

# 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	<b>GRANTING CONSENT</b> 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

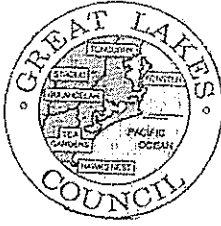
Contribution rates are subject to indexation. The rates shown above are applicable until 30 June following the date of consent. Payment made after 30 June will be at the indexed rates applicable at that time.

The Contributions Plan and the Standard Schedule for Section 94 Plans may be viewed on Council's web site [www.greatlakes.nsw.gov.au](http://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

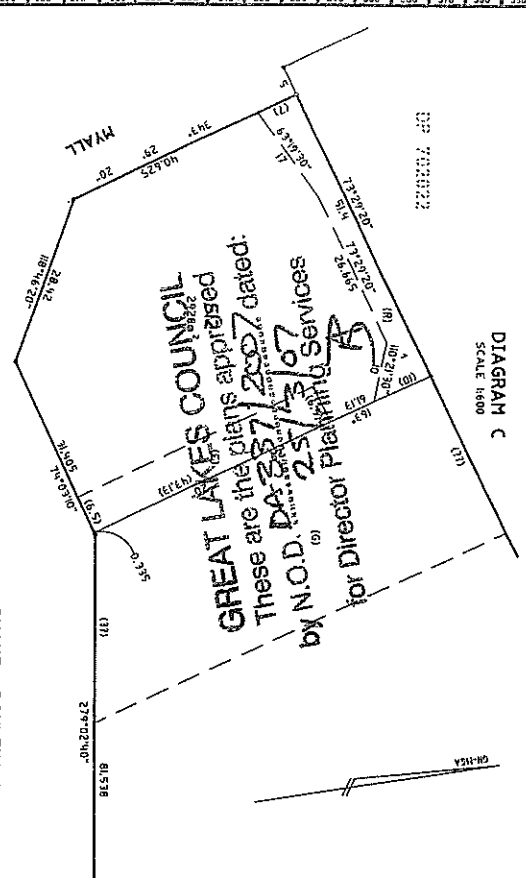
DA-337/2007  
AB:JAS

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
<b>TOTAL PAYABLE</b>	<b>\$4,381.44</b>

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)

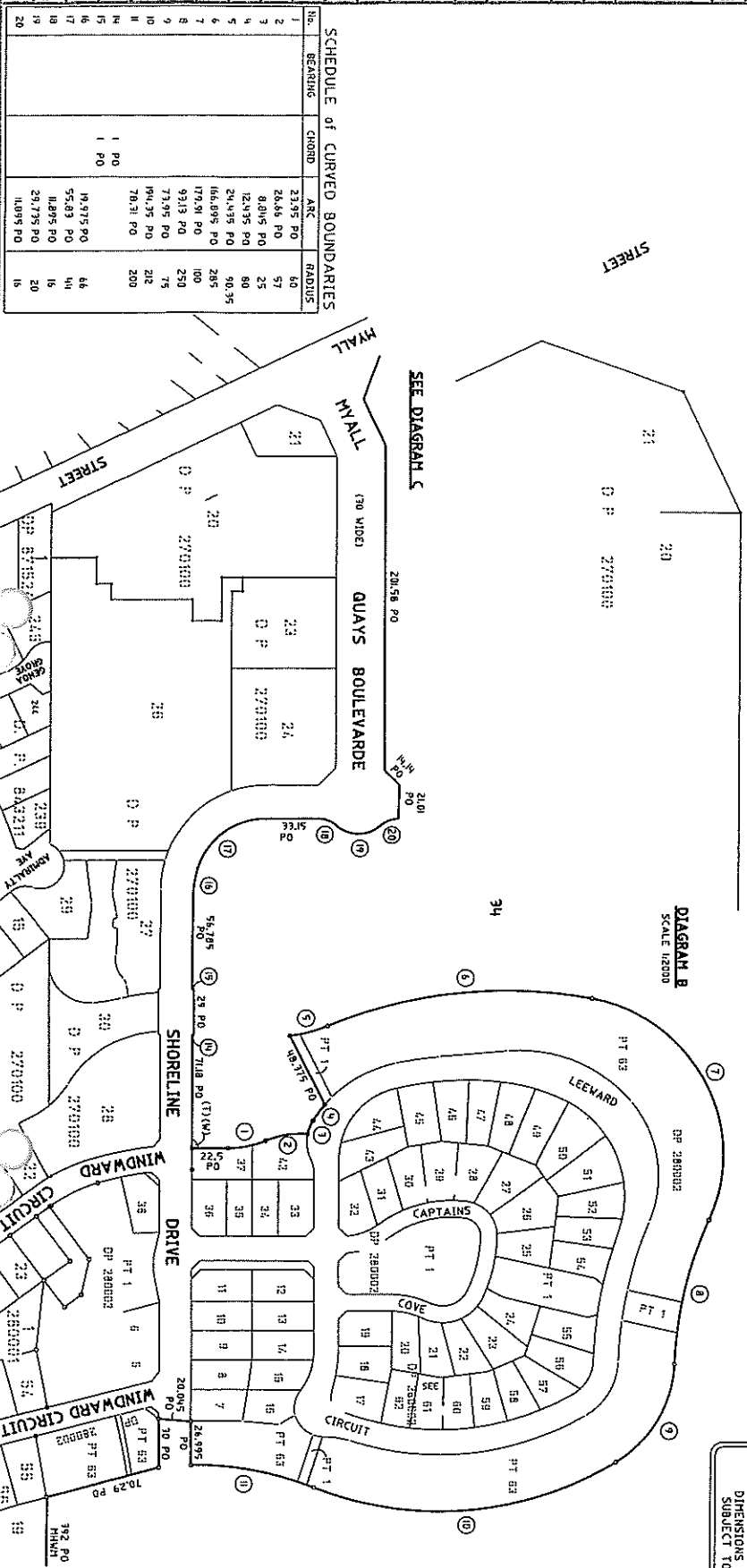
SURVEYING REGULATION 2001 CLAUSE 39(2) HGA CO-ORDINATES					
MARK	EASTING	NORTHING	ZONE	CLASS/ORDER	C/U
SSH 87356	420 541,716	6186 638,948	56	C/U	
SSH 88147	420 543,545	6186 514,524	56	C/U	
SSH 87358	420 363,658	6186 765,176	56	C/U	

SOURCE: HGA CO-ORDS. ADOPTED FROM L.P.T. NSM :  
APRIL 23 2004

COMBINED SEA LEVEL & SCALE FACTOR 0.9999377

REFERENCE MARKS			
NO.	BEARING	DISTANCE	DESCRIPTION
a	52°27'	4.405	DRAWN FD (OP 27000)
b	71°27'	15.577	DRAWN FD (OP 27000)
c	354°30'	4.625	DRAWN
d	78°45'	12.94	DRAWN FD (OP 27000)
e	82°47'	7.89	DRAWN FD (OP 27000)
f	127°52'	7.895	DRAWN FD (OP 27000)
g	70°12'	13.985	DRAWN FD (OP 27000)
h	248°55'	3.945	DRAWN FD (OP 28000)
i	287°39'	11.955	DRAWN FD (OP 28000)

- (A) LAND EXCLUDES MINERALS (BK 841 N(856))
- (B) LAND EXCLUDES MINERALS (IN 18 GRANT)
- (C) RESTRICTIONS ON USE (OP 77800 & OP 78650)
- (D) EASEMENT FOR ACCESS AND SEWER PUMP STATION
- (E) VARIABLE WIDTH (OP 27000) DRIVEN BY
- (F) EASEMENT TO DRAIN SEWAGE 3 MIDE & VARIABLE (OP 27000 - DOC 1)
- (G) EASEMENT FOR WATER SUPPLY 3, 4 MIDE & VARIABLE (OP 27000 - DOC 1)
- (H) EASEMENT FOR TRANSMISSION 1, 4 MIDE & VARIABLE (OP 27000 - DOC 1)
- (I) RIGHT OF ACCESS- 4.5 MIDE
- (J) RIGHT OF ACCESS- 4.5 MIDE
- (K) BENEFIT TO RIGHT OF ACCESS
- (L) RESTRICTION ON USE- VARIABLE WIDTH



**DRAFT PLAN**  
DIMENSIONS AND AREAS ARE SUBJECT TO FINAL SURVEY

**COMMUNITY PLAN**  
D.P.No. 270100

Registered:  
Additional sheet 25  
Date of plan 2 of my plan is 3 sheets  
dated 25/10/2005

Survey registered under Surveying Act 2002  
This is sheet 2 of the plan of 3 sheets  
prepared by Sheridan Christian Inc.

Authorised Practitioner/Engineer/Accountant/Carter  
For use where stated in restriction in my plan on Plan Form 2

LOTS 51-53 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

Prepared: 16 2000  
Shedrian's Reference: 2021100