

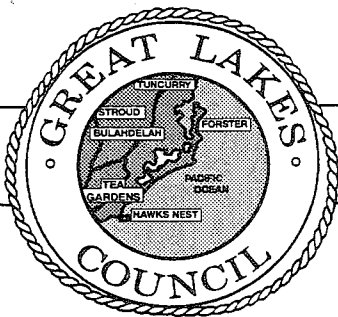
Volume 1:

Annex B: Previous Development Consents

Volume 1:

Annex B: Previous Development Consents

1. Development Consent for service station,
car wash and convenience store



GREAT LAKES COUNCIL

Breese Parade, Forster
PO Box 450, Forster NSW 2428
DX 7110, Forster

Telephone: (02) 6591 7222
Fax: (02) 6591 7200

Crighton Properties Pty Ltd
PO Box 344
TERRIGAL NSW 2260

Ref: DA-947/2004
AB:KB

NOTICE OF DETERMINATION (CONSENT) issued under the Environmental Planning and Assessment Act 1979, Section 81(1)(a)

Your application for

SERVICE STATION, CARWASH & CONVENIENCE STORE
(STAGED DEVELOPMENT)

on land described as

PART LOT 34 DP 270100, MYALL BOULEVARDE, MYALL
QUAYS (FORMERLY LOT 22 DP 270100A TOONANG DRIVE),
TEA GARDENS NSW 2324

was determined on

10 March 2005

by

GRANTING CONSENT
Subject to conditions attached hereto

Consent operates from

10 March 2005

Consent lapses

FIVE YEARS FROM THE DATE OF CONSENT

Right of appeal:

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice. *(Not applicable to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry)*

Review of determination:

Under S82A of the Act, an applicant may request the council to review a determination of the applicant's application other than:

- * a determination in respect of designated development, or
- * a determination in respect of integrated development.

The request for a review must be made within 12 months after the date on which you receive this notice. The prescribed fee must be paid in connection with a request for a review.

Signed on behalf of Consent Authority:

G J HANDFORD

16 March 2005

Per:

Contact for further advice:

Mr Alan Bawden

Phone: (02) 6591 7344

CONSENT FOR SERVICE STATION, CARWASH & CONVENIENCE STORE (STAGED DEVELOPMENT) ON PART LOT 34 DP 270100, MYALL BOULEVARDE, MYALL QUAYS (FORMERLY LOT 22 DP 270100A TOONANG DRIVE), TEA GARDENS NSW 2324

1. The development being carried out in accordance with the details set out in the Development Application and the attached stamped plans except where amended by these conditions of consent.
2. A Certificate of Compliance from Telstra Australia being submitted to verify that satisfactory arrangements have been made and all payments have been finalised for the supply of telephone services to the development.
3. A Certificate of Compliance from Country Energy being submitted to verify that satisfactory arrangements have been made and all payments finalised for the supply of electricity to the development and that all headworks charges have been paid.
4. A Certificate of Compliance being received from MidCoast Water prior to the issue of any Construction Certificate, stating that satisfactory arrangements have been made and all payments have been finalised for the provision of water supply and sewerage to the development.
5. Work on any building shall not commence until a Construction Certificate, complying in all respects with the provisions of the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Building Code of Australia, has been issued.
6. It is a condition of approval that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
7. Toilet facilities are to be provided at the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
 - a) Each toilet provided:
 - (i) must be a standard flushing toilet; and
 - (ii) must be connected:
 - (A) to MidCoast Water's sewer (where available); or
 - (B) if connection to the sewer is not available, to an on-site sewage management system approved by Council.
 - b) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.
8. A hoarding or fence is to be erected between the building or site of the proposed building and the public place. If necessary, an awning sufficient to prevent any substance from or in connection with the work, falling onto the public place is also to be erected.

The work is to be kept lit during the time between sunset and sunrise if the work may be a source of danger to persons using the public place.

A hoarding, fence or awning is to be removed when it is no longer required for the purpose for which it was provided.

9. A sign is required to be erected in a prominent position on any work site on which building or demolition work is being carried out. The sign shall indicate:
 - The name, address and telephone number of the principal certifying authority for the work; and
 - The name of the principal contractor and a telephone number at which that person may be contacted outside of working hours; and
 - The sign must state that unauthorised entry to the work site is prohibited.
10. Buildings to be set out by a Registered Surveyor to ensure compliance with this consent, and the approved plan/s, and a copy of plan to be supplied to the principal certifying authority prior to the pouring of any concrete slabs / placement of flooring materials.
11. Access for people with disabilities is to be provided to the building by means of a continuous path of travel in accordance with AS1428.1-2001, 'Design for Access and Mobility':
 - a) from the alignment of the road adjoining the building allotment;
 - b) from any carpark space on the allotment (whether within or outside the building); and
 - c) from any other building on the allotment to which access for people with disabilities is required.
12. Sanitary facilities for people with disabilities are to be provided in the building. The construction and layout of facilities is to comply with AS1428.1-2001, 'Design for Access and Mobility'. Details and/or amended plans are to be submitted to Council prior to the issue of any Construction Certificate to demonstrate compliance, if necessary, with AS1428.1-2001, 'Design for Access and Mobility'.
13. Parking facilities for people with disabilities to be provided to comply with the Building Code of Australia. Details are to be submitted to Council prior to the issue of any Construction Certificate.
14. All liquid waste other than domestic wastes are to be considered as liquid trade wastes. In sewerred areas, liquid wastes shall be disposed of in accordance with MidCoast Water's liquid trade waste policy. The policy stipulates maximum strengths and quantities of pollutants that may be placed in Council's sewers.

Prior to the issue of a construction certificate which involves the discharge of liquid trade waste, the developer shall obtain written approval from MidCoast Water stating conditions of discharge to sewer. This approval shall state any pretreatment requirements, ongoing requirements and whether a Liquid Trade Waste Agreement needs to be entered into with MidCoast Water.

15. A soil survey being undertaken of the land to verify the presence or absence of actual or potential acid sulphate soils (test procedures can be obtained from the Soil Conservation Division of the Department of Land and Water Conservation). Details of the survey are to be submitted prior to the issue of a construction certificate.

Where actual or potential acid sulphate soil conditions are identified, a strategy to control and minimise the impacts from disturbance of the soil is to be developed in conjunction with the Department of Land and Water Conservation, Department of Water Resources and Environment Protection Authority and submitted to Council for approval prior to the commencement of any work.

16. To minimise soil erosion, the following measures shall be implemented in the sequence outlined:

- a) Approved run-off and erosion controls shall be installed prior to clearing of site vegetation (other than that associated with the construction of the controls). These shall be as shown on an Erosion and Sediment Control Plan approved by Council.
- b) Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping.
- c) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural or artificial water body, footpath, kerb or road surface and shall have measures in place to prevent the movement of such materials onto the areas mentioned.
- d) Uncontaminated runoff shall be intercepted upsite and diverted around all disturbed areas and other areas likely to be disturbed. Diversion works shall be adequately stabilised.
- e) Runoff detention and sediment interception measures shall be applied to the land. These measures will reduce flow velocities and prevent topsoil, sand, aggregate, road base, spoil or other sediment escaping from the site or entering any downstream drainage easements or natural or artificial water bodies.

17. Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development.
18. The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times in accordance with Council's Erosion and Sediment Control Policy.
19. Hours of operation of construction works are to be restricted to 7.00am to 8.00pm Monday to Friday and 8.00am to 8.00pm Saturdays, with no work/activities on Sundays or public holidays except with written permission of Council.

20. The garbage storage area is to be provided and incorporated into the landscaping and be readily serviceable and accessible to the garbage contractor. Provision should be made so that the trade waste servicing is wholly contained within the boundaries of the development. The storage area should be suitably screened by brick, masonry or other suitable material with the base paved and be adequately drained. Provision is to be made for the washing of bins in this area.
21. The levels of the land being adjusted to enable free surface runoff and to prevent ponding on the land. Any fill or regrading shall be carried out in accordance with Council's specifications. All filling shall be monitored by a suitably qualified Geotechnical Engineer. A report shall be submitted to Council with the application for a construction certificate classifying the foundation material according to AS2870. A Sec 88B Instrument may be required to notify of the classification depending on the recommendations of the report.
22. Detailed design plans being submitted with an Application for a "Public Engineering Works Permit" (PEWP).

Detailed design plans are to be approved by the Director of Engineering prior to the commencement of any engineering works or approval of the (building) construction certificate. The licensed contractor is to have all engineering works inspected as per Council's holding points. All work is to be at the developer's expense and must comply with Council's Engineering guidelines, specifications and standards.

The work is to be completed and approved prior to the issue of an Occupation Certificate. Included in the engineering works is to be the following:

- a) Concrete kerb and gutter, ancillary drainage, pits and pipes, relocation of services, footpath formation, road shoulder pavement construction and shoulder seal for the full frontage of the land in Myall Street and Myall Quays Boulevard;
- b) Submission with the PEWP, of a road pavement design by a suitably qualified geotechnical consultant;
- c) Formation of the nature strip and construction of concrete footpaving 1.2m wide in Myall Quays Boulevard and 2.0m. wide in Myall Street and topdress and grass the remainder of the footway on the frontage to the development as per Council standard drawing No 28 or No 165;
- d) A work site traffic control plan in accordance with the RTA Traffic Control at Work Sites Manual is to be submitted by a suitably accredited person prior to a PEWP being issued;
- e) A raised centreline median barrier on Myall Street to prevent north bound traffic making a right hand turn out of the site onto Myall Street;
- f) Signage indicating left in / left out only onto Myall Street;
- g) No u turn sign to be installed on Myall Quays Boulevard at the Bilo entrance;
- h) Provision of scaled drawings for a 19m tanker in accordance with Austroads Turning Path Templates demonstrating provision of adequate space preventing conflict between vehicles exiting the petrol station onto Myall Street and trucks entering the site via Myall Street. Provision of adequate turning space for heavy vehicles exiting the petrol station onto Myall Quays Boulevard;
- i) Provision of treatment details for the tanker over run areas at the entry / exit locations.

23. All carparking and vehicular manoeuvring areas being sealed with concrete or equivalent to Council's satisfaction. Details are to be submitted with the application for a construction certificate.
24. The carparking area being freely available for public use during the trading hours of the development. Notices indicating the location of public carparking are to be displayed within the carpark.
25. The parking and manoeuvring areas being fully line marked prior to the issue of an occupation certificate.
26. Payment of the following fees, charges and/or bonds with the application for a Public Engineering Works Permit:
 - a) A defects liability bond of 5% of all public engineering works associated with the development, as required by this approval, with a minimum of \$2450. This bond will be lodged in a Council Trust Fund to cover any defects in the works subsequent to their acceptance by Council. One (1) year after the acceptance of these works by Council, the bond will be refunded if, at an inspection arranged by the applicant, no defects are apparent.

The defects liability bond is reviewed periodically and may change prior to the release of the subdivision. The fees and maintenance period shall be determined from Council's current requirements at the time of acceptance of these works.

- b) Engineering supervision fees in accordance with Council's Schedule of Fees at the time of lodgement of plans.
27. All adjustments to existing utility services made necessary by the development are to be undertaken at the developer's expense.
28. Submission of a Damage Bond Application Form and payment of a bond in the amount of \$4500, payable for the purpose of funding repairs to any damage that may be occasioned to Council assets by activities/works associated with the construction of the development approved by this consent. The bond shall be paid to Council prior to the issue of any Construction Certificate that may be issued for any component of the development.

Note: The bond will be considered for refund by the Engineering Services Division when an application for occupancy of the development or release of subdivision is lodged.

A fee will be deducted from the bond to cover administration costs as follows:

- a) Rate of 0.05% (minimum \$200) of the value of developments exceeding \$400,000.

29. Surface water and roof water shall be disposed of by a drainage system to Council's drainage network. A drainage design indicating all engineering details relevant to site regrading and the collection and disposal of roof water and stormwater from the site shall be submitted with an application for a construction certificate. Details are to include existing site levels, finished levels, pipeline sizes and gradings. Stormwater shall be conveyed from the site to the nearest piped drainage system unless otherwise specified by Council at the time of issue of the construction certificate. Drainage easements are to be created where necessary.
30. The development proposal must adhere to the Stormwater Drainage Report and the concept Stormwater Plan prepared by MPC Consulting Engineers Pty Ltd Newcastle dated 18 March 2004.
31. Within site landscaping, *Buckinghamiana celissima* shall be replaced by a suitable native species such as Lilly Pilly (*Acmena smithii*) or Blueberry Ash (*Elaeocarpus reticulatus*) such that landscaping utilises essentially native and indigenous flora species.
32. During site preparation works, machinery operators shall inspect the trunk and crown of all trees and tall shrubs to check for the possible presence of Koalas or other native vertebrate fauna. Should any such animals be identified, the clearing works shall not recommence in that location until the animal has moved from the area of its own volition.
33. Any trees and shrubs removed from the study area shall be mulched and used in site landscaping. No felled vegetation shall be burnt.

Date: 16 March 2005

G J HANDFORD
Director Planning & Environmental Services

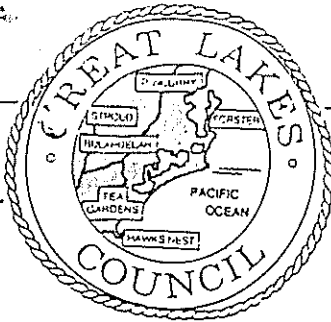
Per:



Volume 1:

Annex B: Previous Development Consents

2. Development Consents for dwellings



GREAT LAKES COUNCIL

Breeze Parade, Forster
PO Box 450, Forster NSW 2428
DX 7110, Forster

Telephone: (065) 91 6222
Fax: (065) 91 6200

CRIGHTON PROPERTIES PTY LTD
PO BOX 344
TERRIGAL NSW 2260

Ref: BA 451/97

NOTICE OF DETERMINATION (BUILDING APPROVAL)

issued under the Local Government Act 1993, Section 99

Your application for **DWELLING**
on land described as **LOT 5 DP 270100, TOONANG DRIVE, TEA GARDENS**

was determined on	19 FEBRUARY 1997
by	GRANTING APPROVAL Subject to conditions attached hereto
Consent operates from	19 FEBRUARY 1997
Consent lapses	FIVE YEARS FROM THE ABOVE DATE

Right of appeal:

Section 100 of the Act gives you the right, within 28 days of the date of this determination to request Council to review the determination.

Section 176 of the Act gives you the right, within 12 months of the date of this determination to appeal to the Land and Environment Court.

Contact for further advice:

BRUCE MOORE 916250

signed on behalf of the consent authority:

G J HANDFORD

19 FEBRUARY 1997

The following condition/s have been applied to ensure that the development complies with the provisions of the Local Government Act, 1993 and the Local Government (Approvals) Regulation 1993 and Policies of Council.

1. Inspections - at least 48 hours notice shall be given to Council to allow for the inspection of:
 - (ii) The steelwork when in position and before concrete is placed.
 - (iii) The framework including roof members when completed and prior to the fixing of any internal sheets.
 - (v) External drainage lines before backfilling of trenches.
 - (vi) Internal drainage lines.
 - (vii) The building or structure when completed and before occupation or use is commenced.

The applicant shall satisfy himself/herself that the inspected works have been approved prior to continuing with construction. Please quote Building Application number when notifying Council for inspections.

2. All building work is to be carried out in accordance with the provisions of the Building Code of Australia (BCA).
3. The Council must be informed in writing of the name and contractor licence number of the licensee who has contracted to do or intends to do the work, in accordance with Clause 29 of the Local Government (Approvals) Regulation, 1993.
4. Before construction commences, structural drawings prepared by a suitably qualified and experienced Structural or Professional Engineer being submitted to and approved by the Council, in accordance with Clause 31 of the Local Government (Approvals) Regulation 1993. The plans shall detail:
 - (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);
 - (f) Structural steel beams/columns.
5. The builder is to provide temporary closet accommodation in accordance with Clause 36 of the Local Government (Approvals) Regulation, 1993.
6. The building is not to be used or occupied until it is completed in accordance with the approved plans and conditions of approval and a satisfactory final inspection has been carried out by a Council officer. A separate application must be made to occupy the building prior to completion.
7. Approval is granted to remove the trees on the site within three (3) metres of the proposed dwelling.

The following condition/s have been applied to ensure that adequate drainage is provided from the premises and to maintain adequate levels of health and amenity in the locality:

8. Stormwater shall be discharged to:

- (e) on-site so as not to affect any structures or cause a nuisance to the adjoining property.

The following condition/s have been applied to ensure compliance with the Building Code of Australia (BCA) and relevant Standards established by the Local Government Act, 1993 and Regulations:

9. Fireplaces and flues are to be constructed in accordance with Part G2 of the Building Code of Australia and AS 2918 : Domestic Solid-Fuel Appliances - Installation.

10. Where the deck exceeds a height of 1.0m from natural ground, a balustrade shall be provided.

The proposed balustrade is to be a minimum of 1 metre high and openings within balustrades shall not exceed 125mm so as to prevent a 125mm sphere to pass through it.

11. Safety glazing is to be provided in accordance with the Building Code of Australia, AS 1288 : Glass in Buildings and AS 2208 : Safety Glazing Materials for use in Buildings.

12. All concrete construction, including reinforced and prestressed concrete, shall be carried out in accordance with the provisions of Australian Standard, AS 3600-1994 : Concrete Structures, in accordance with Part B1 of the Building Code of Australia (BCA).

13. Masonry (including masonry-veneer, unreinforced and reinforced masonry) to be erected in accordance with AS3700 : "Masonry in Buildings".

14. Brick veneer and cavity masonry wall ties are to have a corrosion resistance rating complying with Clause 2.9 of AS3700 : SAA Masonry Code (stainless steel or equivalent ties are to be used in coastal locations).

15. The smoke alarms shall be installed in suitable locations on or near the ceiling in any storey:

- (i) containing bedrooms -

- (a) between each area containing bedrooms and the remainder of the building, dwelling or sole-occupancy unit;
or
 - (b) where bedrooms are served by a hallway, in that hallway;
or
 - (c) in each bedroom and either (A) or (B); and
 - (ii) not containing bedrooms.
16. The proposed building is to be protected from the infestation of termites in accordance with Part B1.1 of the Building Code of Australia and AS3660.1. Details of the method of protection is to be specified prior to the commencement of work. Upon completion of the building work, a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:
- (a) the method of protection;
 - (b) the date of installation of the system;
 - (c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - (d) the need to maintain and inspect the system on a regular basis.
17. An adequate stored water supply is to be provided on-site and connected to the dwelling prior to occupation.

The following condition/s have been applied to ensure compliance with Council's Erosion and Sediment Control Policy:

- 18. All erosion and sediment control measures undertaken on the site shall be undertaken to the satisfaction of Council and conform to the specifications and standards contained in Council's guidelines.
- 19. A two wheel drive, all weather access road is to be provided from a public road to the building site prior to commencement of work.
- 20. The conditions of Development Consent No.232/97 are to apply and to be read in conjunction with this approval.

NOTE:

The Officer responsible for this application is Bruce Moore who is available as listed below:

Administrative Office, Forster:

Wednesday 8.15 am to 4.30 pm

Friday 8.15 am to 4.30 pm

District Office, Stroud: Phone (049) 945204

Monday 11.30 am to 12.30 pm approximately

District Office, Tea Gardens: Phone (049) 970182

Tuesday 11.30 am to 12.30 pm

Thursday 11.30 am to 12.30 pm

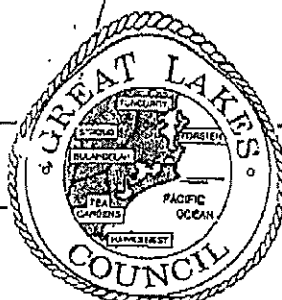
Inspections can be arranged by contacting the Administration Building, Forster, the District Offices or by forwarding the enclosed inspection cards.

Inspections should be arranged for -

Stroud Area	-	Monday
Hawks Nest/Tea		
Gardens & Nerong Areas	-	Tuesday and Thursday

GJ Handford
DIRECTOR PLANNING SERVICES

Per: 



GREAT LAKES COUNCIL

Breeze Parade, Forster
PO Box 450, Forster NSW 2428
DX 7110, Forster

Telephone: (065) 91 6222
Fax: (065) 91 6200

CRIGHTON PROPERTIES PTY LTD
1 STRATFORD PARK DRIVE
TERRIGAL NSW 2260

OUT COMES FOR NO. 200
REPLY TO FOR NO. 100
ON
OUT COMES INITIATED
BY COUNCIL

Ref: DA 232/97

NOTICE OF DETERMINATION (CONSENT)

issued under the Environmental Planning and Assessment Act 1979, Section 92

Your application for DWELLING
on land described as LOT 5 DP 270100, TOONANG DRIVE, TEA GARDENS

was determined on	10 FEBRUARY 1997
by	GRANTING CONSENT Subject to conditions attached hereto
Consent operates from	17 FEBRUARY 1997
Consent lapses	FIVE YEARS FROM THE ABOVE DATE

Right of appeal:

Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Contact for further advice:

MICHELLE OUTHRED 916344

signed on behalf of the consent authority:

G J HANDFORD

17 FEBRUARY 1997

CONDITIONS OF CONSENT: DA 232/97

Page 1

1. The development being carried out in accordance with the stamped approved plans and in accordance with the details set out in the development application unless otherwise amended by these conditions of consent.
2. Submission of a building application complying in all respects with the provisions of the Local Government Act and the Building Code of Australia. Work on any building shall not commence until approval to the building application has been granted.
3. No part of the dwelling or carport shall be erected within 150 metres of the Myall River.
4. The development being constructed of low reflective materials and is to be of muted earth toned colours.

Details of all external colours and materials are to be submitted for Council's approval with the building application.


5. To minimise soil erosion and sediment movement during construction, the following measures shall be implemented:
 - (a) Removal and/or disturbance of vegetation shall be confined to the basal area of the approved building, the site of permanent accessways, and land extending a maximum of three (3) metres beyond the outermost projection of the approved building.
 - (b) Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping.
 - (c) Stockpiles of construction and landscaping materials, and of site debris shall be located clear of drainage lines and in such a position that they are within the erosion containment boundary or are equivalently protected from erosion and do not encroach upon any footpath, nature strip or roadway.
 - (d) Final site spoil shall be disposed of to the satisfaction of the Council.
 - (e) Trenches shall be backfilled, capped with topsoil and compacted to a level at least 75mm above adjoining ground level.
6. Two wheel drive, all weather access being provided to the development. Details are to be submitted with the Building Application for approval.

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CONDITIONS OF CONSENT: DA 232/197

Page 2

7. The following fire protection measures being provided in accordance with Council's Policy for Dwellings in Bushfire Areas:
- (a) Provision of 30 metre fire protection zones around the dwelling. Details to be provided with the Building Application;
 - (b) All access gates shall be a minimum width of 3.65 metres; and
 - (c) Water storage is to be provided for bushfire fighting on-site. If by way of tank, this must be a minimum of 20,000 litres, with an outlet coupled with a 38mm Storz fitting.


.....
Signature on behalf of consent authority

17 FEBRUARY 1997

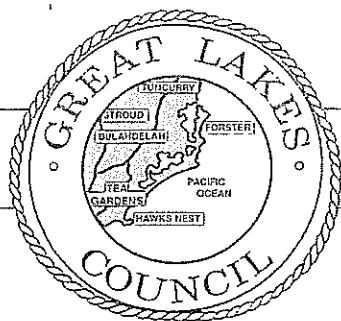
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Date

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Volume 1:

Annex B: Previous Development Consents

3. Development Consent for 2 lot subdivision



GREAT LAKES COUNCIL

Breese Parade, Forster
PO Box 450, Forster NSW 2428
DX 7110, Forster

Telephone: (02) 6591 7222
Fax: (02) 6591 7200

TATTERSALL SURVEYORS PTY LTD
PO Box 54
RAYMOND TERRACE NSW 2324.

Ref: DA-337/2007
AB:JAS

NOTICE OF DETERMINATION (CONSENT) *issued under the Environmental Planning and Assessment Act 1979, Section 81(1)(a)*

Your application for	2 LOT SUBDIVISION
on land described as	LOT 34 DP 270100 LOT 34 SHORELINE DRIVE, TEA GARDENS NSW 2324

was determined on	25 March 2007
by	GRANTING CONSENT Subject to conditions attached hereto
Consent operates from	25 March 2007
Consent lapses	FIVE YEARS FROM THE DATE OF CONSENT

Right of appeal:

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice. *(Not applicable to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry)*

Review of determination:

Under S82A of the Act, an applicant may request the council to review a determination of the applicant's application other than:

- * a determination in respect of designated development, or
- * a determination in respect of integrated development.

The request for a review must be made within 12 months after the date on which you receive this notice. The prescribed fee must be paid in connection with a request for a review.

Signed on behalf of Consent Authority:

G J HANDFORD

28 March 2007

Per:

Contact for further advice:

Mr Alan Bawden

Phone: (02) 6591 7344

**CONSENT FOR 2 LOT SUBDIVISION
ON LOT 34 DP 270100 ~ LOT 34 SHORELINE DRIVE, TEA GARDENS NSW 2324**

1. The development being carried out in accordance with the details set out in the Development Application and the attached stamped plans except where amended by these conditions of consent.
2. A Certificate of Compliance from Telstra Australia being submitted to verify that satisfactory arrangements have been made and all payments have been finalised for the supply of telephone services to the development.
3. A Certificate of Compliance from Country Energy being submitted to verify that satisfactory arrangements have been made and all payments finalised for the supply of electricity to the development and that all headworks charges have been paid.
4. A Certificate of Compliance being received from MidCoast Water prior to the issue of any Construction Certificate, stating that satisfactory arrangements have been made and all payments have been finalised for the provision of water supply and sewerage to the development.
5. The levels of the land being adjusted to enable free surface runoff and to prevent ponding on the land. Any fill or regrading shall be carried out in accordance with Council's specifications. All filling shall be monitored by a suitably qualified Geotechnical Engineer. A report shall be submitted to Council with the application for a subdivision certificate classifying the foundation material according to AS2870. A Sec 88B Instrument may be required to notify of the classification depending on the recommendations of the report.
6. To minimise soil erosion, the following measures shall be implemented in the sequence outlined:
 - a) Approved run-off and erosion controls shall be installed prior to clearing of site vegetation (other than that associated with the construction of the controls). These shall be as shown on an Erosion and Sediment Control Plan approved by Council.
 - b) Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping.
 - c) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural or artificial water body, footpath, kerb or road surface and shall have measures in place to prevent the movement of such materials onto the areas mentioned.
 - d) Uncontaminated runoff shall be intercepted upslope and diverted around all disturbed areas and other areas likely to be disturbed. Diversion works shall be adequately stabilised.
 - e) Runoff detention and sediment interception measures shall be applied to the land. These measures will reduce flow velocities and prevent topsoil, sand, aggregate, road base, spoil or other sediment escaping from the site or entering any downstream drainage easements or natural or artificial water bodies.
7. Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development.

8. All engineering works being provided to serve all lots with the works complying with Council's Engineering Specifications, Standards, Codes and Policies.

All work is to be at the developer's expense. No engineering works are to commence on the development until a subdivision construction certificate has been issued. Detailed design plans are to be submitted with the application for a subdivision construction certificate, and approved by the Director of Engineering prior to a subdivision construction certificate being issued. The work is to be completed in accordance with the registered plans prior to the issue of a subdivision certificate. Included in the engineering works is to be the following:

- a) The provision of kerb and gutter, ancillary drainage, relocation of services, footpath levelling and road shoulder construction with shoulder seal for the full frontage of the land in Myall St. and Myall Quays Boulevard.
- b) Formation of the footpath area, construction of 1.2m. wide concrete footpaving in Myall Quays Boulevard and 2.0m wide concrete cycleway in Myall Street and topdress and grass the remainder of the footway on the frontages of the subdivision.

OR

Alternately, the lodgement of a monetary bond at 150% of the estimated cost of all external civil works for a maximum period of two years from the release of the plan of subdivision. If the works are not completed after the two year period, the works will be constructed by Council utilizing the bond monies. Upon completion of the works by Council, any unexpended monies will be refunded to the developer.

9. A traffic control plan complying with the requirements of the RTA Traffic Control at Work Sites Manual, is to be submitted with the application for the construction certificate. Details are to be submitted by a person accredited with the RTA Traffic Control at Work Sites Manual.
10. Lodgement of a Subdivision Construction Certificate Application Form and payment of the following:
- a) Engineering supervision fees in accordance with Council's Schedule of Fees at the time of lodgement of plans.
 - b) A defects liability bond of 5% of the value of all public engineering works associated with the development, as required by this approval, with a minimum of \$2,700. The defects liability bond is to be paid in conjunction with application for release of the subdivision. Please note that subdivision plans will not be released by Council until this bond is paid. This bond will be lodged in a Council Trust Fund to cover any defects in the works subsequent to their acceptance by Council. Two (2) years after the acceptance of these works by Council, the bond will be refunded if, at an inspection arranged by the applicant, no defects are apparent.

The defects liability bond is reviewed periodically and the amount may change prior to the release of the subdivision. The fees and maintenance period shall be determined from Council's current requirements at the time of acceptance of these works.

11. Submission of a Damage Bond Application Form and payment of a bond in the amount of:
- a) \$2,004 for subdivision developments up to the value of \$400,000
Note: The value of the subdivision development is to include the value of all public works, including service utilities.

The Damage Bond is payable for the purpose of funding repairs to any damage that may be occasioned to Council assets by activities/works associated with the construction of the development approved by this consent and ensuring Council standards and specifications are complied with. The bond shall be paid to Council prior to the issue of any Subdivision Construction Certificate that may be issued for any component of the development.

Note: The bond will be considered for refund by the Engineering Services Division when an application for release of subdivision is lodged.

A fee will be deducted from the bond to cover administration costs as follows:

- a) \$104 for subdivision developments up to \$400,000;

The Damage Bond is reviewed periodically and therefore the fee and bond amount payable shall be determined from Council's current fees and charges document at the time of lodgement of the Damage Bond.

12. The provision by the developer of works-as-executed drawings of all engineering works prior to the issue of the subdivision certificate.
13. The provision by the developer of CAD files which include all lot and road boundaries, lot numbers and easements, prior to the issue of the subdivision certificate. The data is to be supplied to the requirements of Council's GIS Officer.
14. The developer, at no cost to Council, making any necessary alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
15. The creation or obtaining of the following easements/reserve by the developer at no cost to Council:
 - a) Easements to drain sewerage in favour of MidCoast Water over existing and necessary sewer mains and associated works.

Details of the above are to be indicated on the final subdivision plan and copies of any respective Sec 88B Instruments are to be submitted with the application for a subdivision certificate.

16. The lodgement, with the application for a subdivision certificate, of proper plans of subdivision and seven copies, prepared by a Registered Surveyor and suitable for registration by the Land Titles Office, including any necessary Section 88B Instruments. Note: Council will not endorse restrictions as to user other than those required under these conditions or as approved in the Development Application. The plans of survey are to show connections to at least two survey control permanent marks where such exist in the vicinity of the subdivision or where practical. Existing and proposed street names are to be shown on the plans.
17. In accordance with Section 94 of the Environmental Planning and Assessment Act 1979, a monetary contribution shall be paid to Council prior to the issue of a Construction Certificate. 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:

Code	Contributions Plan	Facility	quantity	unit	rate	amount
GLW-04	Great Lakes Wide	Library Bookstock	2.2	persons @	\$59.99 =	\$131.98
GLW-07	Great Lakes Wide	Headquarters Building	2.2	persons @	\$180.34 =	\$396.75
GLW-05	Great Lakes Wide	s94 Admin	2.2	persons @	\$57.42 =	\$126.32
TGHN01	Tea Gardens and Hawks Nest (Aug 06)	Library and community centre TGHN	2.2	persons @	\$491.97 =	\$1,082.33
TGHN02	Tea Gardens and Hawks Nest (Aug 06)	Cycleways TGHN	2.2	persons @	\$156.13 =	\$343.49
TGHN07	Tea Gardens and Hawks Nest (Aug 06)	Open Space rural areas TGHN	2.2	persons @	\$403.23 =	\$887.11
TGHN08	Tea Gardens and Hawks Nest (Aug 06)	Arterial Roads TGHN	2.2	persons @	\$595.50 =	\$1,310.10
TGHN09	Tea Gardens and Hawks Nest (Aug 06)	s94 studies TGHN	2.2	persons @	\$4.40 =	\$9.68
TGHN10	Tea Gardens and Hawks Nest (Aug 06)	Surf Life Saving TGHN	2.2	persons @	\$42.58 =	\$93.68
Total						\$4,381.44

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.

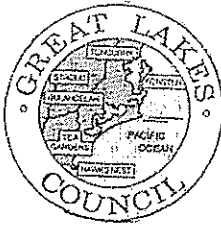
The Contributions Plan and the Standard Schedule for Section 94 Plans may be viewed on Council's web site www.greatlakes.nsw.gov.au or at Council's offices at Breese Parade, Forster.

Date: 28 March 2007

G J HANDFORD
 Director Planning & Environmental Services

Per:





Breese Parade, Forster NSW 2428
Phone: 0265917222
Fax 0265917200

ABN 60 343 393 217

SECTION 94 CONTRIBUTIONS

IF MAKING PAYMENT THIS FINANCIAL YEAR, PLEASE RETURN THIS FORM WITH PAYMENT

28 March 2007

DA-337/2007
AB:JAS

TATTERSALL SURVEYORS PTY LTD
PO Box 54
RAYMOND TERRACE NSW 2324

PROPERTY: LOT 34 DP 270100
LOT 34 SHORELINE DRIVE, TEA GARDENS NSW 2324

Description	Amount
GLW - Provision of Library Stock	131.98
GLW - Headquarters Building	396.75
GLW - Section 94 Administration	126.32
T. Gardens/H. Nest - Community Facilities	1,082.33
T. Gardens/H. Nest - Cycleways	343.49
T. Gardens/H. Nest - Rural Res. - Embellishment	887.11
T. Gardens/H. Nest - Arterial Roads	1,310.10
T. Gardens/H. Nest - Section 94 Studies	9.68
T. Gardens/H. Nest - Surf life Saving	93.68
TOTAL PAYABLE	\$4,381.44

This form is issued for your information.
The above contributions are not due for payment but will be payable prior to the issue of a Construction Certificate. The amounts have been indexed for payment this financial year. Payments made after 30 June next will be subject to further indexation.

DETAIL PLAN (IN 2 SHEETS)

REFERENCE MARKS

COMMUNITY PLAN D.P. No. 270100

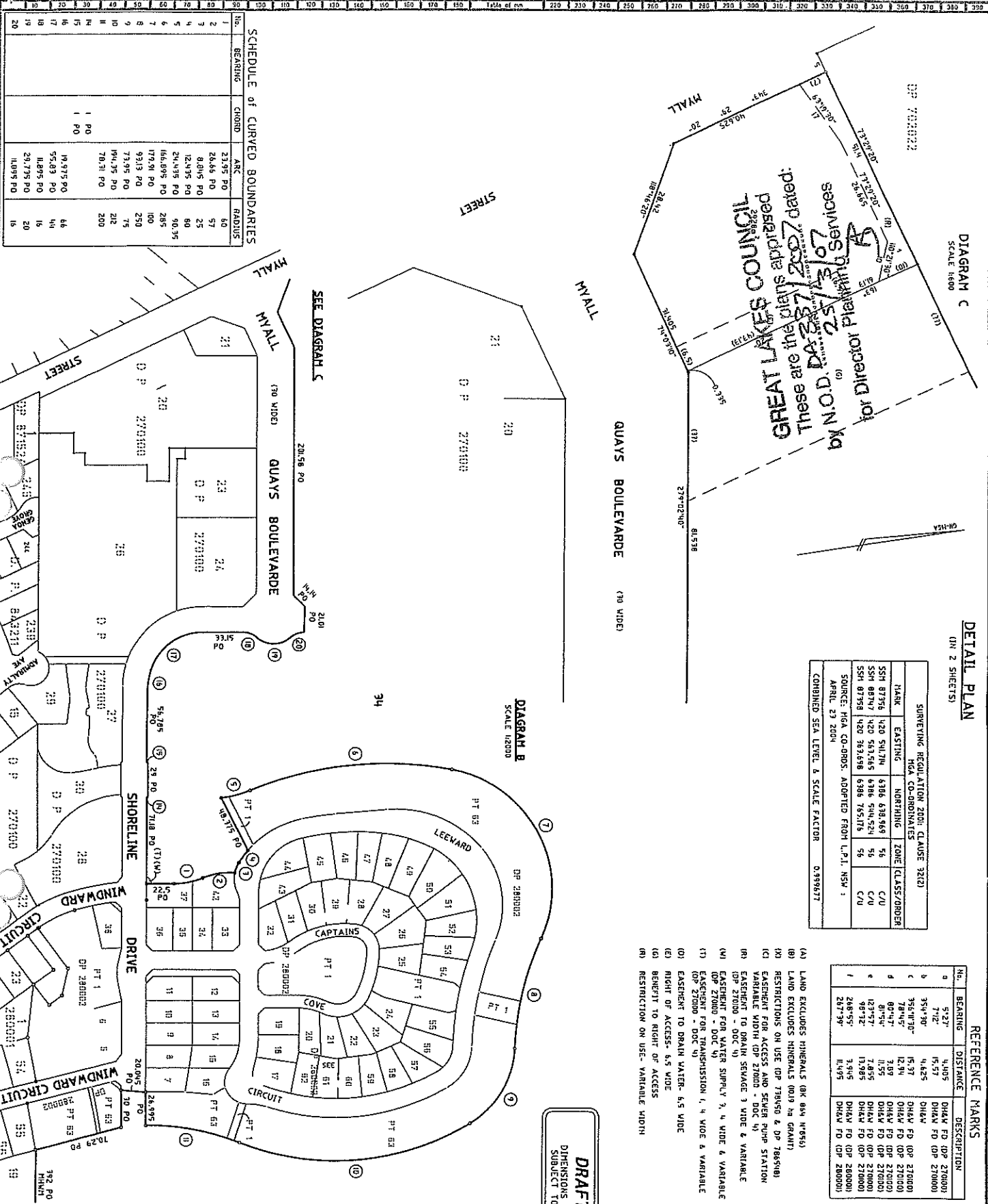
SURVEYING REGULATION 2001, CLAUSE 39(2)				
HGA CO-ORDINATES				
MARK	EASTING	NORTHING	ZONE	CLASS/ORDER
SSM 87356	420 541,716	6186 638,666	56	C/U
SSM 88147	420 541,565	6186 504,524	56	C/U
SSM 87358	420 363,618	6186 765,176	56	C/U
SOURCE: HGA CO-ORDS. ADOPTED FROM L.P.L. NSM : APRIL 23 2004				

No.	BEARING	DISTANCE	DESCRIPTION
a	S 52° 27' E	4.405	DH&V FD (DP 27000)
b	71° 12' E	15.577	DH&V FD (DP 27000)
c	S 54° 30' E	4.625	DH&V
d	78° 45' E	15.37	DH&V FD (DP 27000)
e	80° 47' E	12.94	DH&V FD (DP 27000)
f	81° 54' E	3.89	DH&V FD (DP 27000)
g	127° 57' E	7.835	DH&V FD (DP 27000)
h	95° 12' E	13.965	DH&V FD (DP 27000)
i	248° 55' E	3.945	DH&V FD (DP 28000)
j	287° 39' E	11.495	DH&V FD (DP 28000)

- (A) LAND EXCLUDES MINERALS (DP 884 N1955)
- (B) LAND EXCLUDES MINERALS (DP 884 N1955)
- (C) RESTRICTIONS ON USE (DP 77480 & DP 78650)
- (D) EASEMENT FOR ACCESS AND SEWER PUMP STATION
- (E) VARIABLE WIDTH (DP 27000 - DOC U)
- (F) EASEMENT TO DRAIN SEWAGE 3 WIDE & VARIABLE (DP 27000 - DOC U)
- (G) EASEMENT FOR WATER SUPPLY 3, 4 WIDE & VARIABLE (DP 27000 - DOC U)
- (H) EASEMENT FOR TRANSMISSION 1, 4 WIDE & VARIABLE (DP 27000 - DOC U)
- (I) RIGHT OF ACCESS- 6.5 WIDE
- (J) RIGHT OF ACCESS- 6.5 WIDE
- (K) BENEFIT TO RIGHT OF ACCESS
- (L) RESTRICTION ON USE- VARIABLE WIDTH

Survey registered under Surveying Act 2002
This is sheet 2 of the plan of 3 sheets
drawn by Sutherland Cartographic Inc.
Registered:
This is sheet 2 of my plan in 3 sheets
dated 25/06/2005
Authorised Person/General Manager/Accountant/Clerk
For use where there is restriction in my plan as per
Form 2

DRAFT PLAN
DIMENSIONS AND AREAS ARE
SUBJECT TO
FINAL SURVEY



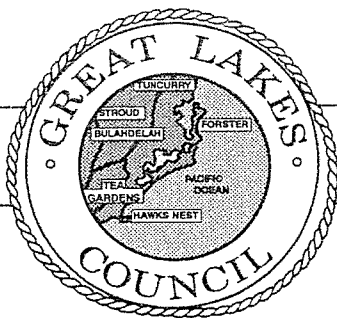
Plan Drawing only to appear in this space

LOTS 51-57 INCL. ARE DEVELOPMENT LOTS
THIS IS SHEET 25 OF DP 27000 AND
IT REPLACES SHEET 20 AS REGARDS TO
LOT 31 AND IS AN ADDITIONAL SHEET
Production Date: 16 2000
SUTHERLANDS REFERENCE: 200100

Volume 1:

Annex B: Previous Development Consents

4. Modification to Development Consent for
100 lot community title subdivision



GREAT LAKES COUNCIL

Breese Parade, Forster
PO Box 450, Forster NSW 2428
DX 7110, Forster

Telephone: (02) 6591 7222
Fax: (02) 6591 7200

FILE

Crighton Properties Pty Ltd
DX 7215
GOSFORD NSW 2822

Ref: DA-341/2003

NOTICE OF DETERMINATION (CONSENT) *issued under the Environmental Planning and Assessment Act 1979, Section 92*

Your application for 100 LOT COMMUNITY TITLE SUBDIVISION (STAGED):
STAGES 7 & 8

Building Code of Australia Classification Not Applicable

on land described as PT LOT 22 DP 270100
SHORELINE DRIVE, TEA GARDENS NSW

was determined on	28-Apr-2003
by	GRANTING DEFERRED COMMENCEMENT CONSENT Subject to conditions attached hereto
Consent operates from	TO BE ADVISED
Consent lapses	FIVE YEARS FROM THE DATE OF ADVICE THAT THIS CONSENT IS OPERABLE; OR AT THE END OF THE TIME SPECIFIED IN THE DEFERRED COMMENCEMENT CONDITIONS

Right of appeal:

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice. *(Not applicable to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry)*

Review of determination:

Under S82A of the Act, an applicant may request the council to review a determination of the applicant's application other than:

- * a determination in respect of designated development, or
- * a determination in respect of integrated development.

The request for a review must be made within 28 days after the date on which you receive this notice. The prescribed fee must be paid in connection with a request for a review.

Signed on behalf of Consent Authority:

G J HANDFORD

13 May 2003

Per:

Paul de Szell

Contact for further advice:

PAUL DE SZELL ~ PHONE: (02) 6591 7344

Great Lakes ~ Great Service ~ Great Lifestyle

A. DEFERRED COMMENCEMENT CONDITIONS

The following deferred commencement conditions must be satisfied before the commencement of any work:

1. This consent does not operate until Council is satisfied as to the matters relating to conditions 2-5 and no work is to physically commence on the development until such time as council has notified the applicant in writing that these conditions have been satisfied.
2. A management plan is to be prepared by a suitably qualified and experienced hydrologist in order to:
 - ensure that the present hydrological regime of the SEPP 14 Wetland is maintained for the majority of the site;
 - demonstrate that there will be no increase in contaminants entering the SEPP 14 Wetland;
 - ensure that the quality of surface water entering the SEPP 14 Wetland and the quality of the groundwater entering the SEPP 14 Wetland will not be adversely affected;
 - establish a monitoring system for assessing the health of the SEPP 14 Wetland. Monitoring should assess issues such as any changes in the size of the Wetland, relative abundance of species and water quality in sources of input. Monitoring is to be undertaken by a suitably qualified ecologist;
 - demonstrate that the long term effectiveness of any detention system, water quality treatment ponds or other works for protecting the hydrological regime of the Wetlands and the quality of water entering the Wetlands and the groundwater regime of the Wetlands will be maintained to ensure the effective operation of these protective measures;
 - indicate the criteria by which water quality of any Wetland protection mechanisms will be measured and identify the responsibilities of land owners, Council, civil contractors and builders, residents and the Environment Protection Authority. It should also recommend actions if monitoring detects problems with any water quality device or system.

Note: The management plan referred to above is to include provisions for the establishment of base line data for water quality and hydrological regimes for both surface and groundwater. The plan must also provide for a monitoring program to ensure the effective operation of the protective measures."

3. A soil and water management plan is to be prepared by a suitably qualified and experienced consultant and is to comprise the following principles of stormwater management:
 - Plan for erosion and sediment control concurrently with engineering design and in advance of earthworks, ensuring proper assessment of site constraints and integration of the various needs;
 - Minimise the area of soil exposure;
 - Conserve the topsoil;

- Control water flow from the top of the development area, through the works and out the bottom of the site, for example:
 - divert clean runoff above denuded areas;
 - minimise slope gradient and length;
 - keep runoff at non-erodible velocities;
 - trap soil and water pollutants.
- Rehabilitate disturbed lands quickly; and
- Maintain soil and water management measures at a level to ensure the finally developed site releases water of a quantity and quality equal to, or better than, the pre-developed condition.

Note: The management plan referred to above is to include provisions for the establishment of base line data for a monitoring program to ensure there are no adverse impacts on water quality through changes to surface hydrology and potential acid sulphate soils.

The management plan referred to above should also include Soil and water management measures to meet the performance criteria outlined in the following documents, as updated from time to time:

- Soil and Water Management for Urban Development (Department of Housing, Second Edition, 1993).
- Managing Urban Stormwater: Strategic Framework (Environment Protection Authority for the State Stormwater Coordinating Committee, 1996).
- Managing Urban Stormwater: Construction Activities (Environment Protection Authority for the State Stormwater Coordinating Committee, 1996).
- Managing Urban Stormwater: Treatment Techniques (Environment Protection Authority for the State Stormwater Coordinating Committee, 1996).
- Assessing and Managing Acid Sulphate Soils: guidelines for land management in NSW coastal area (EPA, 1995).
- Great Lakes Council Erosion and Sediment Control Policy

4. A water management plan is to be prepared by a suitably qualified and experienced consultant which specifies the water quality performance criteria to be achieved within the water quality treatment system for the site and the procedures for ensuring that the specified water quality performance criteria are met.

The management plan shall specify provisions for the establishment of baseline data and for a monitoring program to ensure the long term viability of the water quality treatment system, including details of the monitoring procedure for ensuring the performance of the pollutant control function, with regard to nutrient stripping.

The management plan shall detail the means of restricting the use of the waterbody for secondary contact recreation and shall specify the means of maintaining the visual standard of the water treatment system with particular regard to litter, excessive weed and algal growth.

The management plan shall also identify those persons responsible for the monitoring and maintenance, including responsibility for costs for maintaining scenic and water quality of the water treatment system, and further identifying those persons responsible for any remediation actions or costs required to improve scenic, recreation and water quality of the water quality treatment system."

5. Details to satisfy conditions 2-5 being submitted within 6 months from the date of determination. If sufficient details are not submitted within this time, the consent will lapse.

B. CONDITIONS OF CONSENT

The following condition/s have been applied to ensure that the development complies with the provisions of the Environmental Planning and Assessment Act and Regulations and Policies of Council:

1. The development being carried out in accordance with the details set out in the Development Application unless otherwise amended by these conditions of consent.
2. Submission of an application for a subdivision certificate complying in all respects with the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Amendment Regulation 2000.
3. Existing vegetation is to be retained with in the open space / community areas proposed to be provided as part of the subdivision where possible. Details of vegetation retention are to be show on an amended plan prior to the release of any Subdivision Certificate.
4. The subdivision layout being amended to incorporate the following changes.
 - (i) All allotments are to have a minimum width of 12.6m at the street frontage (except for battleaxe lots);
 - (ii) All lots shall be capable of containing a rectangle suitable for building purposes measuring 8m x 20m or 10m x 16m behind the building line and a private open space area of 40m² with a minimum dimension of 4m.
 - (iii) Proposed lots 74 and 75 must be provided with one shared driveway for access to both front and rear allotments [Driveway design and location must take into account the provisions for parking and driveways in Council's *Residential DCP*].

Details are to be shown on an amended plan and approved by Council prior to the release of any Subdivision Certificate.
5. The proposed subdivision not being released until all roads in association with DA 764/02 have been registered.
6. A variable width easement is to be created from the back of the Bi-Lo site to the nutrient pond, as the existing easement will be dissolved/extinguished with any adjustments to the residue lot.
7. A Certificate of Compliance from Telstra Australia being submitted to verify that satisfactory arrangements have been made and all payments have been finalised for the supply of telephone services to the subdivision.
8. A Certificate of Compliance from Country Energy being submitted to verify that satisfactory arrangements have been made and all payments finalised for the supply of electricity to the subdivision
9. A Certificate of Compliance being received from MidCoast Water prior to the release of the subdivision stating that satisfactory arrangements have been made and all payments have been finalised for the provision of water supply and sewerage to the development.

10. All activities being carried out with minimum harm to the quality- quantity dependant eco-systems that rely on groundwater in the area.
11. The proposed water quality ponds being constructed above the level of the groundwater table to avoid direct connection with groundwater. Note: To further protect groundwater systems water quality ponds must have an impermeable bottom.
12. Any works that intercept the groundwater table will require a licence under Part 5 of the Water Act.
13. A Bush Fire Safety Authority being obtained from the NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997 for the proposed subdivision
14. Recommendations 1-6 of the Bush Fire Threat Assessment prepared by Conacher Travers Pty Ltd (October 2002) being incorporated into the proposed subdivision layout. Details are to be shown on an amended plan and approved by Council prior to the release of any Subdivision Certificate.
15. The subdivision being provided with a fire hydrant system that is capable of servicing the perimeter fire trail system. This system is to be designed in accordance with AS 2419.
16. A plan of the fire hydrant system required by Condition 15 above is to be provided to the Great Lakes Rural Fire Service District Office for approval prior to installation.
17. The proposed perimeter fire trails being constructed in accordance with *Planning for Bushfire Protection 2001* and are to incorporate sufficient and adequate passing bays for fire fighting appliances. All fire trails are to be linked to the internal subdivision road system so as to create through traffic flow from the trails.
18. A plan of the fire trail system required by Condition 17 above is to be provided to the Great Lakes Rural Fire Service District Office for approval prior to installation.
19. The perimeter of the subdivision having a well maintained Asset Protection Zone (APZ) at all times in accordance with *Planning for Bushfire Protection 2001*.
20. Trees within the Inner Protection Area of the APZ must not be continuous or overhang the buildings and there must be a minimum 2m separation distance between tree canopies.
21. Any changes to the positioning of the proposed allotments on the site are to be referred back to the RFS to ensure that adequate bushfire protection measures are incorporated into the final allotment layout.
22. An evacuation plan is to be prepared for the proposed subdivision and include procedures for emergency bushfire situations. This plan is to be provided to the local Rural Fire Service District Office for approval prior to installation.
23. All reasonable measures shall be undertaken to protect vegetation, which is to be retained on the site from damage during construction.

Where any damage is caused, remedial action shall be carried out to the specifications of a horticulturalist.

24. All useable trees and shrubs shall be salvaged for re-use either in log form, or as woodchip mulch for erosion control and/or site rehabilitation. Non-salvageable material, such as roots and stumps, may be disposed of in an approved form at sites nominated by Council.
25. Vegetation (including trees) not being disposed of by burning unless specifically approved by both Council and the NSW Rural Fire Service.
Details of the means of tree disposal are to be submitted for Council's approval prior to the commencement of subdivision works.
26. The landscaping plan submitted with the Development Application being amended to comply with Council's Standard Drawing 172 and Council's letter dated 12/03/03. All landscaping other than street trees is to be deleted from Council's road reserves. An amended plan incorporating the amendments is to be submitted prior to the issue of any subdivision construction certificate.
27. One advanced street tree is to be planted in the road reserve in front of each lot. This tree is to be surrounded by an effective tree guard to protect the planting from damage during subsequent building works. Two trees (one on each frontage) are to be provided for corner lots.
28. Street tree planting is only to be undertaken by the developer when the subdivision is at an advanced stage, roads and main service lines are in place and the location of footpaths and driveway crossings has been identified.
29. The submission, prior to the issue of a subdivision construction certificate, of a Geotechnical Report by a qualified consultant on the suitability of the land for residential development and also engineering works. The Geotechnical Report is to include details of any special building practices and pavement design for the proposed road within the subdivision.
An 88B Instrument may be required to be noted on the approved subdivision plan.
30. Soil surveys being undertaken over the course of the development of the subdivision to verify the presence or absence of actual or potential acid sulphate soils.
Where actual or potential acid sulphate soil conditions are identified, the generic Acid Sulfate Soils Management Plan prepared by Coffey and Partners (ref no. N07628/01-BF) is to be adopted, if soils exceeding the action criteria are to be disturbed.
31. Erosion and sediment control measures shall be implemented on the land to the satisfaction of Council in accordance with the specifications and standards contained in the Erosion and Sediment Control Plan (ESCP) (prepared in accordance with Council's ESC Policy) submitted to satisfy the deferred commencement conditions.
32. The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times to the satisfaction of Council.
33. Measures shall be applied, to the satisfaction of Council, to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development. Details are to be submitted with the ESCP.
34. All disturbed areas shall be rendered erosion-resistant by turfing, mulching, paving or otherwise suitably stabilised within seven (7) days of completion of all bulk earthworks. Details are to be submitted with the Erosion and Sediment Control Plan. Disturbed areas without such protection are not to exceed 1.5 hectares.

35. In conjunction with the approved Erosion and Sediment Control Plan, the following construction measures shall be implemented in the sequence outlined:
- Approved run-off and erosion controls shall be installed prior to clearing of site vegetation (other than that associated with the construction of the controls). These shall be as shown on an Erosion and Sediment Control Plan approved by Council.
 - Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping.
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural or artificial water body, footpath, kerb or road surface and shall have measures in place to prevent the movement of such materials onto the areas mentioned.
 - Uncontaminated runoff shall be intercepted upsite and diverted around all disturbed areas and other areas likely to be disturbed. Diversion works shall be adequately stabilised.
 - Runoff detention and sediment interception measures shall be applied to the land. These measures will reduce flow velocities and prevent topsoil, sand, aggregate, road base, spoil or other sediment escaping from the site or entering any downstream drainage easements or natural or artificial water bodies.
36. Measures must be implemented to ensure effective dust suppression during construction of the subdivision. These measures include use of water carts and/or seeding. Details of the measures proposed to be implemented are to be included as part of any ESCP implemented on the site.
37. The developer, at no cost to Council, making any necessary alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision.
38. The provision by the developer of works-as-executed drawings of all engineering works prior to the issue of the subdivision certificate. Where the design is carried out utilising computer aided design CAD, all cad computer files are required to be provided on 3.5 inch format disks with the final drawings.
- The provision by the developer of CAD files which include all lot and road boundaries, lot numbers and easements, prior to the issue of the subdivision certificate. The data is to be supplied to the requirements of Council's GIS Officer.
39. All engineering works being provided to serve all lots with the works complying with Council's Engineering Specifications, Standards, Codes and Policies.
- All work is to be at the developer's expense. No engineering works are to commence on the development until a subdivision construction certificate has been issued. Detailed design plans are to be submitted with the application for a construction certificate, and approved by the Director of Engineering prior to a construction certificate being issued. The work is to be completed in accordance with the registered plans prior to the issue of a subdivision certificate. Included in the engineering works is to be the following:
- The provision of kerb and gutter, ancillary drainage, relocation of services, footpath levelling and turfing, and road construction with full width AC seal for the full frontage of all new roads.
 - Deletion of the Shoreline Drive central median.
 - Formation of the footpath area, construction of 1.2m and 2m m wide concrete footpaving and topdress and grass the remainder of the footway on the frontage of the following streets

- Shoreline Drive - 1.2m footpath (northern) and 2m cycleway (southern)
 - Road 1 – 2m cycleway
 - Road 2 - 1.2m footpath
 - Road 3 – delete concrete footpath
- d) All necessary traffic control during construction.
- e) Street name signs at the intersections of all roads in the subdivision. The names for new streets are to be approved by Council and are to be shown on the final plan of subdivision.
- f) Street lighting being provided to the requirements of Council with all work being completed, and payments being made, prior to release of the subdivision certificate.
- g) Provision of pipes and drains for the conveyance, within public roads, public reserves, or adjoining land, of stormwater from the development to a discharge outlet approved by Council.
- h) An interallotment drainage system for all lots that cannot drain to the street.
40. A traffic control plan complying with the requirements of the Roads & Traffic Authority is to be submitted prior to the issue of a subdivision construction certificate.
41. The staging plan being amended so that road 2 terminates at the common boundary of Lot 32 and Lot 33. Lots 31, 32, 42 and 43 are to be released in stage 2.
42. Detailed calculations for the sizing of the open drain being submitted for approval with the subdivision construction certificate.
43. The community title plan is to clearly indicate that Council is not responsible for the maintenance of the open drain.
44. Construction of a concrete driveway within the access handle to lot 75 with the creation of a reciprocal right-of-carriageway for proposed lot 74 in accordance with Council's Subdivision DCP.
45. Construct a layback and a residential / industrial / commercial type footpath crossing at the entry/exit to Lot 75 in accordance with Council's Standard Drawing No 26 (Standard Urban Vehicular Crossing).
46. Roads in the adjoining subdivision, required to give access to this subdivision, being dedicated before the issue of the subdivision certificate.
47. Provision, at no cost to Council, of the following public transport facilities:
- (i) A Bus shelter and roadway signage
 - (ii) Provision of additional land where the shelter cannot be located within the road reserve to the satisfaction of Council's Manager Transport Asset.
 - (iii) Provision of bus indent in accordance with NAASRA guidelines and any road widening that may be required to facilitate this indent.
48. The creation or obtaining of the following easements/reserve by the developer at no cost to Council:
- a) Easements to drain sewerage in favour of MidCoast Water over existing and necessary sewer mains and associated works.

- b) Easements to drain stormwater in favour of Great Lakes Council over existing and proposed channels, pipelines and associated works.
- c) The easement required to be created by Condition 6 of this consent.

Details of the above are to be indicated on the final subdivision plan and copies of any respective Section 88B Instruments are to be submitted with the application for a subdivision certificate.

49. Payment of the following fees, charges and/or bonds with the application for a construction certificate:

- a) A defects liability bond of 6% of all public engineering works associated with the development, as required by this approval, with a minimum of \$2300. This bond will be lodged in a Council Trust Fund to cover any defects in the works subsequent to their acceptance by Council. Three (3) years after the acceptance of these works by Council or release of the subdivision plan, whichever is later, the bond will be refunded if, at an inspection arranged by the applicant, no defects are apparent.

The defects liability bond is reviewed periodically and may change prior to the release of the subdivision. The fees and maintenance period shall be determined from Council's current requirements at the time of the subdivision release.

- b) Engineering supervision fees in accordance with Council's Schedule of Fees at the time of lodgement of plans.

50. The lodgement, with the application for a subdivision certificate, of proper plans of subdivision and seven copies, prepared by a Registered Surveyor and suitable for registration by the Land Titles Office, including any necessary Section 88B Instruments. Note: Council will not endorse restrictions as to user other than those required under these conditions or as approved in the Development Application. The plans of survey are to show connections to at least two survey control permanent marks where such exist in the vicinity of the subdivision or where practical. Existing and proposed street names are to be shown on the plans.

51. The developer shall restore, replace or reconstruct any damage caused to road pavements, surfaces, street furniture, roadside drainage, street lighting or underground facilities on the haulage routes used for the construction of the subdivision.

Haulage routes for the construction shall be as agreed with the Director Engineering Services. Written agreement shall be made prior to the issue of a construction certificate.

52. The use of the premises and the operation of all plant and equipment shall not give rise to any offensive noise as defined in the Protection of Environment Operations Act.

53. Hours of operation are to be restricted to 7.00 am to 5.30 pm Monday to Friday and 8.00 am to 4.00 pm Saturdays, with no work/activities on Sundays or public holidays.

54. Where the development is to be staged, the contributions may be paid in full prior to the release of the first subdivision certificate or on a pro rata basis for each unit or lot that is contained in each staged release.

55. Payment of a contribution of 4.3 cents per cubic metre of material per kilometre hauled, prior to the issue of the construction certificate, in accordance with Council's Sec 94 Plan for Road Haulage. The levy is to be used for maintenance/repairs of damage caused to public roads by the above work.

The applicable contribution rate is subject to review. Any new rates become applicable immediately following such review and all contributions shall be paid at the rate determined at the most recent review.

Copies of the Contributions Plan may be inspected at Council's offices in Breese Parade, Forster.

56. In accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and the Great Lakes Wide Section 94 Contributions Plan, a monetary contribution shall be paid to Council prior to the issue of a Construction Certificate/Subdivision Certificate. The services and facilities for which the contributions are levied and the respective amounts payable are:

	Stage 1	Stage 2
a) Library Stock	\$ 3,813.82	\$ 5,395.16
b) Administration of Sec 94 Contributions	\$ 989.74	\$ 1,400.12
c) Preparation of Sec 94 Contribution Plans	\$ 33.62	\$ 47.56
d) Rural Fire Fighting Facilities	\$45,838.00	\$64,844.00

The applicable contribution rate is subject to review. Any new rates become applicable immediately following such review and all contributions shall be paid at the rate determined at the most recent review.

Copies of the Contributions Plan may be inspected at Council's offices in Breese Parade, Forster.

57. In accordance with Section 94 of the Environmental Planning and Assessment Act and the Tea Gardens and Hawks Nest Section 94 Contributions Plan, a monetary contribution shall be paid to Council prior to the issue of a subdivision certificate. The services and facilities for, which the contributions are levied and the respective amounts payable are:

	Stage 1	Stage 2
a) Arterial Roads	\$40,710.95	\$57,591.10
b) Community Facilities	\$18,349.55	\$25,957.90
c) Open Space Acquisition	\$12,961.74	\$18,336.12
d) Open Space Embellishment	\$29,607.33	\$41,883.54
e) Cycleways	\$ 7,533.34	\$10,656.92
f) s94 Studies	\$ 282.49	\$ 399.62

The applicable contribution rate is subject to review. Any new rates become applicable immediately following such review and all contributions shall be paid at the rate determined at the most recent review.

Copies of the Contributions Plan may be inspected at Council's offices in Breese Parade, Forster.

58. In accordance with Section 94 of the Environmental Planning and Assessment Act and the Section 94 Contributions Plan for Surf Life Saving Equipment, a monetary contribution shall be paid to Council prior to the issue of a Construction Certificate/Subdivision Certificate. The services and facilities for which the contributions are levied and the respective amounts payable for Acquisition of Surf Life Saving Equipment at Hawks Nest are:

Stage 1	Stage 2
\$4,174.21	\$5,904.98

The applicable contribution rate is reviewed annually and new rates, if applicable, become payable from 1 July each year. All contributions shall be paid at the rate determined at the most recent review.

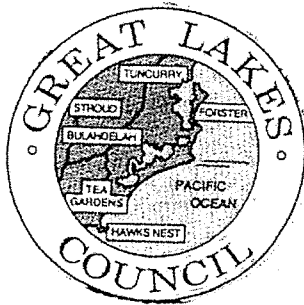
Copies of the Contributions Plan may be inspected at Council's offices in Breese Parade, Forster.

Date: 13 May 2003

G J HANDFORD
Director Planning & Environmental Services

Per:

Paul De Szell



Breese Parade, Forster NSW 2428
 Phone: 0265917222 Fax 0265917200
 ABN 60 343 393 217

SECTION 94 CONTRIBUTIONS

PLEASE RETURN THIS FORM WITH PAYMENT

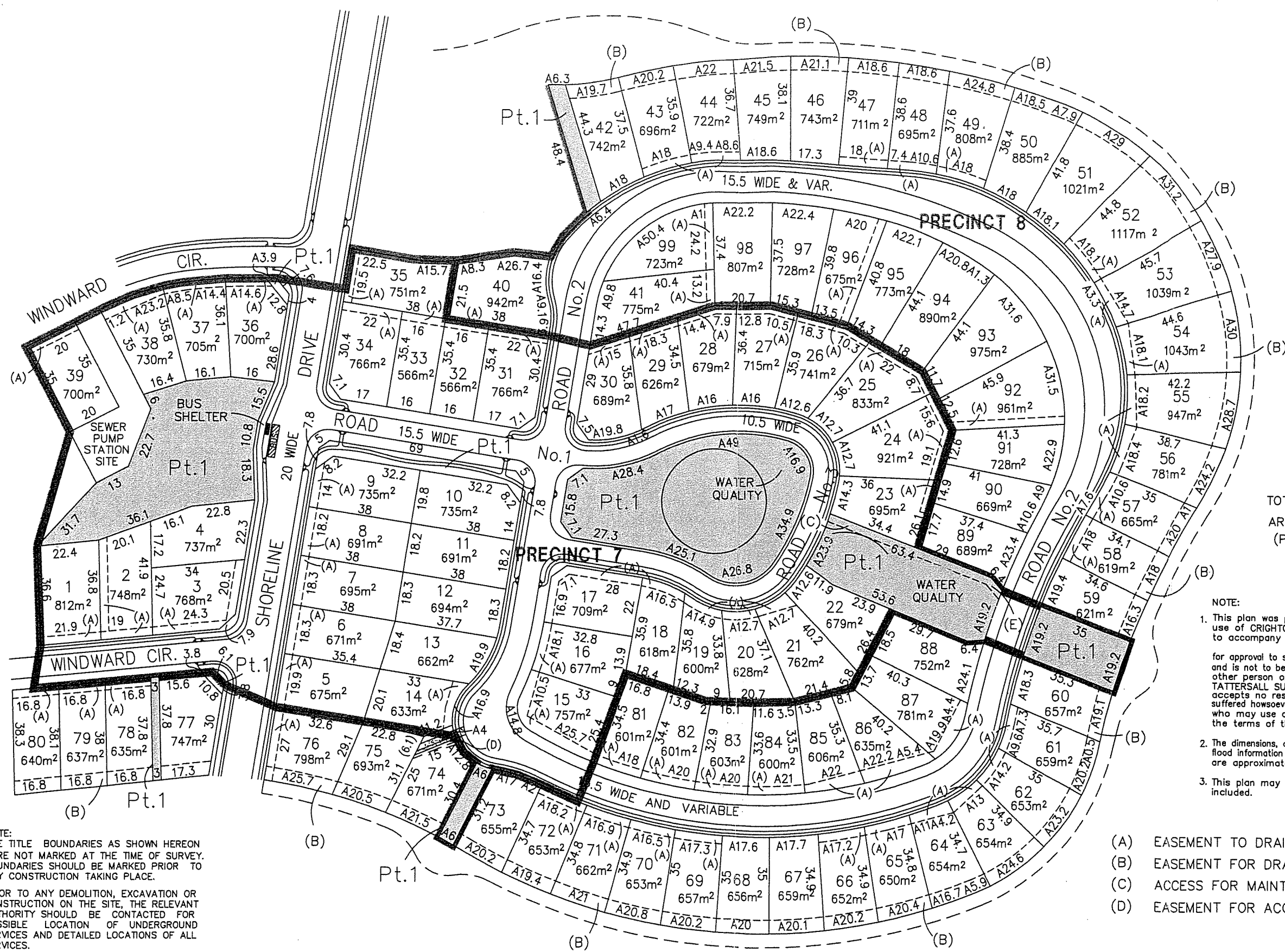
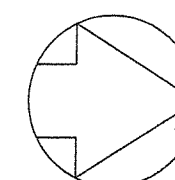
13-May-2003

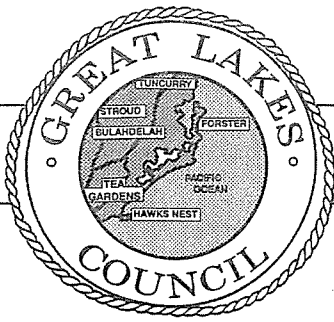
DA-341/2003

Crighton Properties Pty Ltd
 DX 7215
 GOSFORD NSW 2822

	Stage 1	Stage 2
GLW - Provision of Library Stock	3,813.82	5,395.16
GLW - Section 94 Administration	989.74	1,400.12
GLW - Section 94 Preparation	33.62	47.56
GLW - Bushfire Contributions - Coastal Precinct	45,838.00	64,844.00
T. Gardens/H. Nest - Arterial Roads	40,710.95	57,591.10
T. Gardens/H. Nest - Community Facilities	18,349.55	25,957.90
T. Gardens/H. Nest - New Urban - O.S. Acquisition	12,961.74	18,336.12
T. Gardens/H. Nest - Infill - O.S. Embellishment	29,607.33	41,883.54
T. Gardens/H. Nest - Cycleways	7,533.34	10,656.92
T. Gardens/H. Nest - Section 94 Studies	282.49	399.62
Hawks Nest - SLS Facilities	4,174.21	5,904.98
TOTAL PAYABLE:	\$164,294.79	\$232,417.02

Note: This invoice applies to the current financial year and is subject to indexation.





GREAT LAKES COUNCIL

Breeze Parade, Forster
PO Box 450, Forster NSW 2428
DX 7110, Forster

Telephone: (02) 6591 7222
Fax: (02) 6591 7200

Tattersall Surveyors
PO Box 54
RAYMOND TERRACE NSW 2324

Our Reference:

DA-341/2003
GMS : SB

Contact:

Mr Gavin Maberly-Smith
02 6591 7292

7 June 2004

Dear Sir/Madam

APPROVAL FOR MODIFICATION OF DEVELOPMENT CONSENT NO: DA-341/2003
DEVELOPMENT DESCRIPTION: 100 LOT COMMUNITY TITLE SUBDIVISION (STAGED): STAGES 7 & 8
PROPERTY: LOT 17 DP 270100, TOONANG DRIVE, TEA GARDENS NSW 2324
OWNER: CRIGHTON PROPERTIES PTY LTD

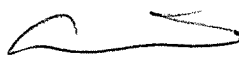
Reference is made to your application in respect of the above matter.

In accordance with Section 96(1A) of the Environmental Planning and Assessment Act 1979, Development Consent No: DA-341/2003 is modified by the following:

- ***Deleting Conditions 13, 16 & 22***

Section 96(6) of the Environmental Planning and Assessment Act 1979 confers a right of appeal to the Land and Environment Court on any applicant dissatisfied with a decision of Council under that Section. Any appeal must be lodged within twelve (12) months of notification of Council's decision. Appeal forms are available from any Court House.

Yours faithfully


G MABERLY-SMITH
Manager Development Assessment
Planning & Environmental Services

Refer - F.I.

Regards
B.B.

Mr G Cox
Crighton Properties
DX 7215
GOSFORD NSW 2250

Our Reference: DA 341/2003

Contact: Paul De Szell
Telephone: (02) 6591 7344

5 September 2003

Dear Sir/Madam

**DEFERRED COMMENCEMENT CONDITIONS DEVELOPMENT CONSENT 341/2003 FOR
A 100 LOT COMMUNITY TITLE SUBDIVISION
PROPERTY: PT LOT 22 DP 270100, SHORELINE DRIVE TEA GARDENS**

I refer to the Water Management Plan [Cardno Willing –April 2003, (amended - September 2003)] and the Soil and Water Management Plans (Tattersall Surveyors – April 2003) submitted in order to address deferred commencement conditions 2, 3 and 4 of Development Consent 341 / 2003.

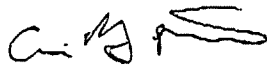
For your information please note that the details submitted are considered to suitably address the requirements of the afore mentioned conditions.

Therefore you are formally advised in accordance with *Clause 95. (5) of the Environmental Planning and Assessment Regulation 2000* that the consent authority (Great Lakes Council) is satisfied that the deferred commencement conditions attached to Development Consent 341 / 2003 have been addressed.

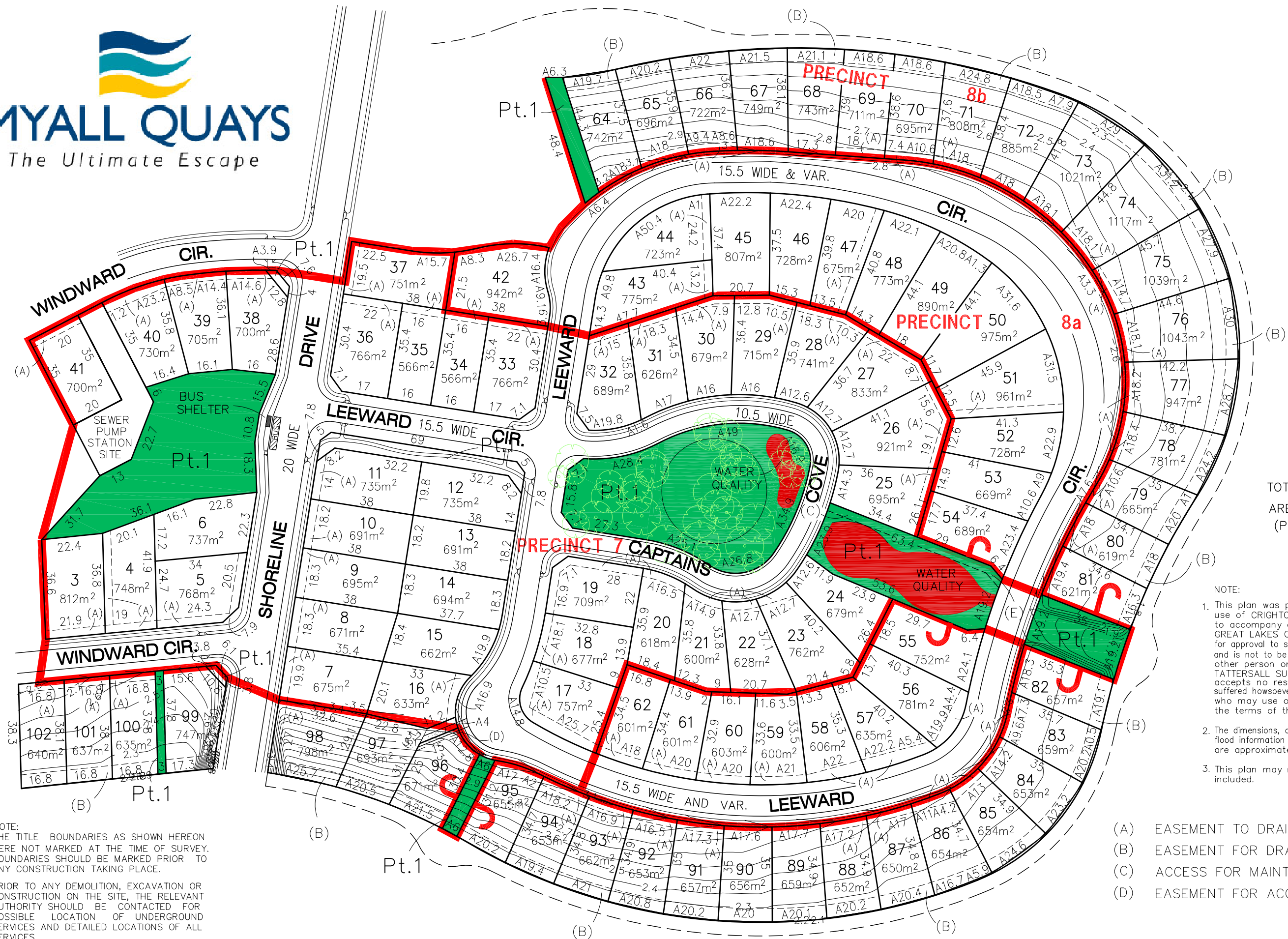
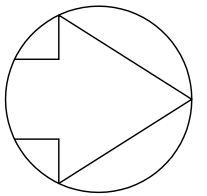
You are also advised that for the purposes of *Section 83 of the Environmental Planning and Assessment Act 1979*, Development Consent 341 / 2003 operates from the 5th of September 2003.

If you have any further queries please do not hesitate to contact Mr Paul de Szell on (02) 65917344.

Yours faithfully



G MABERLY-SMITH
Manager Development Assessment
Planning & Environmental Services



TOTAL SITE AREA = 10.4 ha
 AREA LOT 1 = 11377m²
 (PRECINCT PROPERTY)

NOTE:

1. This plan was prepared for the purpose and exclusive use of CRIGHTON PROPERTIES PTY LTD to accompany an application to GREAT LAKES COUNCIL for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation. TATTERSALL SURVEYORS accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this clause or clauses 2 or 3 hereof.
2. The dimensions, area, size and location of improvements, flood information (if shown) and lots shown on this plan are approximate only and may vary.
3. This plan may not be photocopied unless this note is included.

NOTE:
 THE TITLE BOUNDARIES AS SHOWN HEREON WERE NOT MARKED AT THE TIME OF SURVEY. BOUNDARIES SHOULD BE MARKED PRIOR TO ANY CONSTRUCTION TAKING PLACE.

PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE, THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR POSSIBLE LOCATION OF UNDERGROUND SERVICES AND DETAILED LOCATIONS OF ALL SERVICES.

THIS PLAN IS PREPARED FOR THE EXCLUSIVE USE OF CRIGHTON PROPERTIES PTY LTD AND SHOULD NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS PLAN IS LIMITED TO THE MATTER DESCRIBED BY THE PLAN HEADING AND IS PROTECTED BY COPYRIGHT.

- (A) EASEMENT TO DRAIN SEWAGE 3 WIDE & VAR.
 (B) EASEMENT FOR DRAINAGE 5 WIDE
 (C) ACCESS FOR MAINTENANCE 3 WIDE
 (D) EASEMENT FOR ACCESS 6 WIDE

FILE: S:\PROJECTS\MYALL-QUAYS\DWG\STAGE 8\STAGE 8A-8B 27-1-04 DA



PLAN OF PROPOSED SUBDIVISION OF
 DEVELOPMENT LOT 22 IN DP 270100
 MYALL QUAYS ESTATE PRECINCT 7, 8a & 8b
Client CRIGHTON PROPERTIES

Locality TEA GARDENS
Council GREAT LAKES
Sheet No. 1 of 1

Ref. 201117
 201478
Date 13-08-08
Scale 1:1500