal and reduce clogging of the infiltration media</li> <li>- an infiltration rate of 50mm/hr based on the sandy soils.</li> </ul> <p>A detailed design of the swale is proposed prior to lodgement of the construction certificate. Parameters of the swale may need to change in response to the measured infiltration rate (either increasing or decreasing the infiltration area of the swale).</p> <p>Proposed condition:</p> <p><i>Prior to the issue of a construction certificate, plans and specifications for the stormwater management system including a swale must be submitted to and approved by the Certifying Authority. <u>The swale is to be designed following infiltration testing on site to confirm the infiltration rate.</u> The swale must receive overflow from the rainwater tank and other roof and hardstand areas. The swale must meet the following criteria:</i></p> <p><i>a) Contain grass or native plants that tolerate wet and dry periods, <u>provide scour resistance,</u></i></p>
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		<i>improve pollutant removal and reduce clogging of the infiltration media</i> <i>b) Contain rock protection or a stormwater pit at the rainwater overflow pipe to prevent erosion</i>
6.	<p>Prior to the issue of a construction certificate, a certificate from a professional geotechnical engineer must be submitted to the certifying authority, certifying that:</p> <p>a) the design of the civil engineering works, including retaining walls and/or cut &amp; fill batters, has been assessed as structurally adequate in accordance with the relevant Australian Standards;</p> <p>b) the civil engineering works will not be affected by landslip or subsidence either above or below the works;</p> <p>c) adequate drainage has been provided with appropriate considerations given to groundwater constraints.</p>	No objection.
7.	<p>Prior to the issue of a construction certificate, an acid sulphate soil assessment must be submitted to and approved by the certifying authority for works involving excavations beyond 1 metre below natural ground surface. The acid sulphate soil assessment must be undertaken in accordance with the Acid Sulphate Soil Manual (NSW ASSMAC 1998).</p>	No objection.
8.	<p>Prior to the issue of a construction certificate, structural drawings prepared by a suitably qualified and experienced structural engineer must be submitted to and approved by the certifying authority. The plans must include details for:</p> <p>a) All reinforced concrete floor slabs and/or beams or raft slab (having due regard to the possible differential settlement of the cut and fill areas.</p> <p>b) Footings of the proposed structure.</p> <p>c) Structural steel beams/columns.</p>	No objection.
9.	<p>Prior to the issue of a construction certificate, an erosion and sediment control plan prepared by a suitably qualified person in accordance with The Blue Book . Managing Urban Stormwater (MUS): Soils and Construction+(Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.</p>	No objection.

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10.	Prior to the issue of a construction certificate, an application under Section 68 of the Local Government Act 1993 to install an on-site sewage management system must be obtained from Council. The application for Section 68 approval must be accompanied by a report prepared by a suitably qualified professional with demonstrated experience in effluent disposal matters. The report must address the site specific design of sewage management in accordance with the requirements of the Local Government Act 1993, the Local Government (General) Regulation 2005 and Guidelines approved by the Director General.	No objection.								
11.	<div><p>Prior to the issue of a construction certificate, an application for a Public Engineering Works Permit (PEWP) must be submitted to and approved by Council for the road reserve works listed in the table below. Each work must be carried out in accordance with the standard specified in the column opposite the work. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.</p><table><tr><th>Work</th><th>Standard to be provided</th></tr><tr><td>Construction upgrading of Como St. including ancillary drainage, from the intersection of Cambage St. to the intersection of Challis Ave.</td><td>Widen Como St. to Class 4e standard - 5m. gravel width, 200mm thick with a 5m. wide two coat bitumen seal from the Cambage St. intersection to the rear boundary of No. 13 Cambage St.</td></tr><tr><td>Construction upgrading of Challis Ave. including ancillary drainage, from the intersection of Como St. to the property boundary.</td><td>Widen Challis Ave. to a Class 4e standard - 5m. gravel width, 200mm thick and include a passing bay in accordance with the requirements of the NSW Rural Fire Service.</td></tr><tr><td>Construction of an emergency pedestrian egress boardwalk over Pig Station Creek.</td><td>Construct a timber boardwalk 2m. wide.</td></tr></table></div>	Work	Standard to be provided	Construction upgrading of Como St. including ancillary drainage, from the intersection of Cambage St. to the intersection of Challis Ave.	Widen Como St. to Class 4e standard - 5m. gravel width, 200mm thick with a 5m. wide two coat bitumen seal from the Cambage St. intersection to the rear boundary of No. 13 Cambage St.	Construction upgrading of Challis Ave. including ancillary drainage, from the intersection of Como St. to the property boundary.	Widen Challis Ave. to a Class 4e standard - 5m. gravel width, 200mm thick and include a passing bay in accordance with the requirements of the NSW Rural Fire Service.	Construction of an emergency pedestrian egress boardwalk over Pig Station Creek.	Construct a timber boardwalk 2m. wide.	No objection.
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12.	<p>Prior to the issue of a construction certificate, a traffic management plan including measures to be employed to control traffic (inclusive of construction vehicles) during construction of the development must be submitted to and approved by the certifying authority. The traffic control plan must be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, Traffic Control at Work Sites Version 2 and Australian Standard AS 1742.3: Manual of uniform traffic control devices - Traffic control for works on roads.</p> <p>The plan must incorporate measures to ensure that motorists using the 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.</p> <p>The traffic control plan must be prepared for public road upgrading within Como St. and Challis Ave. by an accredited person trained in the use of the current version of RTA Traffic Control at Work Sites manual.</p> <p>The approved Construction traffic management plan must be implemented prior to the commencement of work.</p>	No objection.
13.	<p>Prior to the issue of a construction certificate, plans and specifications detailing access, parking and manoeuvring on the site must be submitted to and approved by the certifying authority.</p> <p>Vehicular access, parking and manoeuvring must be in accordance with Australian Standard AS/NZS 2890.1: Parking facilities: Off-street car parking. Plans must include the following items:</p> <ul style="list-style-type: none"> <li>a) Pavement description;</li> <li>b) Existing and design levels;</li> <li>c) Drainage (pipes, pits, on-site detention, etc.).</li> <li>d) Accessible car parking space/s designed in accordance with Australian Standard AS/NZS 2890.6: Parking facilities - Off-street parking for people with disabilities;</li> <li>e) Line-marking and signs.</li> </ul> <p>The engineering plans and specifications must be designed by a qualified practising civil engineer. The civil engineer must be a corporate member of the Institution of Engineers Australia or must be eligible to become a corporate member and have appropriate experience and competence in the related field.</p>	No objection.
14.	<p>Prior to the issue of a construction certificate, plans and specification detailing the use of flood compatible materials for the pumphouse and fixtures below the flood planning level must be submitted to and approved by the certifying authority. Power outlets must be located above the flood planning. The flood planning level for this development is R.L. 3.8m A.H.D</p>	No objection.

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15.	Prior to the issue of a construction certificate, plans and specifications detailing access to and within the development and facilities for persons with disabilities must be submitted to and approved by the certifying authority. The development must be in accordance with Australian Standard AS 1428.1 - Design for access and mobility and Part D3 of the Building Code of Australia.	No objection.
16.	Prior to the issue of a construction certificate, plans and specifications for the water storage tank must be submitted to and approved by the certifying authority. The water storage tank, must have a minimum capacity of 30,000 litres, be screened to prevent vermin from entering the tank and fitted with an outlet incorporating a first flush system. Where water to serve flushing toilets is provided from a dam or other source, the water storage tank capacity can be reduced to 18,000 litres.	<p>Minor modification proposed.</p> <p>The majority of runoff from building roof areas will be collected in one of 6 rainwater tanks, each with minimum 10,000 litres capacity. Harvested rainwater will be re-used on site for toilet flushing and operational uses, but not for potable purposes. Drinking water will be separately purchased and delivered to site. (section 5.6.2.1 of EA)</p> <p>A 50,000 litre tank dedicated for firefighting is also proposed. Water from the 6 rainwater tanks will be used to provide freshwater to this tank. Should drought conditions limit the volume of water within this tank, water will be purchased to ensure the tank is full at all times. (section 5.6.2.1 of EA)</p> <p>Proposed condition:  <i>Prior to the issue of a construction certificate, plans and specifications for the water storage <u>tanks</u> must be submitted to and approved by the certifying authority. The water storage <u>tanks</u>, must have a minimum capacity of <u>60,000 litres for toilet flushing and operational uses and 50,000 litres for firefighting uses</u>, be screened to prevent vermin from entering the tank and fitted with an outlet incorporating a first flush system.</i></p>

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17.	<p>Prior to the issue of a construction certificate, plans and specifications of the garbage storage area must be submitted to and approved by the certifying authority. The garbage storage area must be provided on-site in a location that is readily accessible from within the site and which is screened from public areas and adjoining properties. The garbage storage area must incorporate the following design elements:</p> <ul style="list-style-type: none"> <li>a) Bunded with a minimum volume of the bund being capable of containing 110% of the capacity of the largest container stored, or 25% of the total storage volume, whichever is the greatest.</li> <li>b) Provided with a hose tap connected to the water supply.</li> <li>c) Paved with impervious material.</li> <li>d) Graded and drained to the sewer system.</li> <li>e) Roofed to prevent the entry of rainwater.</li> </ul>	No objection.
18.	<p>Prior to the issue of a construction certificate, a detailed schedule of external materials, finishes and colours must be submitted to and approved by the certifying authority. All external building materials must be in neutral, recessive, non-reflective colours and finishes, which harmonise with the colours of the natural landscape.</p>	No objection.
19.	<p>Metal roof sheeting must be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment. Zincalume finish or off-white colours are not permitted. Prior to the issue of a construction certificate, details of the external material and colour of the roof must be submitted to and approved by the certifying authority.</p>	No objection.

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20.	<p>Prior to the issue of a construction certificate, a monetary contribution must be paid to Council in accordance with Section 94 of the Environmental Planning and Assessment Act 1979. The services and facilities for which the contributions are levied and the respective amounts payable under each of the relevant plans are set out in the following table:</p> <table><tr><th>Code</th><th>Contributions Plan</th><th>Facility</th><th>quantity</th><th>unit</th><th></th><th>rate</th><th></th><th>amount</th></tr><tr><td>GLW-07</td><td>Great Lakes Wide</td><td>Headquarters Building</td><td>3,547,000</td><td>\$1 non res</td><td>@</td><td>\$0.001</td><td>=</td><td><b>\$3,547.00</b></td></tr><tr><td>TGH N08</td><td>Tea Gardens District</td><td>Major Roads</td><td>12</td><td>one way trips</td><td>@</td><td>\$378.51</td><td>=</td><td><b>\$4,542.12</b></td></tr><tr><td colspan="8">Total</td><td><b>\$8,089.12</b></td></tr></table> <p>Contribution rates are subject to indexation. The rates shown above are applicable until 30 June following the date of consent. Payment made after 30 June will be at the indexed rates applicable at that time.</p> <p>The Contributions Plan and the Standard Schedule for Section 94 Plans may be viewed on Council's web site or at Council's offices at Breese Parade, Forster.</p>	Code	Contributions Plan	Facility	quantity	unit		rate		amount	GLW-07	Great Lakes Wide	Headquarters Building	3,547,000	\$1 non res	@	\$0.001	=	<b>\$3,547.00</b>	TGH N08	Tea Gardens District	Major Roads	12	one way trips	@	\$378.51	=	<b>\$4,542.12</b>	Total								<b>\$8,089.12</b>	No objection.
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21.	<p>Prior to the issue of any occupation certificate, details of the amount of fill that has been imported to the site or the material that has been excavated and removed from the site must be submitted to Council for the purpose of calculating the haulage levy. The haulage levy is required to be paid in accordance with the Great Lakes Wide Development Contributions Plan 2007, as may be updated from time to time. The haulage levy must be paid to Council prior to the issue of any occupation certificate.</p>	No objection.																																				



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22.	<p>Prior to the issue of a construction certificate, a Damage Bond Application form together with payment of a bond in the amount of \$6,000 and a non-refundable administration fee of \$310.50 must be submitted to Council. The bond is payable for the purpose of funding repairs to any damage that may result to Council assets from activities/works associated with the construction of the development and to ensure compliance with Council standards and specifications.</p> <p>A final inspection will be carried out by the responsible Council officer and the bond (minus any fees required for additional inspections) will be considered for refund:</p> <p>a) once all works, including landscaping, driveway construction, turfing, etc, have been completed, and</p> <p>b) following issue of an occupation certificate by the certifying authority.</p> <p>The damage bond is reviewed periodically and therefore the fee and bond amount payable will be determined from Council's current fees and charges document at the time of lodgement of the damage bond.</p>	No objection.
23.	<p><u>PRIOR TO THE COMMENCEMENT OF ANY WORK ASSOCIATED WITH THIS CONSENT</u></p> <p><u>*The following conditions must be satisfied prior to the commencement of any building construction or subdivision work:</u></p> <p>Prior to the commencement of any demolition work, a waste management plan prepared in accordance with the requirements of Council's Waste Management Policy must be submitted to and approved by the certifying authority.</p>	No objection.
24.	<p>An Aboriginal Heritage Management Plan is to be prepared for the conservation of the midden as per Aboriginal community requirements, with on-going consultation with the Aboriginal community throughout the development process. It shall be prepared in consultation with the Aboriginal stakeholders to address the preservation and protection of key Aboriginal heritage values, and to deal with measures to be taken in the event that new Aboriginal objects of significance or a nature not anticipated (such as burials or ceremonial items) are discovered during construction. This plan is to include:</p> <p>a) The bagging, tagging and collection of any artefacts that may be unearthed during the construction process and kept with the Karuah Local Aboriginal Land Council until an appropriate keeping place is determined by the Aboriginal Heritage Management Plan.</p> <p>b) An Aboriginal Cultural Education Program shall be developed by the proponent for the induction of personnel involved in the construction activities in the project area in consultation with the Karuah Local Aboriginal Land Council</p>	No objection.

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25.	<p>A Vegetation Management Plan (VMP) is to be prepared in accordance with recommendations made in the Statement of Effect on Flora and Fauna Species, by Wildthing dated December 2013. The VMP will guide the conservation and protection of surrounding environments, including EECs and threatened species habitat during construction and ensure long-term viability of the nearby surrounding environment. The VMP will prescribe monitoring and management of the surrounding vegetation including the conservation area including but not limited to:</p> <p>a) Pre-clearing and clearing supervision to be implemented on both terrestrial and aquatic habitats, to cover the removal of hollow bearing trees, placement of the pipes on Posidonia seagrass beds and through mangroves, the construction of the board walk through mangroves and saltmarsh.</p> <p>b) Consultation with an appropriately qualified and experienced arborist during the construction of the pipelines to reduce the impact on the root zones of nearby trees.</p> <p>c) The installation and on-going management of nest boxes. Hollow-bearing trees which are required to be removed are to be compensated by suitable nest boxes at a ratio of 2:1. Nest boxes should be monitored, maintained and replaced if lost, for the life of the approved development. Monitoring of nest boxes occupancy to ascertain acceptance rates by threatened species as part of an on-going management and monitoring program.</p> <p>d) Monitoring of seagrass beds and mangroves during construction and as part of an ongoing management and monitoring program.</p> <p>e) Establishment of construction strategies to ensure minimal disturbance of the SEPP 14 Coastal Wetlands during construction of timber boardwalk over Pig Station Creek to South Pindimar village.</p> <p>f) Limiting the area of disturbance during construction of the proposed facility.</p>	No objection.
26.	<p>Prior to the commencement of any building or subdivision construction work (including excavation), a construction certificate must be issued by a certifying authority.</p> <p>Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 6591 7222.</p>	No objection.
27.	<p>Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days' notice to Council, in writing, of the persons intention to commence construction work.</p>	No objection.
28.	<p>Prior to the commencement of work, toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.</p>	No objection.

Ref	Condition	Comment
29.	<p>Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.</p> <p>a) showing the name, address and telephone number of the principal certifying authority for the work, and</p> <p>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</p> <p>c) stating that unauthorised entry to the work site is prohibited.</p> <p>The 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.</p>	No objection.
30.	<p><u>CONDITIONS TO BE SATISFIED DURING DEVELOPMENT WORK</u></p> <p><u>*The following conditions must be complied with during any development work:</u></p> <p>Construction and/or demolition works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:</p> <p>Monday to Friday, from 7 am to 6 pm.</p> <p>Saturday, from 8 am to 1 pm.</p> <p>No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.</p>	No objection.
31.	Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.	No objection.
32.	The burning of trees and vegetation felled during clearing of the site is not permitted. Where possible, vegetation is to be mulched and reused on the site.	No objection.
33.	During demolition and/or construction of the development, waste disposal must be carried out in accordance with the approved waste management plan.	No objection.

Ref	Condition	Comment
34.	<p>The drainage and on-site sewage management works must be inspected during construction by Great Lakes Council to verify compliance with this consent and the Australian Standards. An inspection fee in accordance with Council's Fees and Charges Policy must be paid to Council.</p> <p>Inspections must be carried out at the following stages:</p> <ul style="list-style-type: none"> <li>a) Arrange inspections with Council's Building District Surveyor by calling (02) 6591 7291 when: <ul style="list-style-type: none"> <li>i) All plumbing has been installed prior to covering in.</li> <li>ii) Internal drainage lines are laid in position and prior to covering in.</li> <li>iii) External drainage lines are laid in position and prior to covering in.</li> </ul> </li> <li>b) Arrange inspection with Council's Environmental Health Officer by calling (02) 6591 7291 when installation of the on-site sewage management facility and associated disposal areas are complete.</li> </ul>	No objection.
35.	<p>A survey certificate prepared by a registered surveyor must be submitted to the certifying authority at the following stages of the development:</p> <ul style="list-style-type: none"> <li>a) Prior to the construction of footings or first completed floor slab showing the area of land, building under construction and boundary setbacks.</li> <li>b) At each level indicating the level of that floor to Australian Height Datum (AHD).</li> <li>c) Upon completion of the roof timbers, before roofing is laid, indicating the ridge height to AHD.</li> <li>d) At completion, indicating the relation of the building and any projections to the boundaries and that the building has been erected to the levels approved in the development consent.</li> <li>e) Indicating the levels of the floor and battered wall of the settlement ponds and pipeline infrastructure.</li> </ul>	No objection.

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36.	<p>All wiring, power outlets, switches, etc, must be provided in accordance with the following requirements:</p> <p>a) To the maximum extent possible, all wiring, power outlets, switches, etc, must be located above the flood planning level.</p> <p>b) All electrical equipment installed below the flood planning level must be suitable for continuous submergence in water and must not contain fibrous components.</p> <p>c) All electrical equipment installed below the flood planning level must be capable of disconnection by a single plug and socket assembly.</p> <p>d) Electrical circuits to areas below the flood planning level must be separated from circuits serving areas above the flood planning level.</p> <p>e) Only submersible-type splices are to be used below the flood planning level.</p> <p>f) All conduits located below flood planning level are to be so installed that they will be self-draining when subjected to flooding.</p> <p>g) Any existing wiring is to be certified by a licensed electrical contractor as compliant with current electrical standards.</p>	No objection.
37.	<p>This consent does not authorise the harming of an Aboriginal object or place. Under the National Parks and Wildlife Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified.</p> <p>All directions of the Office of Environment and Heritage must be complied with at all times.</p>	No objection.
38.	<p>An Aboriginal Field Officer from the NSW National Parks and Wildlife Service and/or the Local Aboriginal Land Council must be present during all earthworks. The identity of the appointed person is to be made known to Council two days prior to commencing earthworks.</p>	<p>Objection.</p> <p>Supervision by the NPWS or LALC is not required under NPW Act and has not been requested by NPWS or LALC.</p>
39.	<p>All external materials, finishes and colours must be provided in accordance with the approved schedule of external materials, finishes and colours.</p>	No objection.
40.	<p><u>PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE</u></p> <p><u>*The following conditions must be satisfied prior to any occupation or use of the building:</u></p> <p>Prior to the issue of an occupation certificate, the car parking areas must be constructed in accordance with the approved plans and be fully line-marked. Signs must be erected clearly indicating the availability of off-street parking and the location of entry/exit points, visible from both the street and the subject site.</p>	No objection.

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41.	Prior to the issue of a final occupation certificate, rainwater tank/tank-stand installations must be structurally sound and in accordance with manufacturers details. Overflow from the tank must be connected to the existing stormwater system, or disposed of in a manner that does not cause nuisance to neighbouring properties or degradation of land.	No objection.
42.	Prior to the issue of an occupation certificate, the on-site sewage management system must be completed in accordance with the approved plans and current specifications and standards. The system must not to be used and/or operated until it has been inspected by a Council Officer and an approval to operate the system has been issued.	No objection.
43.	Prior to the issue of an occupation certificate, noise attenuation methods required by the acoustic engineer or any additional noise attenuation works required by this consent must be implemented and the completed works certified by the acoustic engineer.	No objection.
44.	Prior to the issue of a final occupation certificate, survey certificates from a registered surveyor must be submitted to the principal certifying authority upon completion of the building and other structures.	No objection.
45.	Prior to the issue of a final occupation certificate, an emergency management plan must be submitted to and approved by the principal certifying authority. This plan must specifically address: a) plant breakdown, b) spillage and cleanup procedures for all chemicals stored on the site, and c) flooding d) bushfire e) earthquake	No objection.
46.	Prior to the issue of a final occupation certificate, all engineering work must comply with Council's engineering guidelines, specifications and standards and must be inspected in accordance with Council's holding points. Upon completion of the public works a final inspection must be arranged with Council and a Certificate of Practical Completion must be issued by Council.	No objection.
47.	Prior to the issue of a final occupation certificate, a certificate of compliance from the electricity supply authority must be submitted to Council stating the satisfactory arrangements have been made for the provision of electricity supply to the development.	No objection.
48.	Prior to the issue of an occupation certificate, a certificate of compliance from the telephone supply authority must be submitted to Council stating the satisfactory arrangements have been made for the provision of telephone supply to the development.	No objection.

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49.	Prior to the issue of an occupation certificate, a covered impervious bunded area must be provided for storage of chemicals, oils or fuel (for example a bunded chemical cabinet). The volume of the bunded area must be at least 110% of the volume of the largest container.	No objection.												
50.	Prior to the issue of an occupation certificate, a spill kit must be provided for use of emergency equipment if there is a leak or spill of chemicals or oils. The spill kit must be clearly labelled and include items such as rags, brooms and mops to stop any spill from entering the drainage system.	No objection.												
51.	<p><u>ONGOING USE</u></p> <p><u>*The following conditions must be satisfied during the ongoing use of the development:</u></p> <p>All car access driveways, turning areas, parking spaces and bicycle parking must be provided and maintained in accordance with the approved plans. Vehicles using any off-street loading/unloading and/or parking area must enter and leave in a forward direction. All driveways and turning areas must be kept clear of obstructions that prevent compliance with this condition.</p>	No objection.												
52.	Buildings are not to be used for any form of residential occupation.	No objection.												
53.	<p>The abalone farm pumping and water reticulation system will operate 24 hours a day. The hours of operation of the business when staff attend the premises are restricted to the times set out in the following table:</p> <table border="1"> <tr> <th>Period</th><th>Start Time</th><th>Finish Time</th></tr> <tr> <td>Monday to Friday</td><td>8.00 am</td><td>6.00 pm</td></tr> <tr> <td>Saturdays</td><td>8.00 am</td><td>6.00 pm</td></tr> <tr> <td>Deliveries</td><td>8.00 am</td><td>6.00 pm</td></tr> </table> <p>Any alteration to the above hours of operation will require the further consent of Council.</p>	Period	Start Time	Finish Time	Monday to Friday	8.00 am	6.00 pm	Saturdays	8.00 am	6.00 pm	Deliveries	8.00 am	6.00 pm	No objection.
Period	Start Time	Finish Time												
Monday to Friday	8.00 am	6.00 pm												
Saturdays	8.00 am	6.00 pm												
Deliveries	8.00 am	6.00 pm												
54.	<p>Operational noise levels associated with the development must not exceed those specified in Advitech Pty Limited's Noise Impact Assessment dated 11 April 2011 (Job No. 0110070-00) at the boundary of any residential premises: Intrusive noise levels are:</p> <p>~ Day . 39dB(A) LAeq15min</p> <p>~ Evening . 38dB(A) LAeq15min</p> <p>~ Night . 37dB(A) LAeq15min</p>	No objection.												

Ref	Condition	Comment
55.	Operation of <del>a</del> acoustically significant plant and equipment including pumping stations, generators, air conditioning units and heavy vehicle movements shall be restricted to the hours between 7am to 6pm daily. Note: this condition does not include the operation of water pumps which operate 24 hours daily.	No objection.
56.	One month after the use has commenced an acoustic report must be submitted to Council. This report must assess noise emission from the development, the effectiveness of the noise attenuation methods and compliance or otherwise with the appropriate maximum noise level as well as any additional measures required to achieve compliance with the appropriate maximum noise level.  Should additional noise attenuation measures be required to achieve compliance, they must be installed within 30 days of Council approval of the reported measures. Certification from a suitably qualified person must be submitted to council verifying that the additional measures have achieved compliance with the appropriate maximum noise level.	Clarification required.  <ol style="list-style-type: none"> <li>1. Is this a condition issued under Section 80A (2) of the EP&amp;A Act, being an ancillary aspect that needs to be carried out to the satisfaction of Council?</li> <li>2. The condition requires an acoustic report within one month after the use has commenced. Does this mean after the first stage or final stage of the development?</li> <li>3. Can the timeframe for submission of the report be extended to 3 months, to enable logging (previously 2 weeks), assessment and any required compliance investigations (if needed)?</li> </ol>
57.	Odour associated with the premises must not be a source of <del>o</del> ffensive odour at the nearest affected premises: <del>o</del> ffensive odour+is defined under the Protection of the Environment Operations Act 1997 as an odour: a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances: b) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or c) 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 d) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.	No objection.



Ref	Condition	Comment
58.	All equipment installed below or partially below the flood planning level must be capable of disconnection by a single plug and socket assembly.	No objection.
<b>Roads and Maritime Services (RMS)</b>		
59.	Supply and install appropriate shoreline signage i.e. %Warning - Submerged Pipeline+	No objection
60.	Supply and install 5 yellow SLB600 Aquabouys, sign written %Warning - Submerged Pipeline+	No objection
61.	Aquabouys must be attached to the pipelines at their junction point 200mm from the shore and then midway along each pipeline and at the end of each pipeline.	No objection
62.	The 2 Aquabouys marking the end of each pipeline must be lit with a yellow flashing SL60 light.	No objection
63.	The Aquabouys and lights are to be serviced annually and properly maintained.	No objection
<b>Rural Fire Service (RFS)</b>		
64.	<u>Asset Protection Zones</u> At the commencement of building works and in perpetuity the property around the proposed buildings for a distance of not less than 20 metres to the north, east and south and 30 metres to the west shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of the <i>Planning for Bush Fire Protection 2006</i> and the NSW Rural Fire Service's document <i>Standards for Asset Protection Zones</i> .	No objection.
65.	A fire management plan is to be prepared that addressed the following requirements: I. Contact person/department and details; and II. Schedule and description of works for the construction of asset protection zones and their continued maintenance.	No objection.
66.	Landscaping to the site is to comply with the principles of Appendix 5 <i>Planning for Bush Fire Protection 2006</i> .	No objection.
67.	Electricity and gas services shall comply with section 4.1.3 of <i>Planning for Bush Fire Protection 2006</i> .	No objection.
68.	50,000L of firefighting water supply shall be provided in accordance with section 4.1.3 of <i>Planning for Bush Fire Protection 2006</i> and the details identified on the drawing numbered Figure 14 in the <i>Bushfire Protection Assessment</i> report prepared by Australian Bushfire Protection Planners Pty Ltd (ref. B101348-5), dated 3 Feb 2014.	No objection.
69.	A minimum 5ph or 3kW petrol or diesel powered pump shall be made available to the water supply and a 19mm (internal diameter) fire hose and reel shall be connected to the pump.	No objection.

Ref	Condition	Comment
70.	A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard: I. Markers must be fixed in a suitable location so as to be highly visible; and II. Markers should be positioned adjacent to the most appropriate access for the water supply.	No objection.
71.	Como Street and Challis Avenue shall be constructed to comply with section 4.1.3(2) of <i>Planning for Bush Fire Protection 2006</i> .	No objection.
72.	Internal access roads shall comply with the layout and details identified on the drawings numbered Figure 14 in the <i>Bushfire Protection Assessment</i> report prepared by Australian Bushfire Protection Planners Pty Ltd, dated 3 Feb 2014, with the property access road to be constructed and maintained in accordance with the section 4.1.3(2) of <i>Planning for Bushfire Protection 2006</i> , except that a reversing bay may be provided in lieu of a loop road or a turning circle. Where a reversing bay is provided it shall be not less than 6 metres wide and 8 metres deep with an inner minimum turning radius of 6 metres and outer radius of 12 metres.	No objection
73.	New construction shall comply with sections 3 and 8 (BAL 40) Australian Standards AS3959-2009 <i>Construction of buildings in bush fire prone areas</i> and section A3.7 addendum Appendix 3 of <i>Planning for Bush Fire Protection 2006</i> .	No objection
74.	Roofing shall be gutterless or guttering and valleys are to be screened to prevent the build-up of flammable material. Any materials used shall be non-combustible.	No objection
75.	<u>Evacuation and Emergency Management</u> An <i>Emergency and Evacuation Plan</i> addressing section 4.2.7 of <i>Planning for Bush Fire Protection 2006</i> shall be prepared for the subject site. A copy of the Plan shall be provided to the consent authority prior to the issuing of an occupation certificate.	No objection
76.	Internal access routes, firefighting water supply and assembly points shall be clearly sign posted.	No objection
<b>Department of Primary Industries – Marine Parks Authority</b>		
77.	The intake screens will be examined and cleaned regularly to ensure fouling/clogging of the intake is kept to a minimum	No objection.
78.	Sludge and waste removal from the settlement ponds, along with any on-site effluent, needs to be disposed in such a manner that it does not migrate beyond the site into waters of the marine park.	No objection.
<b>Department of Primary Industries – NSW Fisheries</b>		

Ref	Condition	Comment
79.	The proponent must obtain a permit to harm marine vegetation under section 205 of the <i>Fisheries Management Act</i> . This permit will contain conditions relating to the requirement of an ecological offset determined in accordance with <i>Fisheries NSW Policy</i> for environmental offsets as found in <i>Fisheries NSW Policy</i> and <i>Guidelines for Fish Habitat Conservation and Management (2013 update)</i> .	Objection  Under Section 89J of the EP&A Act, a permit under section 205 of the <i>Fisheries Management Act 1994</i> is not required for State significant development.
80.	The proponent shall consult with appropriately qualified aquatic animal health experts on the details of the systems to be employed and the biosecurity standards to be met by these systems, and the testing and monitoring regime to be adopted to mitigate likelihood of discharge of contaminated and potentially infective water into Port Stephens.	No objection.
<b>Department of Primary Industries – NSW Office of Water</b>		
81.	The proponent is to obtain all necessary licences under Part 5 of the Water Act 1912 prior to commencing activities likely to intercept groundwater.	No objection.
82.	The project construction environmental management plan is to include <ul style="list-style-type: none"> <li>a) A dewatering management plan outlining <ul style="list-style-type: none"> <li>a. Activities likely to intercept groundwater</li> <li>b. Proposed dewatering methods</li> <li>c. Expected volumes to be extracted</li> <li>d. Expected duration of dewatering</li> <li>e. Management procedures for extracted groundwater, including any treatment requirements and proposed methods of disposal, and</li> <li>f. Licensing requirements for dewatering activities</li> </ul> </li> <li>b) An acid sulfate soils management plan prepared in accordance with the Acid Sulfate Soils Manual.</li> </ul>	No objection.
83.	Works on waterfront land (as defined in the Water Management Act 2000) are to be conducted in accordance with the NSW Office of Water's Guidelines for Controlled Activities.	No objection

## Shay Riley-Lewis

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**From:** Kerry Hamann <Kerry.Hamann@planning.nsw.gov.au>  
**Sent:** Friday, 20 June 2014 2:26 PM  
**To:** Shay Gill  
**Subject:** Pindmar Aboriginal Heritage - securing of midden

Hi Shay

I've just spoken with Nicole Davis at OEH.

If you can secure the midden to the satisfaction of the Land Council (which Len is a member of), OEH will be satisfied that the development can be approved (from a heritage perspective anyway).

In addition, Nicole has strongly recommended that Len is used to prepare the Aboriginal Heritage Management Plan which can be deferred to post approval but would be required prior to construction (as long as the midden is secured).

Cheers

Kerry

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**From:** Nicole Davis [<mailto:Nicole.Davis@environment.nsw.gov.au>]  
**Sent:** Monday, 16 June 2014 10:48 AM  
**To:** Kerry Hamann  
**Cc:** [len.sue@bigpond.com](mailto:len.sue@bigpond.com)  
**Subject:** Pindmar  
**Importance:** High

Hi Kerry,

I have had the opportunity to further review the relevant material and files and I have also had a lengthy discussion with Len Roberts re the management of the Pindimar midden today.

Len is confident in the initial site card recording undertaken by Susie Worth is accurate and does not require any changes, however, prior to the establishment of the Management Plan for the midden area, it is strongly recommended by OEH and supported by the Land Council that the midden be substantially fenced off, preferably under the supervision of the LC, to ensure the extent of the midden is secure.

If the proponent is willing to undertake these works, OEH would be satisfied that Aboriginal cultural heritage within the development has been appropriately managed.

Happy to discuss further. Len Roberts is also available should you require any further clarification (0403 071 922).

Regards

Nicole

Nicole Y Davis  
Archaeologist - Planning  
Hunter Central Coast Region  
Office of Environment & Heritage  
NSW Department of Planning and Environment  
Level 2, 117 Bull Street  
PO Box 488G Newcastle 2300  
T: 02 4908 6825  
M: 0409 394 343  
W: [nicole.davis@environment.nsw.gov.au](mailto:nicole.davis@environment.nsw.gov.au)